

Name Iseli Nursery, Incorporated
By _____
Address 15241 Tickle Creek 30590 S.E. Kelso Rd.
Boring, OR 97009

Application No. R- 68128
Permit No. R 9901
Certificate No. 85586

FEES PAID		
Date	Amount	Receipt No.
<u>7/23/84</u>	<u>300-</u>	<u>43567</u>
FEES REFUNDED		
Date	Amount	Check No.

Stream Index, Page No. 2-10 Z 1
see file 68024

Date filed July 23, 1984
Priority July 23, 1984
Action suspended until SUR
Return to applicant _____
Date of approval JUL 30 1984

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

CONSTRUCTION
Date for beginning JUL 30 1985
Date for completion OCT 1 1986
Extended to _____
Date for application of water _____
Extended to _____

REMARKS
Res comm - see ext app in 68054
Card for B NOV 14 1986
Form 128 Sent, OCT 03 1989

PROSECUTION OF WORK
Form "A" filed September 19, 1984
Form "B" filed Dec. 1, 1986
Form "C" filed _____

FINAL PROOF
Blank mailed _____
Proof received 9/29/2008
Date certificate issued June 16, 2009

W.R.I.S.

Assembled 07231984 by PA
Entered 07231984 by PA
Verified _____ by _____

Form B (690-9-77)

Application No. R68128

NOTICE OF COMPLETION OF CONSTRUCTION

RECEIVED

Iseli Nursery, the holder of Permit No. R9901 to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the August day of 1985

Remarks: If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 26 day of Nov, 1986 Fred Quigley (For Iseli Nur) Boring Ore.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Form A (690-9-77)

Application No. 45054 R68128

NOTICE OF BEGINNING OF CONSTRUCTION

RECEIVED

Iseli Nursery Inc, the holder of Permit No. R9901 to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 4th day of September, 1984

Remarks: We have started construction on the reservoir where appropriated water will be stored. Approx. 30% of reservoir is completed

IN WITNESS WHEREOF, I have hereunto set my hand this 17 day of Sep, 1984 Dean Iseli 30590 SE Kelso Boring

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY INC.
30590 SE KELSO RD
BORING OR 97009

confirms the right to store the waters of an unnamed drainage way (POD 1) with any deficiency in supply to be made up by diversion of water from a drainage way (POD 2) with any deficiency in supply of water available from the drainage ways to be made up by appropriation from Tickle Creek (POD 3), to be appropriated under Permit 48577, for container nursery stock.

The right to store these waters was perfected under Reservoir Permit R-9901. The date of priority is July 23, 1984. The amount of water entitled to be stored each year under this right is not more than 45.4 acre-feet.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2	2 S	4 E	WM	8	NW NW	60 FEET SOUTH & 565 FEET EAST FROM THE NW CORNER, SECTION 8
1	2 S	4 E	WM	8	SE NW	1255 NORTH & 1160 WEST FROM THE C1/4 CORNER, SECTION 8
3	2 S	4 E	WM	8	SE SW	645 FEET NORTH & 1345 FEET EAST FROM THE SW CORNER, SECTION 8

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
2 S	4 E	WM	8	SW NW		
2 S	4 E	WM	8	SE NW		

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.


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.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued JUN 16 2009


Phillip C. Ward, Director
Water Resources Department



Oregon

Theodore R. Kulongoski, Governor

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

Date Mailed: June 16, 2009

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm water rights established under the terms of permits issued by this Department. The water rights are now appurtenant to the specific place where the use was established as described by the certificates. The water rights are limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificates.

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: R-68128

Permit: R-9901

Certificate: 85586

Permit/Certificate Holder:

ISELI NURSERY INC. ✓
30590 SE KELSO RD
BORING OR 97009

Copies Mailed	
by:	<u>Connie Joyce</u> (STAFF)
on:	<u>JUN 16 2009</u> (DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 16, Mike L. McCord ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

1. Theodore Ressler, CWRE ✓
2. Adam Sussman ✓

RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

Claim of Beneficial Use Map
Permit R-9901 (Application R-68128)
Section 8, Township 2 South, Range 4 East (W.M.)



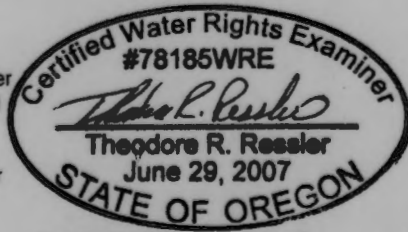
P:\280 - Iseli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_R-9901.mxd

Legend

- Point of Diversion (POD)
- Tax Lots
- ~ Watercourses
- ▨ Place of Use (POU)
- ~ Roads
- Waterbodies

POD Location Description

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Located 1,255 feet North and 1,160 feet West from the Center corner of Section 8, Township 2 South, Range 4 East (W.M.)
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- POD 3**
Located 645 feet North and 1,345 feet East from the SW corner of Section 8, Township 2 South, Range 4 East (W.M.)



EXPIRES: 12-31-2008

Map Information

Projection: Oregon State Plane North Zone
Datum: North American Datum of 1983
Date: August 13, 2008
Prepared By: GSI Water Solutions, Inc.

Data Sources

Clackamas County GIS, Oregon Geospatial Data Clearinghouse

Disclaimer

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



Scale

0 660 1,320
1 inch equals 1,320 feet





ISELI NURSERY, INC.

30590 SE Kelso Road, Boring, Oregon 97009, (503) 663-3822, (800) 777-6202, FAX: (503) 663-0202

June 8, 2009

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

RE: Proposed Certificates for water right permits S-47675, S-48577, S-50048, R-9901, and R-10837 in the name of Iseli Nursery

Mr. Clark:

This letter is provided as notification that Iseli Nursery has reviewed the Department's findings and Proposed Certificates for permits S-47675, S-48577, S-50048, R-9901, and R-10837 and agrees with their contents. Iseli Nursery respectfully requests that the Department issue the water right certificates.

I appreciate your efforts to move this forward.

Sincerely,

Greg Pilcher
President & General Manager
Iseli Nursery

CC: Theodore Ressler, CWRE – GSI Water Solutions, Inc.

RECEIVED

JUN 09 2009

WATER RESOURCES DEPT
SALEM, OREGON

Mailing List for Certificate

Scheduled Mailing Date:

Application: R-68128

Permit: R-9901

Certificate: *****

Permit/Certificate Holder:

ISELI NURSERY INC. ✓
30590 SE KELSO RD
BORING OR 97009

<p>Copies Mailed</p> <p>by: <u>Connie Dene</u> (STAFF)</p> <p>on <u>MAY 08 2009</u> (DATE)</p>

Copies of Final Certificate to be sent to:

1. Watermaster District 16, Mike L. McCord
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File ✓

Other persons to receive copies: (include map):

1. Theodore Ressler, CWRE ✓
2. Adam Sussman

STATE OF OREGON

COUNTY OF CLACKAMAS

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ISELI NURSERY INC.
30590 SE KELSO RD
BORING OR 97009

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The right to store these waters was perfected under Reservoir Permit R-9901. The date of priority is July 23, 1984. The amount of water entitled to be stored each year under this right is not more than 45.4 acre-feet.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2	2 S	4 E	WM	8	NW NW	60 FEET SOUTH & 565 FEET EAST FROM THE NW CORNER, SECTION 8
1	2 S	4 E	WM	8	SE NW	1255 NORTH & 1160 WEST FROM THE C1/4 CORNER, SECTION 8
3	2 S	4 E	WM	8	SE SW	645 FEET NORTH & 1345 FEET EAST FROM THE SW CORNER, SECTION 8

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
2 S	4 E	WM	8	SW NW		
2 S	4 E	WM	8	SE NW		

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.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

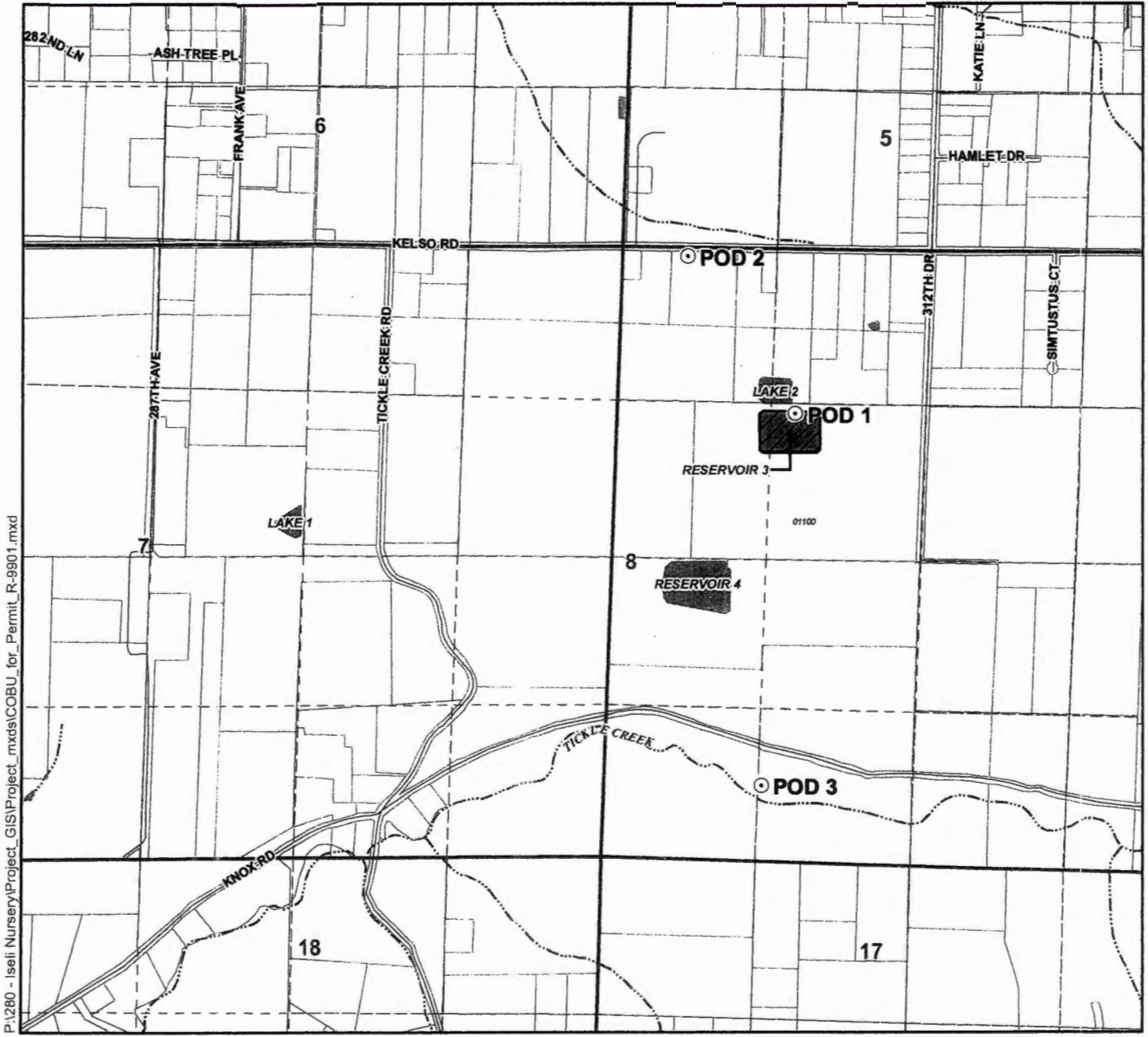
Issued _____.

PROPOSED

Phillip C. Ward, Director
Water Resources Department

Claim of Beneficial Use Map

Permit R-9901 (Application R-68128)
Section 8, Township 2 South, Range 4 East (W.M.)



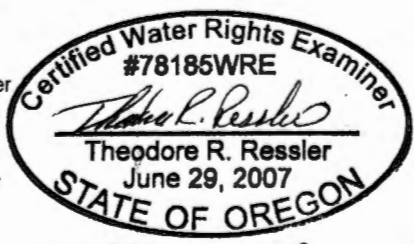
P:\280 - Iseli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_R-9901.mxd

Legend

- Point of Diversion (POD)
- Tax Lots
- ~ Watercourses
- ▨ Place of Use (POU)
- ~ Roads
- Waterbodies

POD Location Description

- POD 1**
Located 1,255 feet North and 1,160 feet West from the Center corner of Section 8, Township 2 South, Range 4 East (W.M.)
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Located 60 feet South and 565 feet East from the NW corner of Section 8, Township 2 South, Range 4 East (W.M.)
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Located 645 feet North and 1,345 feet East from the SW corner of Section 8, Township 2 South, Range 4 East (W.M.)



EXPIRES: 12-31-2008

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Datum: North American Datum of 1983
Date: August 13, 2008
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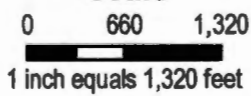
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Scale





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

MAILED: MAY 08 2009

NOTICE

Reference: Permit R-9901 Application R-68128
 Permit S-48577 Application S- 68024

Enclosed are proposed certificates of water rights and maps which illustrate the location of the rights. The proposed certificates and maps represent the extent water was used within the terms of the permits based upon a survey and inspection.

The map has been modified by WRD certificate staff to reflect acreage in each quarter-quarter. This modification will provide ease of entering the data into the Department's water right information system.

If you do not agree with the proposed certificates or maps, 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 certificates.

If you agree with the proposed certificates and maps, no response to this notice is required. Sometime after the 60 day period, the recorded certificates of water right will be mailed to the permittee.

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

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ISEL NURSERY INC.
 30590 SE KELSO RD
 BORING OR 97009

*Source: (1) Primary = unnamed drainage to res. (POD 1) = county of dam
 (2) Supply = NW NW 8 (POD 2) unnamed drainage.
 (3) = Scarp = Tickle Creek = POD 3
 in SE NW section 8 (POD 1)*

confirms the right to store the waters of an unnamed drainage way with any deficiency in supply to be made up by diversion of water from a drainage way in NW 1/4 NW 1/4 of Section 8, drainage way in SW 1/4 NE 1/4 of Section 7 and two drainage ways in NE 1/4 SE 1/4 of Section 7, Township 2 South, Range 4 East, with any deficiency in supply of water available from the drainage ways to be made up by appropriation from Tickle Creek, to be appropriated under Permit 48577, for container nursery stock.

The right to store these waters was perfected under Reservoir Permit R-9901. The date of priority is July 23, 1984. The amount of water entitled to be stored each year under this right is not more than 45.4 acre-feet.

PODs 1, 2, 3 + R 5 QA + Measured Distances

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
2 S	4 E	WM	8	SW NW			NONE GIVEN
2 S	4 E	WM	8	SE NW			NONE GIVEN <i>ok or CORR for POD #1</i>

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
2 S	4 E	WM	8	SW NW		
2 S	4 E	WM	8	SE NW		

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.

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PROPOSED

Mailing List for Certificate

Scheduled Mailing Date:

Application: R-68128

Permit: R-9901

Certificate: *****

Permit/Certificate Holder:

ISELI NURSERY INC. ✓
30590 SE KELSO RD
BORING OR 97009

<p>Copies Mailed</p> <p>by: <u>Connie Vance</u> (STAFF)</p> <p>on: <u>APR 03 2009</u> (DATE)</p>

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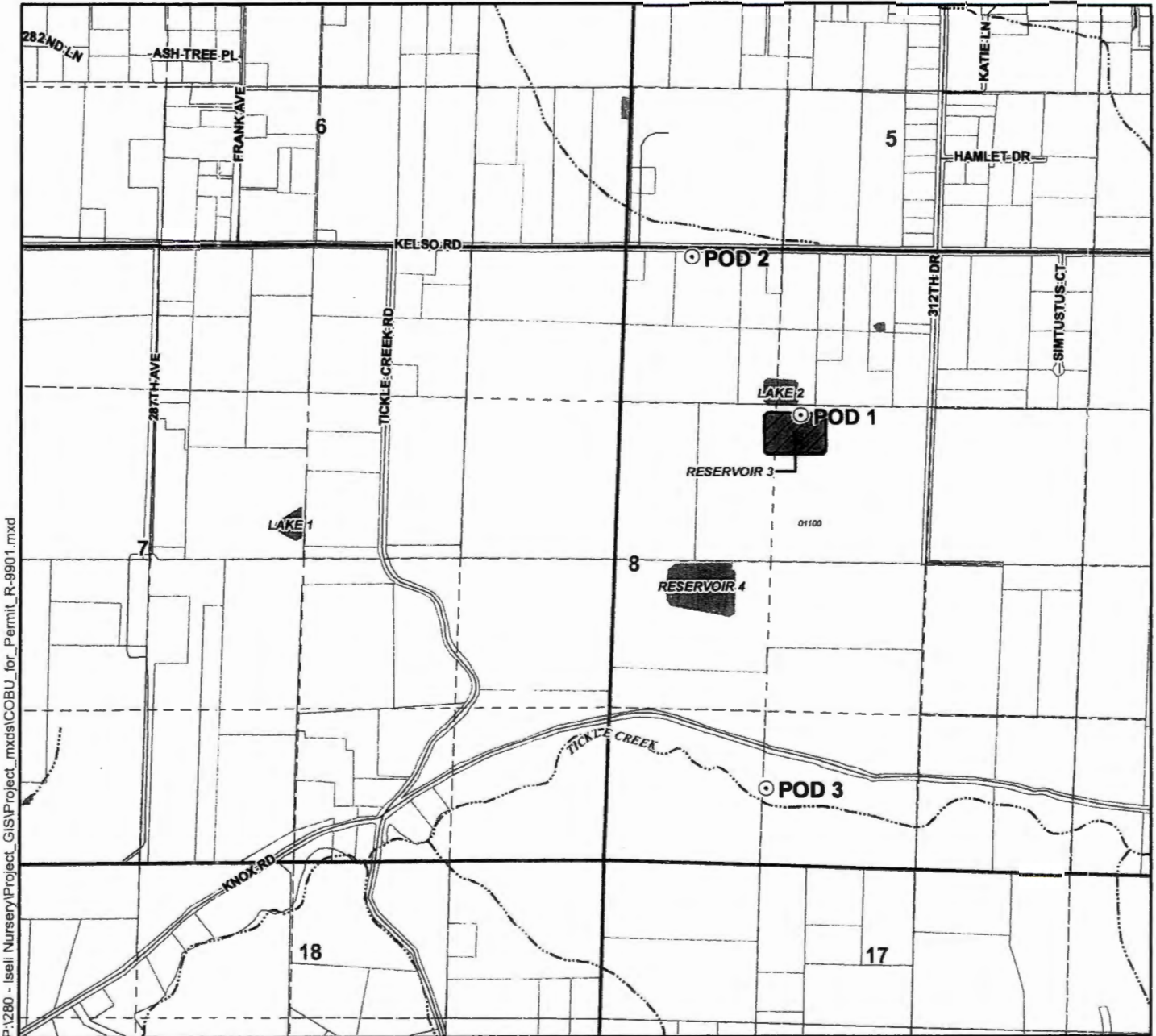
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Issued _____.

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Phillip C. Ward, Director
Water Resources Department

Claim of Beneficial Use Map
Permit R-9901 (Application R-68128)
Section 8, Township 2 South, Range 4 East (W.M.)



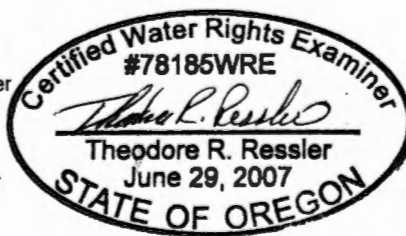
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1 inch equals 1,320 feet





Oregon

Theodore R. Kulongoski, Governor

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

MAILED: APR 03 2009

NOTICE

Reference : Permit S-47675 Application S-65054
 Permit R-10837 Application R-69175
 Permit S-50048 Application S-69176
 Permit R-9901 Application R-68128
 Permit S-48577 Application S-68024

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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

**PERMIT to CONSTRUCT a RESERVOIR and to STORE
for BENEFICIAL USE the PUBLIC WATERS**

This is to certify that I have examined APPLICATION R-68128 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS

This permit is issued to Iseli Nursery, Inc. of 15241 Tickle Creek, Boring, Oregon 97009, phone 663-3822, for the construction of Reservoir 3 and storage of water from an unnamed drainageway with any deficiency in supply to be made up by diversion of water from a drainageway in NW 1/4 NW 1/4 of Section 8, drainageway in SW 1/4 NE 1/4 of Section 7 and two drainageways in NE 1/4 SE 1/4 of Section 7, Township 2 * The dam will be LOCATED in the: SE 1/4 NW 1/4 of Section 8, Township 2 South, Range 4 East, WM, in the County of Clackamas.

The maximum height will be 12.0 feet above the stream bed or ground surface at the centerline. The top width will be 12.0 feet, slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 2.5 feet.

The area submerged by the reservoir, when full, will be 4.3 acres, and the maximum depth of water will be 15.0 feet.

* South, Range 4 East, with any deficiency in supply of water available from the drainageways to be made up by appropriation from Tickle Creek, to be appropriated under Application 68024, Permit 48577 for container nursery stock, and the dam shall be constructed under the supervision of a registered professional engineer,

The location and dimensions of the spillway are: None.

The location and dimension of the outlet conduit will be: Close riveted asphalt coated helical CMP.

The structure out of the channel.

The dam will be partfill construction.

The right hereunder shall be limited to the storage of 46.0 acre-feet.

The PRIORITY DATE of this permit is July 23, 1984.

Actual construction work shall begin on or before July 30, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

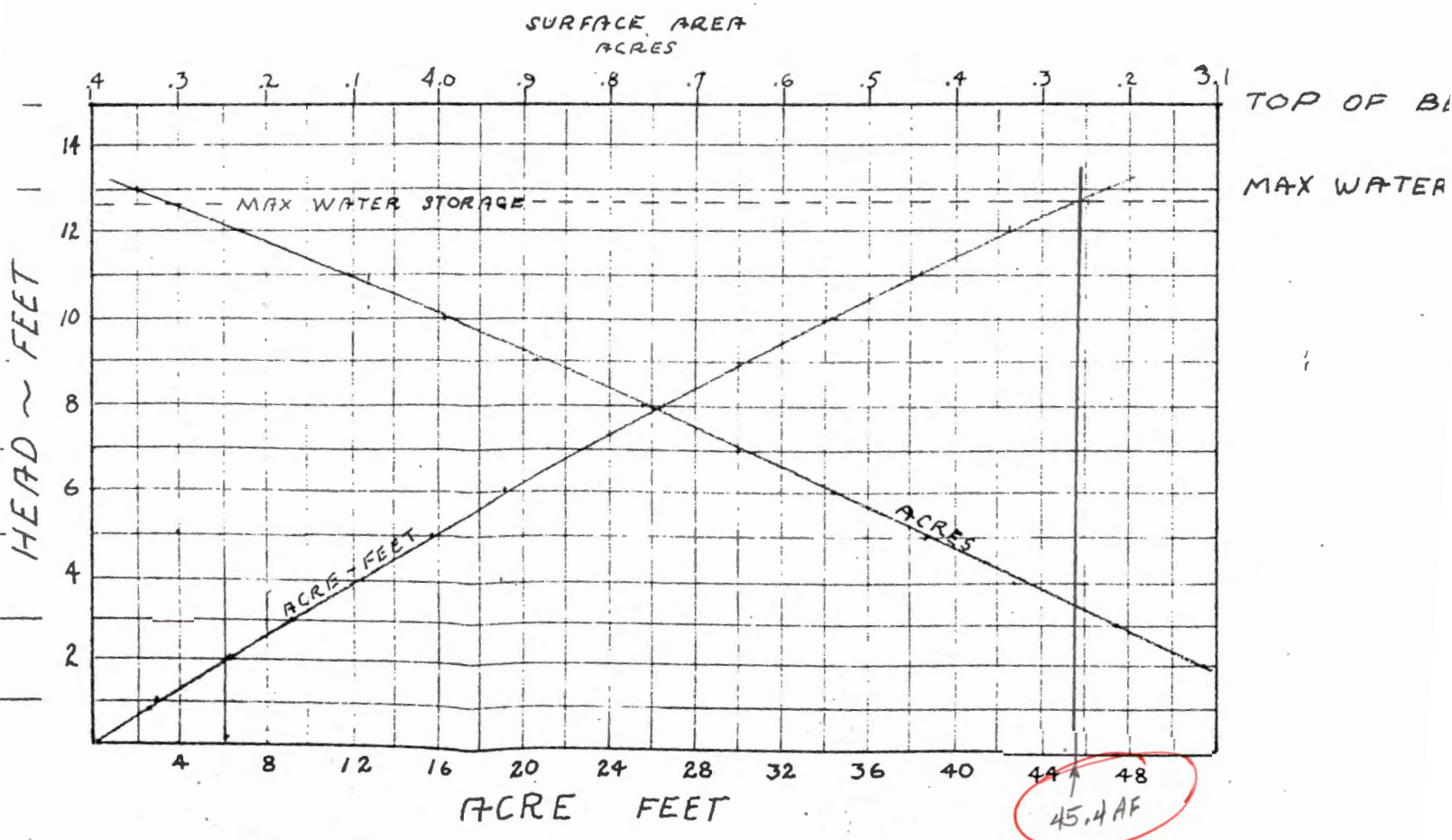
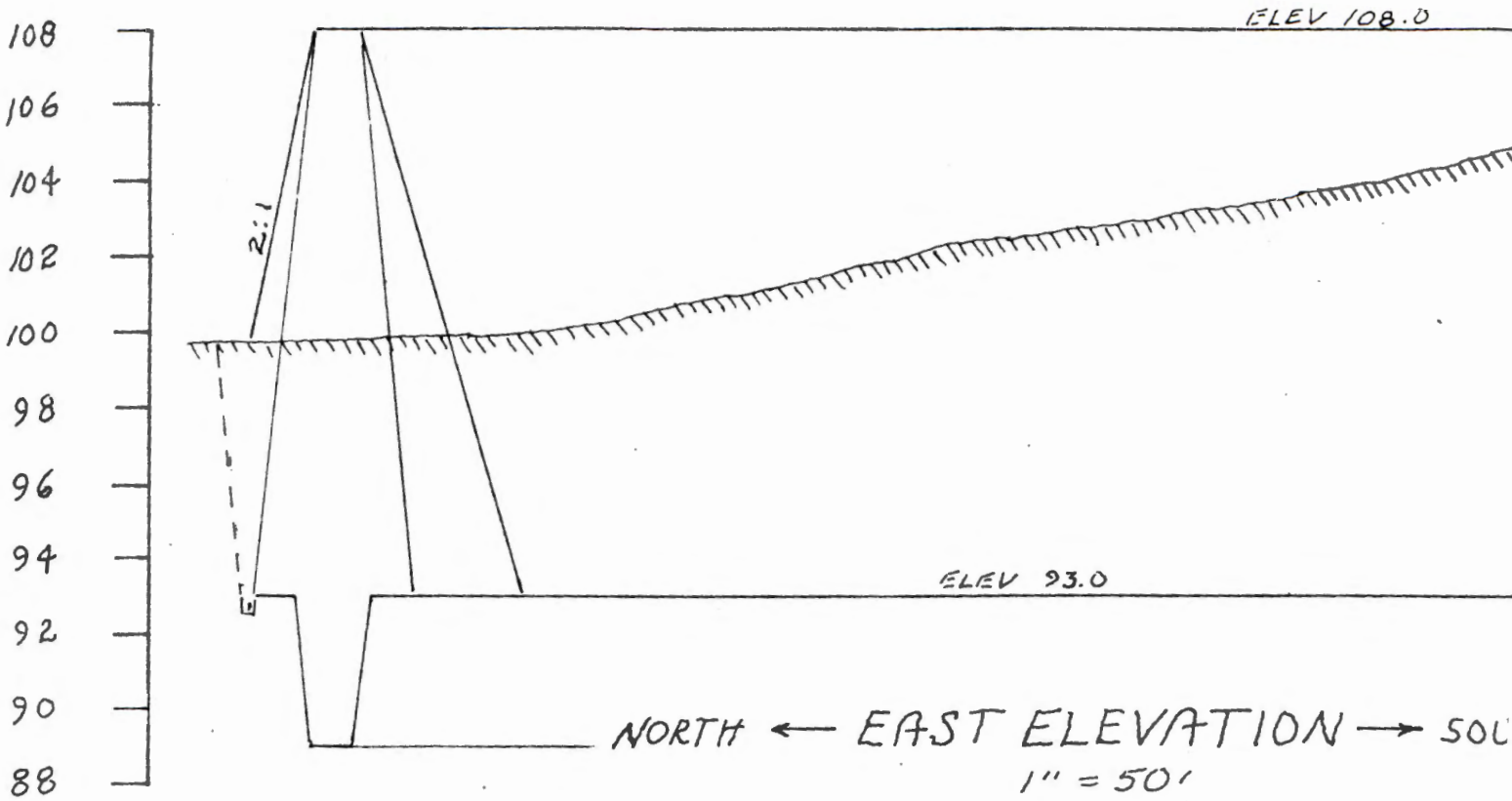
Witness my hand this 30th day of July, 1984.

/s/ CHRIS L. WHEELER
DEPUTY DIRECTOR WATER RESOURCES DIRECTOR

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 R-68128

PERMIT R 9901



STORAGE CHART



STATE OF OREGON

INTEROFFICE MEMO

TO:

File I-3
Islei Nursery

DATE:

February 26, 1985

FROM:

Barry F. Norris

SUBJECT:

Received telephone call from manager this AM. He called to inform me that he was beginning to fill the reservoir. My reply was that I had made an inspection about a month ago and I had no problems with his planned action. We discussed his need for a slow filling at first and careful inspection as the fill progresses of the embankment and downstream toe. He is to call me about any apparent problems.



STATE OF OREGON

INTEROFFICE MEMO

TO: FILE I-3

DATE: JANUARY 15, 1985

FROM: BARRY NORRIS

SUBJECT: ISELI

Field inspection was made on January 3, 1985. Work on the embankment appears to be about 95% complete with just a little shaping, seeding, and some work on the inlet on the upstream end of the reservoir left to do.

At the time of inspection the reservoir level was about three feet above the floor. There was no sign of seepage, but flow was evident through the access port to the underdrain.

This structure should be inspected again this summer after it has filled.

6434C



September 24, 2008

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

Subject: Claim of Beneficial Use Reports for Iseli Nursery, Inc. Water Right Permits Awaiting Final Proof Surveys by the Department
Permits S-47675, S-48577, S-50084, R-9901, and R-10837

Dear Gerry:

Enclosed are five Claim of Beneficial Use (COBU) reports prepared for water right permits held by Iseli Nursery, Inc (Iseli). Iseli completed development of the water rights and provided the Department with notice to this effect in the late 1980's; however, to-date the Final Proof Surveys of the water rights not been completed. To facilitate certification of these water rights, we have prepared COBU reports documenting the use of water under these water rights.

The data and information contained in the COBU reports were collected during site inspections of the nursery completed on May 2, 2008 and June 12, 2008. Based on conversations with Iseli, it is my understanding that the water use and water diversion and conveyance system observed and documented during the site inspections accurately reflects what was present at the time notice of complete water use was provided to the Department. In other words, Iseli had the ability to operate the system and use water prior to the C-Date of the permits in the same fashion as demonstrated during the site inspections.

Please feel free to contact me with any questions regarding the content of the enclosed COBU reports.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Theodore Ressler", written in a cursive style.

Theodore Ressler, RG, CWRE
GSI Water Solutions, Inc.

Cc: Adam Sussman, GSI Water Solutions, Inc.

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SALEM, OREGON

Completion Checklist for CWRE Claims of Beneficial Use

Application # R-68128
 Permit # R-9901
 Transfer # _____
 Date 3-5-09
 Reviewer JWS



Date Received	<u>9-29-08</u>
CWRE Name	<u>T. RESSLER</u>
Claim Logged	_____
File Marked	_____
Oversized Map #	_____
Read the file and attach a copy of the permit or transfer final order. _____	

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- Tax lot information (OAR 690-014)
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Point of diversion/appropriation location (OAR 690-014-0100)
- Use, period of use, and rate for use (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits
 - Initial water level measurements
 - Annual static water level measurements
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water)
 - Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

No Dam Location

DEF = deficient
 N/A = Not Applicable

Certificate Issuance Processing Checklist

_____ Map and COBU reviewed
_____ Conflict check (include copy of plat card printout) Any Conflicts? _____
_____ Check for ownership

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

_____ Proof to the Satisfaction has not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

_____ Proof to the Satisfaction has not been established for the following reasons: _____

Proposed Actions:

Send letter requesting the following items/information: _____

_____ Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

CLAIM OF BENEFICIAL USE

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent. **A separate form shall be completed for each permit or transfer final order.**

I. General Information

1. File Information

Application Number (G, R, S or T)	Permit Number (if applicable)
<i>R-68128</i>	<i>R-9901</i>

2. Property owner (current owner information)

a. Individuals N/A

b. Businesses/Organizations

Name	<i>Iseli Nursery, Inc.</i>
Contact Person and Title	<i>Greg Pilcher</i>
Mailing Address	<i>30590 SE Kelso Road</i>
City/State/Zip	<i>Boring, OR 97009</i>
Phone	<i>503-663-3822</i>
Fax	<i>503-663-0202</i>
e-mail	<i>gpilcher@iseli-nursery.com</i>

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department. The COBU must be signed by the permit/transfer holder of record.

3. Permittee / Transferee of record (this may, or may not, be the current property owner)

a. Individuals N/A

b. Businesses/Organizations

Name	<i>Iseli Nursery, Inc.</i>
Contact Person and Title	<i>N/A</i>
Mailing Address	<i>30590 SE Kelso Road</i>
City/State/Zip	<i>Boring, OR 97009</i>

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4. Date of Site Inspection: *May 2, 2008 and June 12, 2008*

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

Name	Date	Association with the project
Greg Pilcher	Site inspection on 5/2/2008	President & General Manager
Fred Quayle	Email correspondence and site inspections on 5/2/2008 and 6/12/2008.	Facilities-Construction Superintendent

6. County:

7. Tax Lot Information:

Tax map number	Tax lot number	Comment
02s04e08	1100	Reservoir location, pipeline
02s04e08	1200	Pipeline
02s04e08	1300	Point of diversion, pipeline

8. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(3)):

**Mark "NA" if there are no owners of property not included in this claim

N/A

II. Points of Diversion/Appropriation and Place of Use

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

POD 1 – Unnamed Drainageway

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

During the rainy winter months, surface runoff (i.e., precipitation in excess of what can infiltrate into the soil) draining from areas sloping toward Reservoir 3 adds water to Reservoir 3. Additional water is added to Reservoir 3 under this water right from an additional unnamed drainageway (see section POD 2 – Unnamed Drainageway) and Tickle Creek (see section POD 3 – Tickle Creek Pump Station)

2. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
POD 1 – Unnamed drainageway	N/A	N/A

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepenings)

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
Runoff/Reservoir 3	Tickle Creek

4. Point of diversion/appropriation location:

(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
SE 1/4 NW 1/4, Section 8, Township 2 South, Range 4 East (WM)	Located 1255 feet North and 1160 feet West from the Center corner of Section 8

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Storage	N/A	Year round	46 acre-feet annually

Total Quantity of Water Allowed **46 acre-feet**

6. Place of use for the point of diversion or appropriation:

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
N/A	N/A	SW NW	8	2 S	4 E	Storage	N/A	N/A
N/A	N/A	SE NW	8	2 S	4 E	Storage	N/A	N/A

Total Acres Irrigated **N/A**

Reservoir Data

**If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.

1. If the reservoir required the submittal of as-built plans and specifications, complete the table below:

Have the documents been submitted? yes or no	When were the documents submitted	Have they been approved by the Department?
Yes	July 23, 1984 <i>(date stamp on reservoir plans and specifications, Dam Safety file I-3)</i>	Yes <i>(OWRD approval letter dated 7/31/1984 is in the water right file)</i>

2. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table below. **N/A**

3. Provide reservoir volume calculations in the box below:

The water level of Reservoir 3 during the site inspection on June 12, 2008 was at the maximum level of 2.4 feet below the top of the dam. Based on the storage chart included with the approved plans and specifications (Dam Safety file I-3), the observed reservoir level correlates to a storage volume of 46 acre-feet (refer to Attachment C).

4. Provide the following information concerning the physical characteristics of the dam:

Crest width (W)	Dam height at centerline (H)	Distance from downstream top of dam to downstream toe (L)	Distance from upstream top of dam to upstream toe (U)	Water level at inspection	Downstream slope	Upstream slope
-----------------	------------------------------	---	---	---------------------------	------------------	----------------

Refer to approved plans and specifications in Dam Safety file I-3.

5. In the box below, provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

Refer to approved plans and specifications in Dam Safety file I-3.

6. Describe the outlet works (size and type of the outlet conduit and location) in the box below:

Refer to approved plans and specifications in Dam Safety file I-3.

7. Describe the emergency spillway (dimensions and location) in the box below:

Spillway location	Bottom width (W)	Top width (L)	Spillway depth (H)
<i>Refer to approved plans and specifications in Dam Safety file I-3.</i>			

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information N/A
2. Motor information N/A
3. Meter information (if required in permit or transfer final order) N/A
4. Measurement device description N/A
5. Measured pump capacity (using meter if meter was present and system was operating) N/A
6. Theoretical pump capacity N/A
7. Provide pump calculations in the box below: N/A
8. Mainline information N/A
9. Lateral or handline information N/A – *This COBU is for reservoir storage*
10. Sprinkler information Make and model: N/A – *This COBU is for reservoir storage*
11. Additional notes or comments related to the system

None

POD 2 – Unnamed Drainageway

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

The diversion of water from the unnamed drainageway to Reservoir 3 is accomplished using the pumping equipment described under "System Information" section below. Approved plans and specifications for Reservoir 3 are available in Dam Safety file I-3.

2. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
<i>POD 2 – Unnamed Drainageway</i>	<i>N/A</i>	<i>N/A</i>

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepening)

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
<i>Runoff/Reservoir 3</i>	<i>Tickle Creek</i>

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4. Point of diversion/appropriation location:

POD ID	(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
POD 2	NW 1/4 NW 1/4 of Section 8, Township 2 South, Range 4 East (WM)	60 feet South and 565 feet East from the NW corner of Section 8

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Storage	N/A	Year round	46 acre-feet annually
Total Quantity of Water Allowed			<u>46 acre-feet</u>

6. Place of use for the point of diversion or appropriation:

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
N/A	N/A	SW NW	8	2 S	4 E	Storage	N/A	N/A
N/A	N/A	SE NW	8	2 S	4 E	Storage	N/A	N/A
Total Acres Irrigated							<u>N/A</u>	

Reservoir Data

**If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.

1. If the reservoir required the submittal of as-built plans and specifications, complete the table below:

Have the documents been submitted? yes or no	When were the documents submitted	Have they been approved by the Department?
Yes	July 23, 1984 <i>(date stamp on reservoir plans and specifications, Dam Safety file I-3)</i>	Yes <i>(OWRD approval letter dated 7/31/1984 is in the water right file)</i>

2. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table below. **N/A**

3. Provide reservoir volume calculations in the box below:

The water level of Reservoir 3 during the site inspection on June 12, 2008 was at the maximum level of 2.4 feet below the top of the dam. Based on the storage chart included with the approved plans and specifications (Dam Safety file I-3), the observed reservoir level correlates to a storage volume of 46 acre-feet (refer to Attachment C).

4. Provide the following information concerning the physical characteristics of the dam:

Crest width (W)	Dam height at centerline (H)	Distance from downstream top of dam to downstream toe (L)	Distance from upstream top of dam to upstream toe (U)	Water level at inspection	Downstream slope	Upstream slope
Refer to approved plans and specifications in Dam Safety file I-3.						

5. In the box below, provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

Refer to approved plans and specifications in Dam Safety file I-3.

6. Describe the outlet works (size and type of the outlet conduit and location) in the box below:

Refer to approved plans and specifications in Dam Safety file I-3.

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7. Describe the emergency spillway (dimensions and location) in the box below:

Spillway location	Bottom width (W)	Top width (L)	Spillway depth (H)
Refer to approved plans and specifications in Dam Safety file I-3.			

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
Paco	Unknown*	95305411	Centrifugal	2.5"	2.5"

*Notes: Record of the pump model was not located on the pump or in paper records for the pump.

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Century Pump Motor	9-324262-GR	20	2900	240

3. Meter information (if required in permit or transfer final order) N/A

4. Measurement device description N/A

5. Measured pump capacity (using meter if meter was present and system was operating) N/A

6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output	
				(cfs)	(gpm)
20	35	2	0	1.45	650

7. Provide pump calculations in the box below:

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

Conversion factor:

Centrifugal Pump, 75% eff. $\frac{(550 \text{ ft lb/sec/Hp})(.75)}{(62.4 \text{ lb/cu ft})} = 6.61 \text{ ft}^4/\text{sec/Hp}$

$$Q_{\text{pump}} = \frac{(20)(6.61)}{[2 + (35*2.54)]} = 1.45 \text{ cfs} = 650 \text{ gpm}^*$$

*Assumed minor frictional losses accounted for by the 2.54 ft/psi conversion factor (versus 2.31 ft/psi).

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8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground	Notes
---------------	--------	--------------	------------------------	-------

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6-inch	2388 feet	PVC	Buried	
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9. Lateral or handline information N/A – This COBU is for reservoir storage

10. Sprinkler information Make and model: N/A – This COBU is for reservoir storage

11. Additional notes or comments related to the system

None

POD 3 – Tickle Creek Pump Station

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

The diversion of water from Tickle Creek for storage in Reservoir 3 is accomplished using 1 centrifugal pump (refer to pump specifications under "System Information" section below). Approved plans and specifications for Reservoir 3 are available in Dam Safety file I-3.

2. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
POD 3 – Tickle Creek Pump Station (TCPS)	N/A	N/A

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepenings)

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
Tickle Creek	Deep Creek

4. Point of diversion/appropriation location:

(DLC, Government Lot, ¼ ¼, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
SE¼SW¼ of Section 8, Township 2 South, Range 4 East (WM)	645 feet North and 1345 feet East from SW Corner of Section 8

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Storage	N/A	Year round	46 acre-feet annually

Total Quantity of Water Allowed 46 acre-feet

6. Place of use for the point of diversion or appropriation:

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
N/A	N/A	SW NW	8	2 S	4 E	Storage	N/A	N/A
N/A	N/A	SE NW	8	2 S	4 E	Storage	N/A	N/A

Total Acres Irrigated N/A

Reservoir Data

****If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.**

1. If the reservoir required the submittal of as-built plans and specifications, complete the table below:

Have the documents been submitted? yes or no	When were the documents submitted	Have they been approved by the Department?
Yes	July 23, 1984 <i>(date stamp on reservoir plans and specifications, Dam Safety file I-3)</i>	Yes <i>(OWRD approval letter dated 7/31/1984 is in the water right file)</i>

2. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table below. N/A

3. Provide reservoir volume calculations in the box below:

The water level of Reservoir 3 during the site inspection on June 12, 2008 was at the maximum level of 2.4 feet below the top of the dam. Based on the storage chart included with the approved plans and specifications (Dam Safety file I-3), the observed reservoir level correlates to a storage volume of 46 acre-feet (refer to Attachment C).

4. Provide the following information concerning the physical characteristics of the dam:

Crest width (W)	Dam height at centerline (H)	Distance from downstream top of dam to downstream toe (L)	Distance from upstream top of dam to upstream toe (U)	Water level at inspection	Downstream slope	Upstream slope
Refer to approved plans and specifications in Dam Safety file I-3.						

5. In the box below, provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

Refer to approved plans and specifications in Dam Safety file I-3.

6. Describe the outlet works (size and type of the outlet conduit and location) in the box below:

Refer to approved plans and specifications in Dam Safety file I-3.

7. Describe the emergency spillway (dimensions and location) in the box below:

Spillway location	Bottom width (W)	Top width (L)	Spillway depth (H)
Refer to approved plans and specifications in Dam Safety file I-3.			

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
Cornell Pump Company	5YB100-2	61674	Centrifugal	8"	5"

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Marathon Electric	A15049A-55	100	3550	230/460

3. Meter information (if required in permit or transfer final order)

N/A **RECEIVED**

4. Measurement device description N/A

5. Measured pump capacity (using meter if meter was present and system was operating) N/A
The Tickle Creek Pump Station consists of three pumps, one delivers water to Reservoir 3 the other two pumps deliver water to Reservoir 4. The diversion pumps at the Tickle Creek Pump Station were operated at full capacity and water was delivered to the system during the site inspection on 5/2/2008 so that the operational pressure could be determined for the diversion pumps. The measured operational pressure was used in conjunction with the pump specifications to determine the production capacity of the diversion (see Item #6 below).

6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output	
				(cfs)	(gpm)
100	93	10	0	2.68	1203

7. Provide pump calculations in the box below:

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

Conversion factor:

$$\text{Centrifugal Pump, 75\% eff. } \frac{(550 \text{ ft lb/sec/Hp})(.75)}{(62.4 \text{ lb/cu ft})} = 6.61 \text{ ft}^4/\text{sec/Hp}$$

$$Q_{\text{pump}} = \frac{(100)(6.61)}{[10 + (93 * 2.54)]} = 2.68 \text{ cfs} = 1203 \text{ gpm}^*$$

**Assumed minor frictional losses accounted for by the 2.54 ft/psi conversion factor (versus 2.31 ft/psi).*

8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground	Notes
6-inch	3 feet	Steel	Above ground	Receives Pump 1 discharge
8-inch	1300 feet	PVC	Buried	Conveys Pump 1 discharge to Reservoir 3

9. Lateral or handline information N/A – This COBU is for reservoir storage

10. Sprinkler information Make and model: N/A – This COBU is for reservoir storage

11. Additional notes or comments related to the system

None

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SALEM, OREGON

III. CONDITIONS

Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

a. Permits or transfer Final Orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or transfer final order:

	Dates from permit or transfer final order	Date accomplished	Description of actions taken by water user to comply with the time limits
Begin construction	<i>6/30/1985</i>	<i>9/4/1984</i>	<i>Began construction of Reservoir 3</i>
Complete construction	<i>10/1/1986</i>	<i>August 1985</i>	<i>Completed construction of Reservoir 3</i>
Complete application of water	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

2. Initial Water Level Measurements:

****If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items a through e relating to this section can be deleted.**

a. Was the water user required to submit an initial static water level measurement? *N/A*

3. Annual Static Water Level Measurements:

****If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.**

a. Was the water user required to submit annual static water level measurements? *N/A*

4. Measurement, recording, and reporting conditions:

a. Does the permit or transfer final order require the installation of a meter or approved measuring device?
NO

If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

****If "NO", items b through g relating to this section can be deleted.**

5. Fish Screening and/or By-pass Devices

a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion? *NO*

If fish screening and/or by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

****If "NO", items b through i relating to this section can be deleted**

6. Pump Test (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

a. Did the permit require the submittal of a pump test? *N/A*

7. **Other Permit Conditions** (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.) N/A

IV. Variations, Attachments, Conclusions, Map and Signatures

Variations

Include a description of variations from the permit or transfer final order

1. Unnamed Drainageways. *The location descriptions of the unnamed drainageways are not particularly clear based on the language in Permit R-9901. Permit R-9901 appears to describe 5 different unnamed drainageways as sources of water for storage in Reservoir 3:*

- *Permit R-9901 provides no location information for the first unnamed drainageway. Based on the language of the permit, I have interpreted the first unnamed drainageway to be located in the same quarter-quarter as Reservoir 3 and as such represents all surface water runoff that directly drains to and enters Reservoir 3. The location of Point of Diversion (POD 1) as described in this report corresponds to the center of the dam of Reservoir 3.*
- *The second unnamed drainageway is located within the NW¹/₄NW¹/₄ of Section 8, as stated on Permit R-9901. The location of this unnamed drainageway (POD 2) with respect to a survey corner as described in this report was developed using an aerial photograph (2008 Tele Atlas Image) and a field survey completed during the site inspection.*
- *The location of the third, fourth, and fifth unnamed drainageways (listed on Permit R-9901 as being in the SW¹/₄NE¹/₄ of Section 8, the NE¹/₄SE¹/₄ of Section 7, and the NE¹/₄SE¹/₄ of Section 7) do not correlate with surface runoff features that contribute water to Reservoir 3; accordingly, these unnamed drainageways have been excluded from this report.*

2. Location of Tickle Creek Point of Diversion (POD 3). *The location of the Tickle Creek Pump Station (POD 3) is slightly different than that stated on the permit; the Point of Diversion is located in the same quarter-quarter, but the distances from the SW corner of Section 8 are slightly different. The location of the Point of Diversion stated in the COBU report and map is based on a GPS location obtained during the site inspection.*

Attachments

If you are attaching any documents to this report, provide a list below:

Attachment name	Description
Attachment A	Permit R-9901
Attachment B	Claim of Beneficial Use Map
Attachment C	As-built plans for reservoir
Attachment D	Layout of water system mainlines

Permit and Transfer Final Order Rates and System Rates Comparisons:

POD or POA name or #	Maximum rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	Developed use	# of acres allowed by permit or transfer final order	# of acres developed
Reservoir 3	46 ac-ft	N/A	46 ac-ft	Storage	N/A	N/A

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Claim of Beneficial Use Map

The Claim of Beneficial Use Map must be submitted with this Claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location.

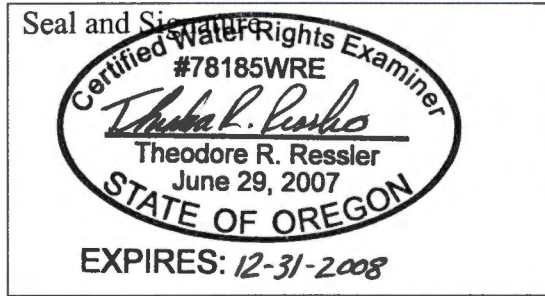
In the following box, provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The authorized Points of Diversion, Place of Use, and visible system components were visited during the site inspection. The location of the Point of Appropriation and the extent of the Place of Use were located using an aerial photograph (2008 Tele Atlas Image) and a field survey completed during the site inspection. The map was created using Geographic Information System (GIS) software and spatial datasets obtained from Oregon Water Resources Department (OWRD), Oregon Geospatial Enterprise Office (GEO), and Clackamas County. Additional data and information specific to the water right holder's property and the use water of under the water right described in this Claim of Beneficial Use report were obtained from the water right holder, Iseli Nursery, Inc.

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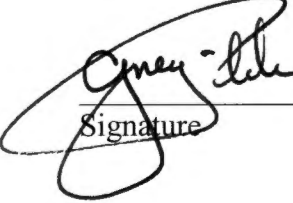
CWRE Statement, Seal and Signature

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



Permit or Transfer Holders Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

 Greg Pulcher Greg Pulcher Pres Genl Mgr, Iseli Nursery, Inc. 8/18/08
Signature Print or type name Date

Signature Print or type name Date

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Attachment A
Permit R-9901
Claim of Beneficial Use for Permit R-9901

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SALEM, OREGON



STATE OF OREGON

County of CLACKAMAS

PERMIT to CONSTRUCT a RESERVOIR and to STORE for BENEFICIAL USE the PUBLIC WATERS

This is to certify that I have examined APPLICATION R-68128 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Iseli Nursery, Inc. of 15241 Tickle Creek, Boring, Oregon 97009, phone 663-3822, for the construction of Reservoir 3 and storage of water from an unnamed drainageway with any deficiency in supply to be made up by diversion of water from a drainageway in NW 1/4 NW 1/4 of Section 8, drainageway in SW 1/4 NE 1/4 of Section 7 and two drainageways in NE 1/4 SE 1/4 of Section 7, Township 2 * The dam will be LOCATED in the: SE 1/4 NW 1/4 of Section 8, Township 2 South, Range 4 East, WM, in the County of Clackamas.

The maximum height will be 12.0 feet above the stream bed or ground surface at the centerline. The top width will be 12.0 feet, slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 2.5 feet

The area submerged by the reservoir, when full, will be 4.3 acres, and the maximum depth of water will be 15.0 feet

* South, Range 4 East, with any deficiency in supply of water available from the drainageways to be made up by appropriation from Tickle Creek, to be appropriated under Application 68024, Permit 48577 for container nursery stock, and the dam shall be constructed under the supervision of a registered professional engineer,

The location and dimensions of the spillway are: None.

The location and dimension of the outlet conduit will be: Close rivated asphalt coated helical CMP.

The structure out of the channel.

The dam will be earthfill construction.

The right hereunder shall be limited to the storage of 46.0 acre-feet

The PRIORITY DATE of this permit is July 23, 1984

Actual construction work shall begin on or before July 30, 1985, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 85

Witness my hand this 30th day of July, 19 84

DEPUTY DIRECTOR /s/ CHRIS L. WHEELER WATER RESOURCES DIRECTOR

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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.

Attachment B
Claim of Beneficial Use Map
Claim of Beneficial Use for Permit R-9901

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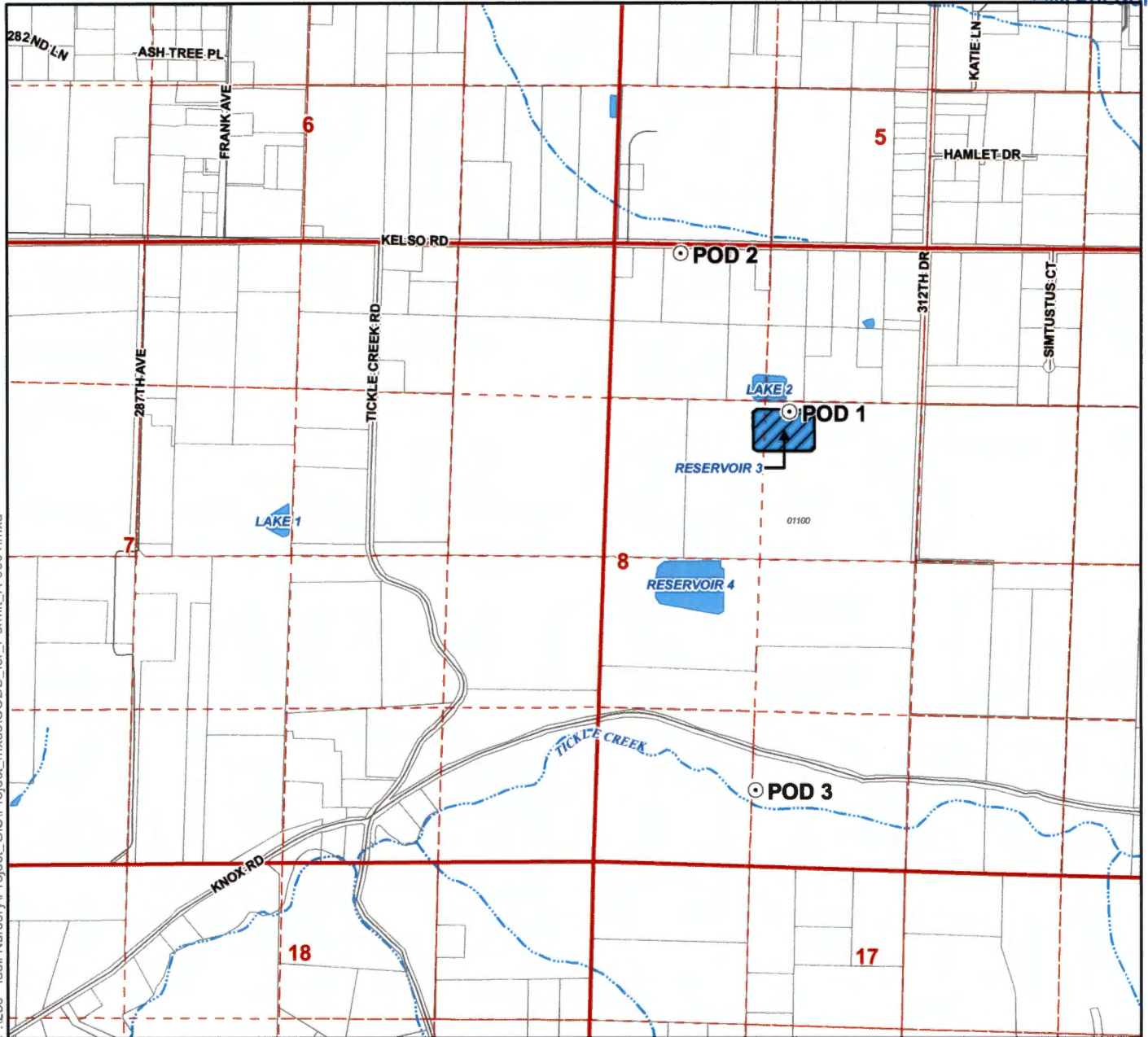
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SALEM, OREGON

Claim of Beneficial Use Map

Permit R-9901 (Application R-68128)

Section 8, Township 2 South, Range 4 East (W.M.)



P:\1280 - Iseli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_R-9901.mxd

Legend

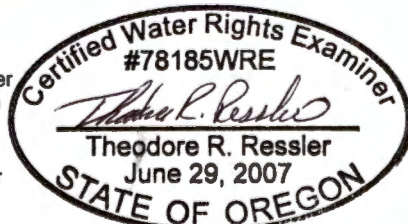
- Point of Diversion (POD)
- Tax Lots
- ~ Watercourses
- ▨ Place of Use (POU)
- ~ Roads
- Waterbodies

Map Information

Projection: Oregon State Plane North Zone
 Datum: North American Datum of 1983
 Date: August 13, 2008
 Prepared By: GSI Water Solutions, Inc.

POD Location Description

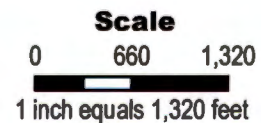
- POD 1**
 Located 1,255 feet North and 1,160 feet West from the Center corner of Section 8, Township 2 South, Range 4 East (W.M.)
- POD 2**
 Located 60 feet South and 565 feet East from the NW corner of Section 8, Township 2 South, Range 4 East (W.M.)
- POD 3**
 Located 645 feet North and 1,345 feet East from the SW corner of Section 8, Township 2 South, Range 4 East (W.M.)



EXPIRES: 12-31-2008

Data Sources
 Clackamas County GIS, Oregon Geospatial Data Clearinghouse

Disclaimer
 This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



Attachment C
As-built Plans for Reservoir
Claim of Beneficial Use for Permit R-9901

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SALEM, OREGON

Attachment D
Layout of Water System Mainlines
Claim of Beneficial Use for Permit R-9901

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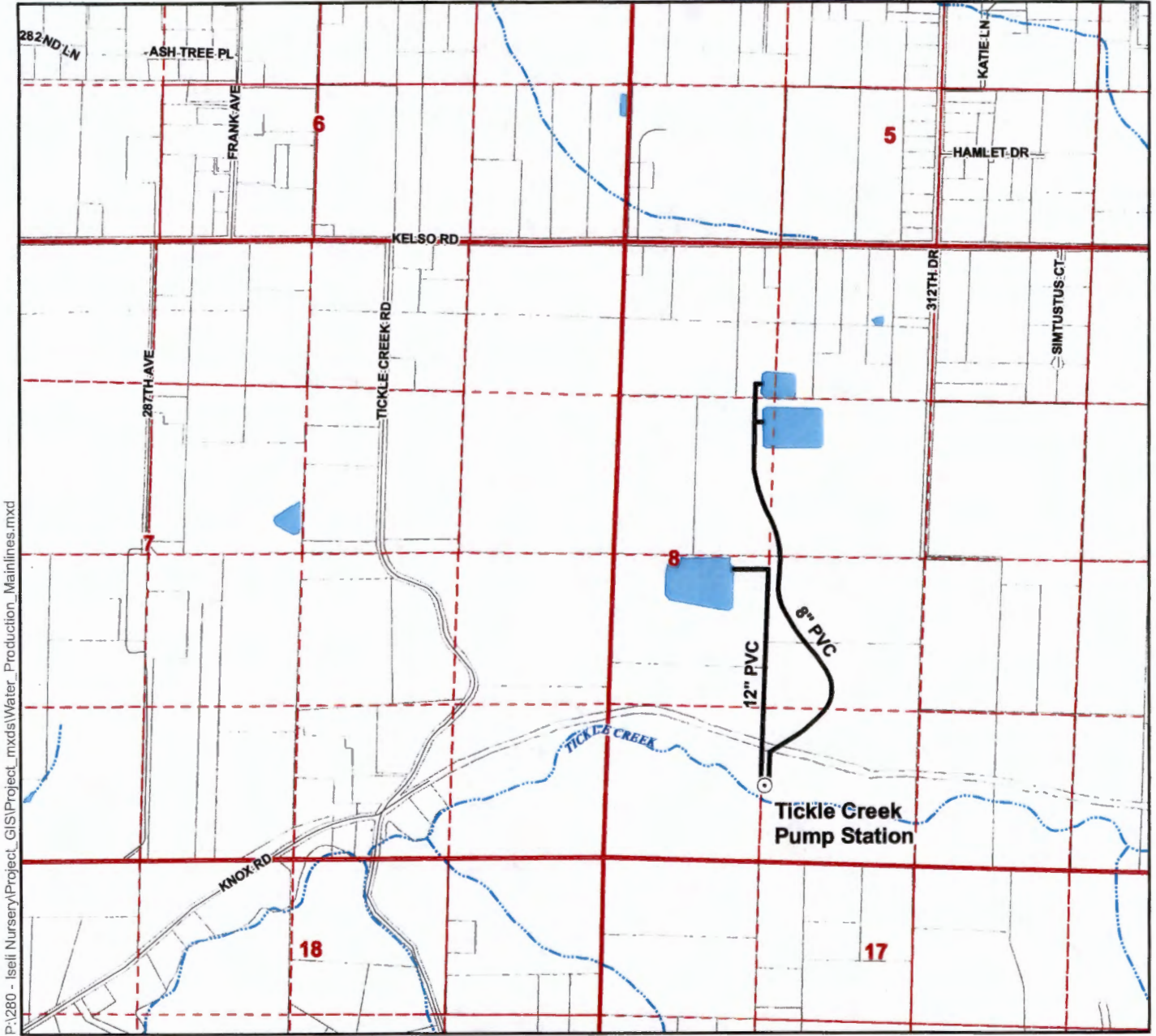
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Water Production Mainlines







Iseli Nursery, Inc.

Section 8, Township 2 South, Range 4 East (W.M.)



P:\1280 - Iseli Nursery\Project_GIS\Project_mxd\Water_Production_Mainlines.mxd

Legend

-  Water Production Mainline
-  Pump Station
-  Tax Lots
-  Roads
-  Watercourses
-  Waterbodies

Map Information

Projection: Oregon State Plane North Zone
 Datum: North American Datum of 1983
 Date: August 14, 2008
 Prepared By: GSI Water Solutions, Inc.

Data Sources

Clackamas County GIS, Oregon Geospatial Data Clearinghouse

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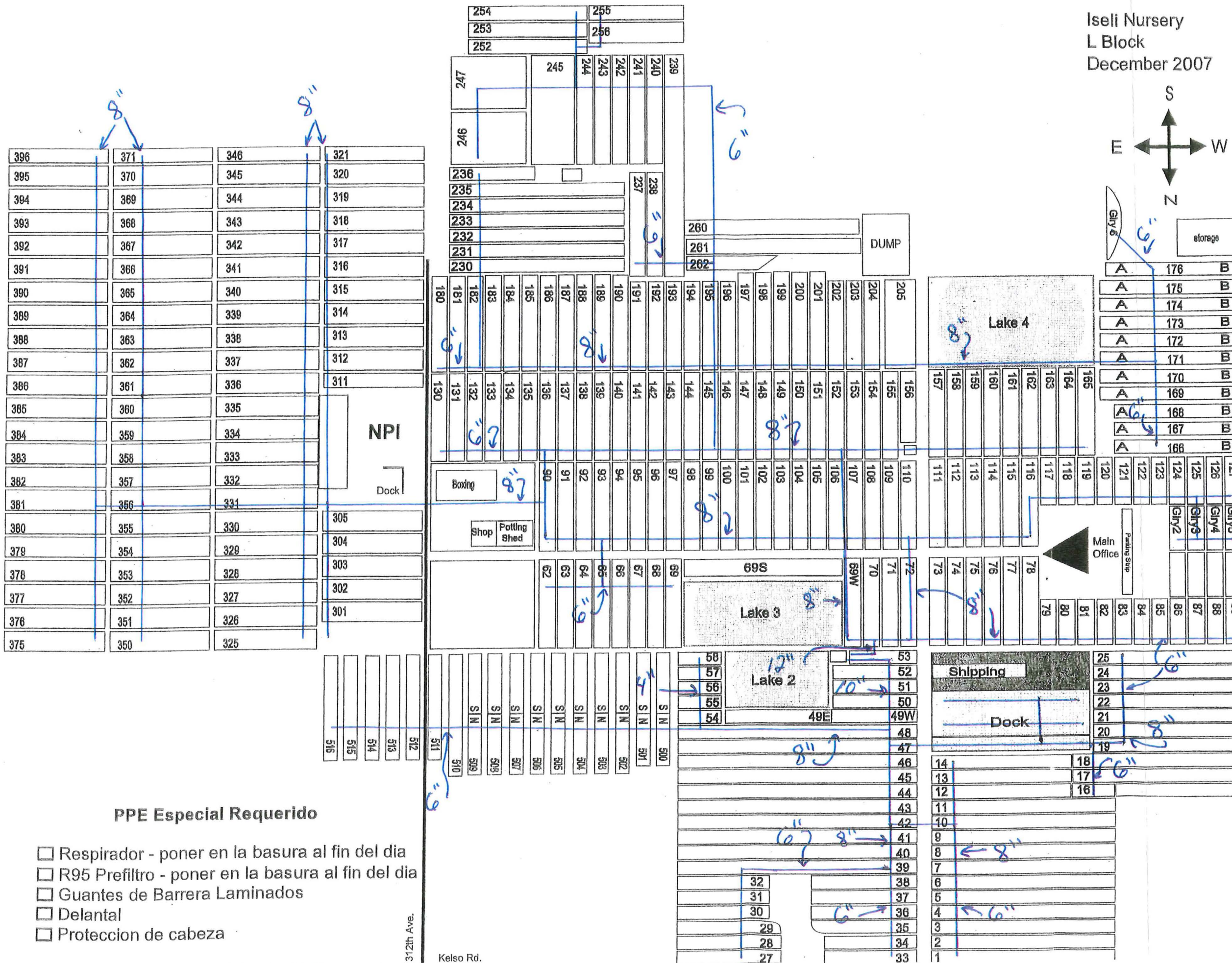
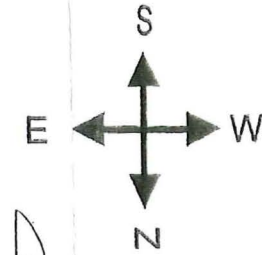
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Scale
 0 660 1,320
 1 inch equals 1,320 feet



Iseli Nursery
L Block
December 2007



PPE Especial Requerido

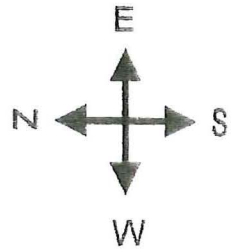
- Respirador - poner en la basura al fin del dia
- R95 Prefiltro - poner en la basura al fin del dia
- Guantes de Barrera Laminados
- Delantal
- Proteccion de cabeza

312th Ave.

Kelso Rd.

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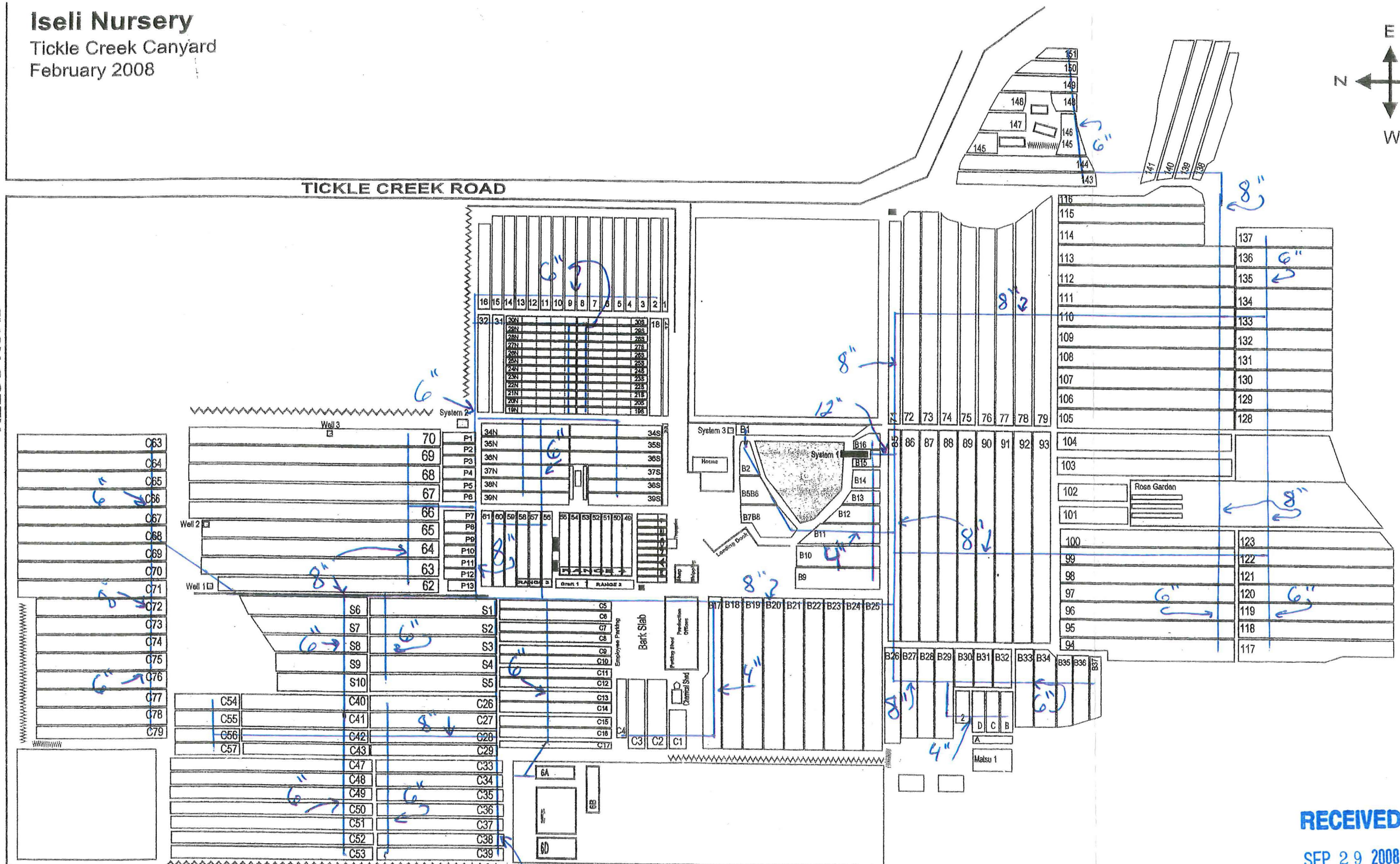
Iseli Nursery
 Tickle Creek Canyon
 February 2008



KELSO ROAD

TICKLE CREEK ROAD

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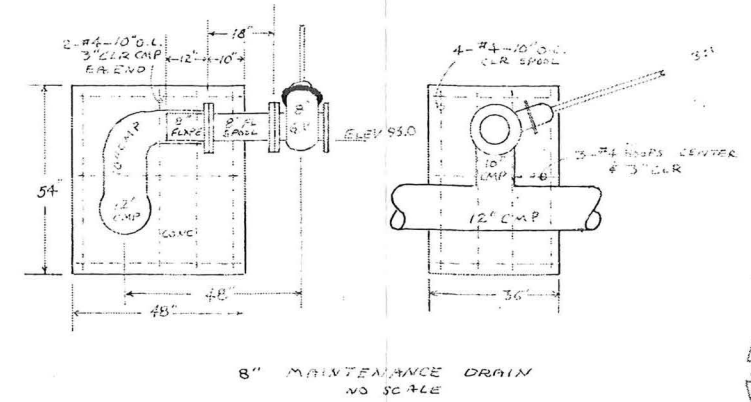
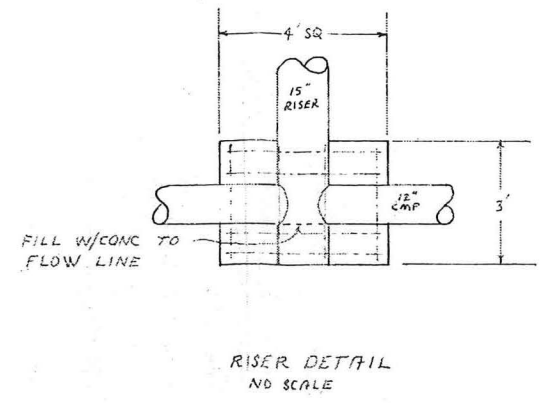
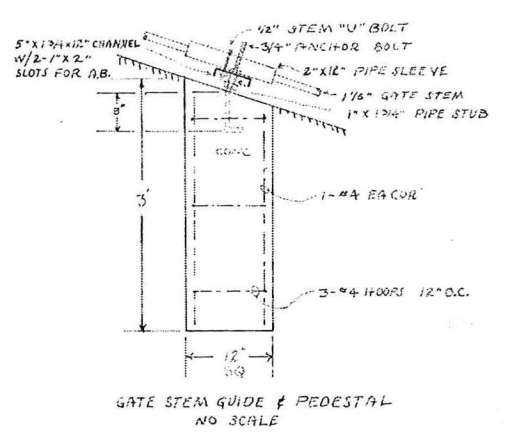
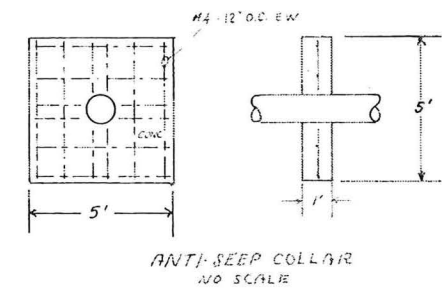
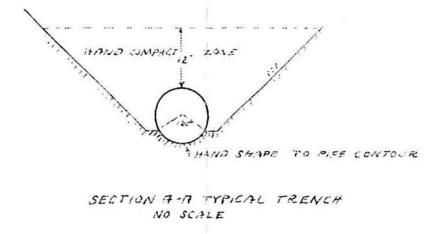
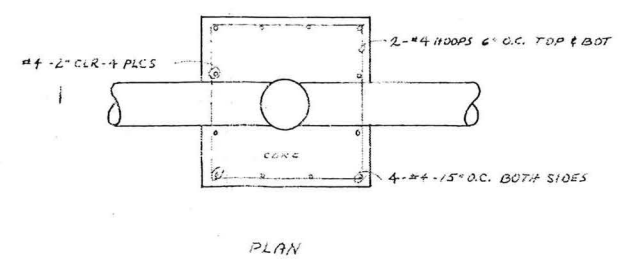
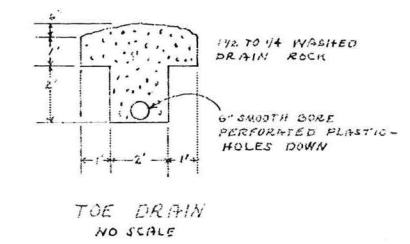
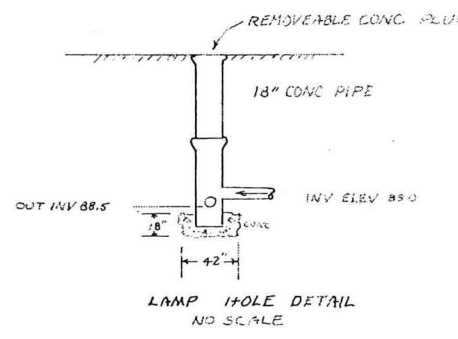
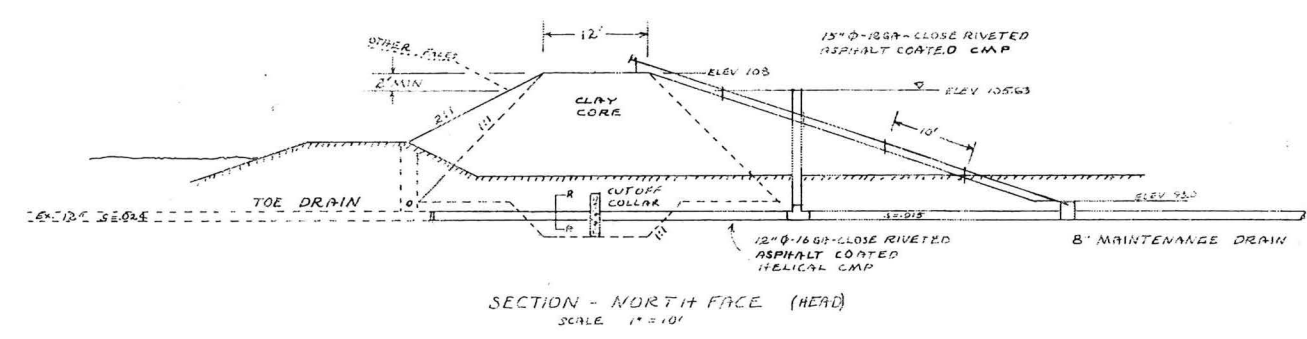
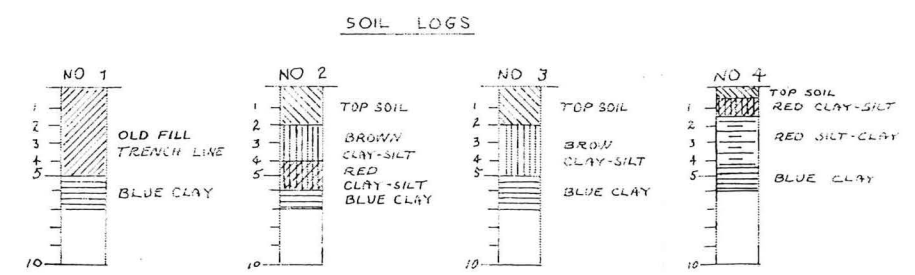
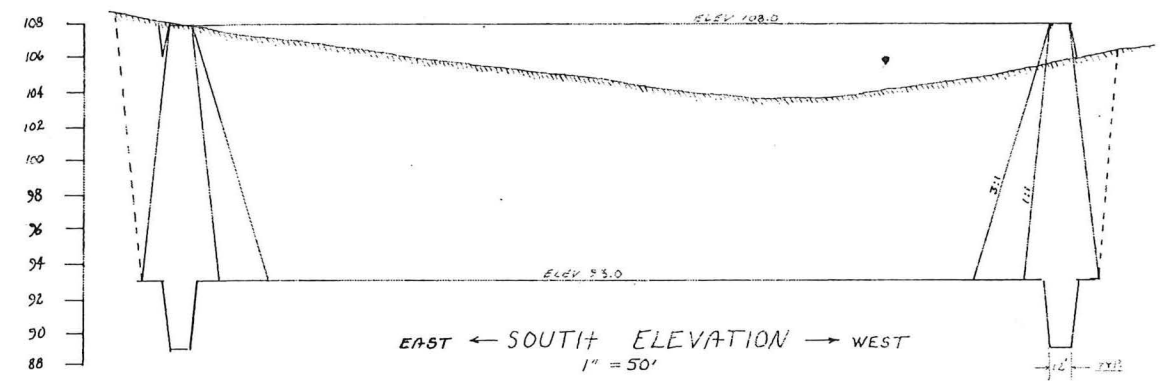
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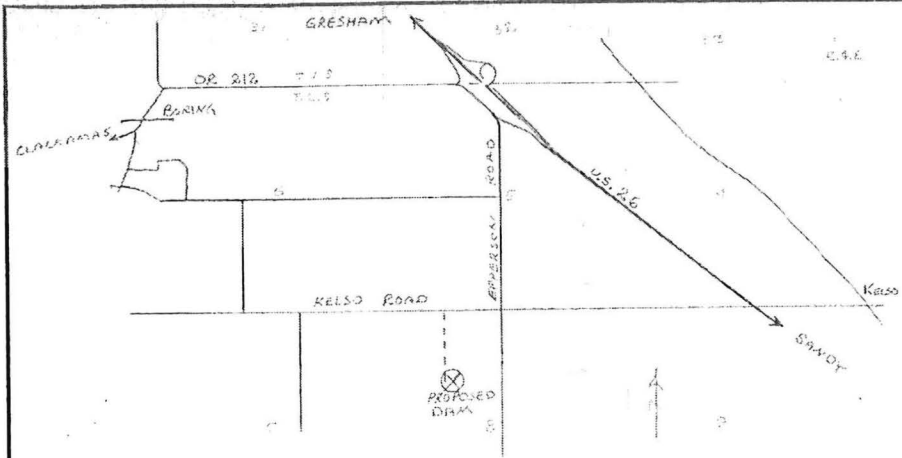
POND # 3

ISELI NURSERY
 15241 S.E. TICKLE CREEK ROAD
 BORING, OREGON 97009 (503) 663-3822

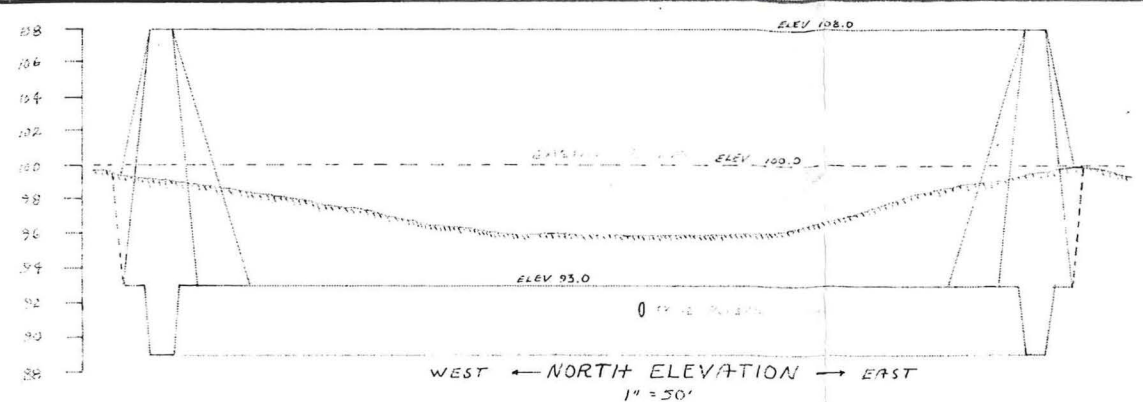
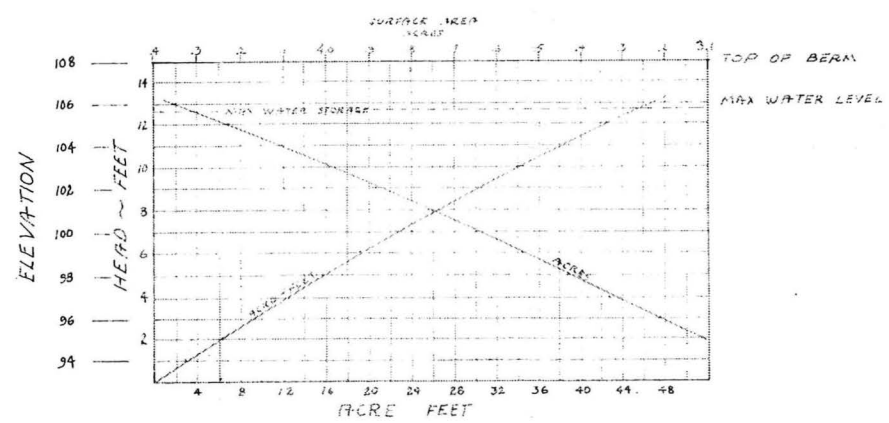
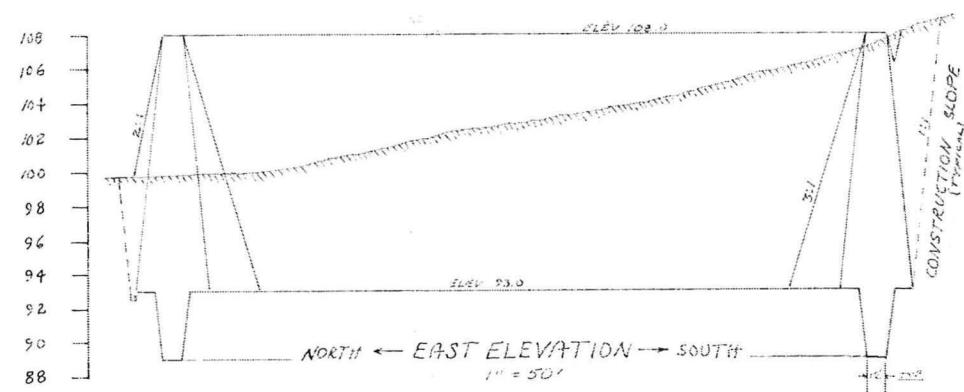
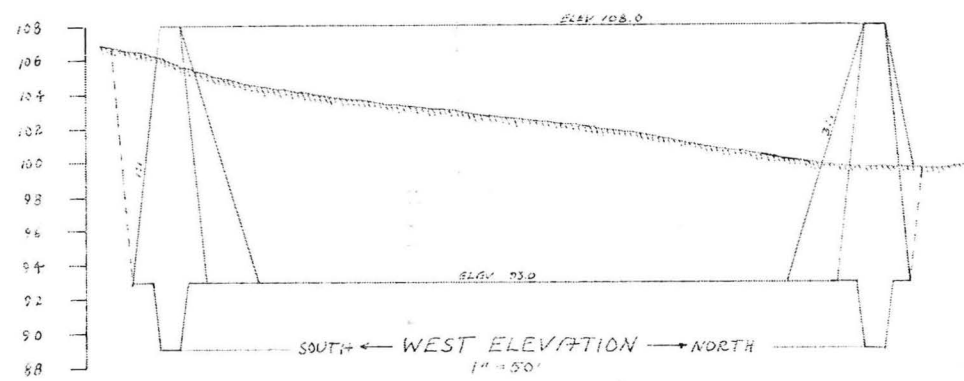
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Sheet	2
Of	2 Sheets

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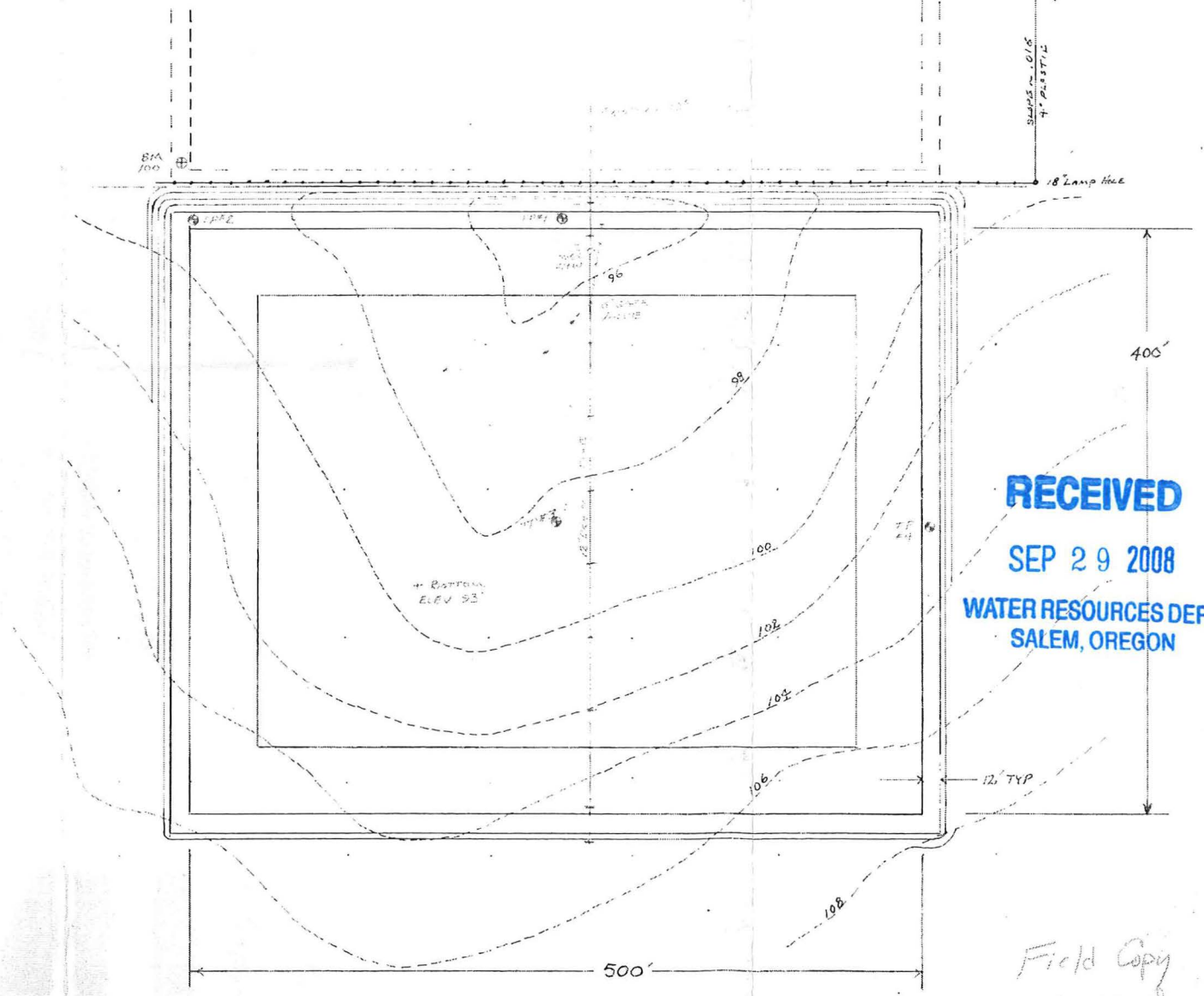




SCALE 1" = 2,000 FEET
LOCATION MAP



EXISTING POND



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Field Copy
Humboldt & Bonnell
ENGINEERS

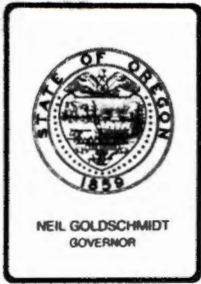
REVISIONS	BY

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POND #3

ISELI NURSERY
15241 S.E. TICKLE CREEK ROAD
BORING, OREGON 97009 (503) 663-3822

Date	7-12-84
Scale	AS SHOWN
Drawn	DDZ
Job	
Sheet	1
Of	2 Sheets



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8509

October 3, 1989

Iseli Nursery, Incorporated
30590 SE Kelso Rd.,
Boring, Oregon 97009

REFERENCE: File R-68128, 65054, and 68024

We have received your notice that complete application of water has been made under permit R--9901, 47675, and 48577

At a later date, a representative of this office will make an inspection and survey of your project.

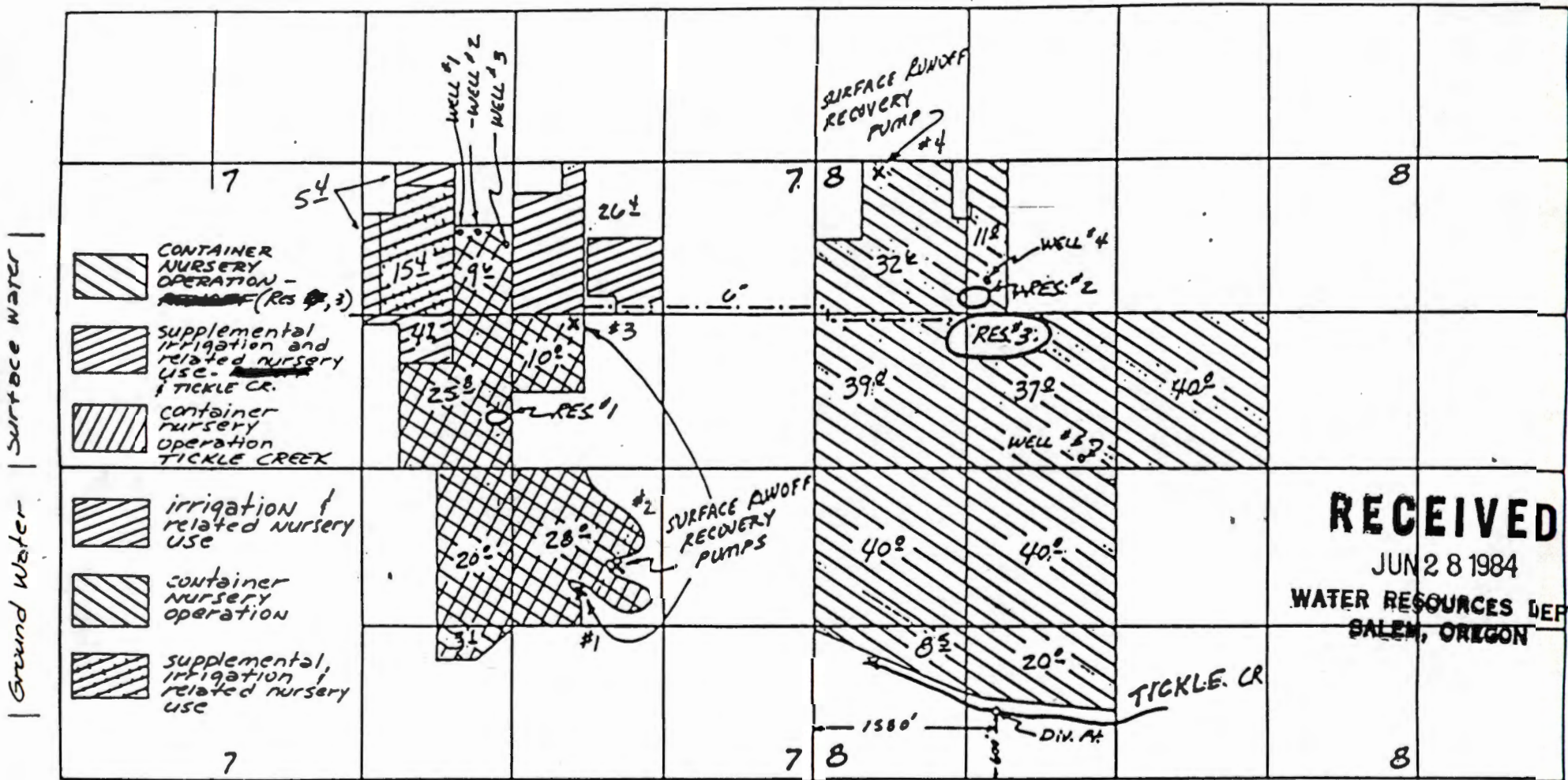
You will be mailed a proposed certificate of water right covering the actual use of water as found by our Inspector. Any use described in the permit that was not made will not be included in the certificate.

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

If you have any questions, please contact the Survey/Certificate Section at 378-3739.

T.2S. R.4E. W.M.

SCALE: 4" = 1 MILE



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WELL LOCATIONS - WELL #1 600' S. / 850' E., WELL #2 600' S. / 1000' E., WELL #3 700' S. / 1260' E., ALL FROM THE N.W. COR. NE1/4 NW1/4 SEC 7, T2S, R4E
 WELL #4 1050' S. / 175' E. FROM THE N.W. COR. NE1/4 NW1/4 SEC. 8, T2S, R4E.
 WELL #5 50' N. / 300' W FROM THE CENTER SEC 8, T2S, R4E.

DIV. PTS LOCATIONS - TICKLE CR. 600' N. / 1580' E. FROM S.W. COR SEC. 8, T2S, R4E.
 RES. #1 450' N. / 100' W. FROM CENTER SEC. 7, T2S, R4E.
 RES. #2 1400' N. / 1250' W. FROM CENTER SEC. 8, T2S, R4E.
 RES. #3 1200' N. / 1250' W. FROM CENTER SEC. 8, T2S, R4E.

THIS MAP PREPARED BY:

C.K. King

ON THE BASIS OF INFORMATION FURNISHED BY:

(4 Drainage ways)

#1 SURFACE RUNOFF - 1050' S., 550' E }
 #2 SURFACE RUNOFF - 850' S., 900' E } All from center section 7, T2S, R4E
 #3 SURFACE RUNOFF - 1250' N., 525' E }
 #4 SURFACE RUNOFF - 100' S., 550' E from N.W. COR. section 8, T2S, R4E.

Application No. R-68128 & 68024
 Permit No. R 9901 48577



STATE OF OREGON

County of CLACKAMAS

**PERMIT to CONSTRUCT a RESERVOIR and to STORE
for BENEFICIAL USE the PUBLIC WATERS**

This is to certify that I have examined APPLICATION R-68128 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS

This permit is issued to Iseli Nursery, Inc. of 15241 Tickle Creek, Boring, Oregon 97009, phone 663-3822, for the construction of Reservoir 3 and storage of water from an unnamed drainageway with any deficiency in supply to be made up by diversion of water from a drainageway in NW 1/4 NW 1/4 of Section 8, drainageway in SW 1/4 NE 1/4 of Section 7 and two drainageways in NE 1/4 SE 1/4 of Section 7, Township 2 * The dam will be LOCATED in the: SE 1/4 NW 1/4 of Section 8, Township 2 South, Range 4 East, WM, in the County of Clackamas.

The maximum height will be 12.0 feet above the stream bed or ground surface at the centerline. The top width will be 12.0 feet, slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 2.5 feet

The area submerged by the reservoir, when full, will be 4.3 acres and the maximum depth of water will be 15.0 feet

* South, Range 4 East, with any deficiency in supply of water available from the drainageways to be made up by appropriation from Tickle Creek, to be appropriated under Application 68024, Permit 48577 for container nursery stock, and the dam shall be constructed under the supervision of a registered professional engineer,

The location and dimensions of the spillway are: None.

The location and dimension of the outlet conduit will be: Close riveted asphalt coated helical CMP.

The structure out of the channel.

The dam will be earthfill construction.

The right hereunder shall be limited to the storage of 46.0 acre-feet

The PRIORITY DATE of this permit is July 23, 1984

Actual construction work shall begin on or before July 30, 1985 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985

Witness my hand this 30th day of July, 1984

DEPUTY DIRECTOR /s/ CHRIS L. WHEELER
WATER RESOURCES DIRECTOR

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 R-68128

PERMIT

R 9901

Application No. R-68128

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT
Application for a Permit to Construct a Reservoir

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JUL 23 1984

WATER RESOURCES DE
SALEM, OREGON

I, Isel Nursery Inc

(Name of Applicant)

of 15241 Tickle Creek Boring

(Mailing Address)

(City)

State of Ore 97009 Phone No. 663-3822

(Zip Code)

do hereby make application for a permit to construct the #3 reservoir
and to store the unappropriated waters of the State of Oregon, subject to existing rights.

1. The name of the stream from which the reservoir is to be filled is unnamed drainage way
in Reservoir area (see remarks) tributary to

2. If not in channel of a stream, state how it is to be filled. Supplemental supplies
are pumped thru pipe lines to reservoir
area, pipes are 6"-8"

3. The dam will be located in the SE 1/4 of the NW 1/4 of Section 8
Township 2S Range 4E W. M.

4. The maximum height will be 12 feet above stream bed or ground surface at the
centerline. The top width will be 12 feet, slope of upstream face 3:1
slope of downstream face 2:1, and height of dam above water line when full
2.5 feet.

5. The dam will be (check one) earthfill concrete flashboard other.
If "other", give description:

6. Give the location, description, and dimensions of the outlet conduit:
15" dia 12 ga. Close Riveted Asphalt
Coated Helical CMB

Application No. R-68128

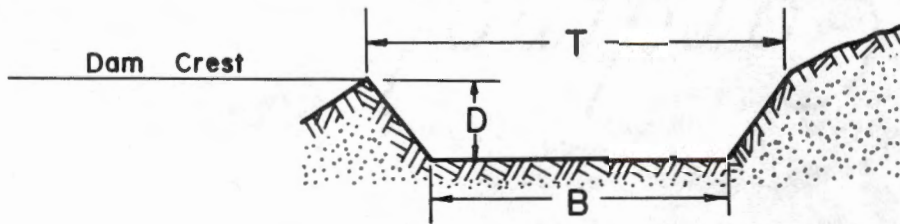
Permit No.

7. The impounded water will be used for Container nursery stock

8. The amount of water to be stored is 46 acre feet.

9. The area submerged by the reservoir, when full, will be 4.8 acres,
and the maximum depth of water will be 15 feet.

10. Give the location and dimensions of the spillway trickle tube
(State whether over or around dam)



The bottom width of the spillway, B, will be feet.

The top width of the spillway, T, will be feet.

The distance between the crest of the dam and the crest of the spillway, D, will be feet.
(Must be at least 2 1/4 feet)

If any other type of spillway describe and give dimensions:

15" Ø 12 ga. Close Riveted
Asphalt coated C M P

11. Construction work will begin on or before Aug. 1, 1984

12. Construction work will be completed and the reservoir filled by March 1986

Remarks:

The unnamed drainage way in the reservoir area is the primary source for filling the reservoir, with any deficiency in supply to be made up by diversion of water from drainage way in NW 1/4 NW 1/4 of Sec. 8, drainage way in the SW 1/4 NE 1/4 of Sec. 7 and two drainage ways in NE 1/4 SE 1/4 of Sec. 7 with any deficiency in supply in the drainage ways to be made up by diversion of water from Tickle Creek

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.

DEAN IRL President WEL UNIVERSITY, INC.
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before....., 19.....

WITNESS my hand this day of, 19.....

Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 23rd day of July, 1984, at 11:44 o'clock A.M.

Application No. R-68128

Permit No.....

pc
NCR

Application No. R-68128

Permit No.

**Permit to Construct a Reservoir
and Store for Beneficial Use the Public Waters
of the State of Oregon**

This is to certify that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions. The right herein granted is limited to the construction of Reservoir #3 and storage of water from an unnamed drainage way with any deficiency in supply to be made up by diversion of water from drainage way in NW 1/4 NW 1/4 of Section 8 drainage way in SW 1/4 NE 1/4 of Section 7 and two drainage ways in NE 1/4 SE 1/4 of Sec. 7 T. 25. R. 4 E. W. with any deficiency in supply in the drainage ways to be made up by diversion of water from Tickle Creek, ~~to~~ to

The right hereunder shall be limited to the storage of 46.0 acre feet.

The priority date of this permit is July 23, 1984

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

WITNESS my hand this day of, 19.....

.....
Water Resources Director

be appropriated under Application #88024 Permit 48577 for container nursery stock + gl(Z)

2/1/84

378-8508

June 4, 1985

Iseli Nursery, Inc.
30590 S.E. Kelso Road
Boring, OR 97009

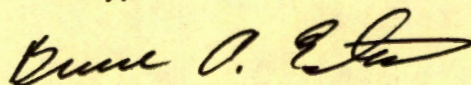
REFERENCE: Files R-68128 and 68024

I am enclosing a form for use in making application for an extension of time limits under Permits R-9901 and 48577.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$100 for each permit.

Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-115
6164A

*By phone req completed in May, 1985.
ext request was for 65054*

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. R000681281 PERMIT NO. _____ CERTIF. NO. _____

ORIG. NO. _____ PREV. NO. _____ SUPER. NO. _____

NAME: ISELI NURSERY, INC.

ADDRESS: 15241 TUCKLE CREEK

CITY/STATE/ZIP/COUNTY: BORING, OR 97009 03

STREAM-ID 02114002300130050 RIV. MI. 1.1

WM. DIST. 16 W.R. TYPE SR STATUS

CANCEL YEAR----> _____ CONSTR. COMPLT--> _____

YR. LAST USED-----> _____ NEXT ACTION DUE--> _____

PRIORITY-----> 07231984 PUT TO USE-----> _____

LAST TRANS. DATE--> _____ LAST TRANS. TYPE--> _____

APPLICATION----> 07231984 SURVEYED-----> _____

EXAM. FEE-----> 200.00 RECORDING FEE-----> 100.00

PERMIT ISSUE--> _____ CONCURRENCE----> _____

CYCLE STATUS-----> _____ REPORTED FLAG-----> _____

CONSTR. STRT.--> _____ CERTIFIED-----> _____

CORRES. INIT.-----> _____ CORRES. DATE-----> _____

POINT-OF-DIVERSION DATA:

TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID	RIV. MI.	RATE	STATUS	S	OR	P
0205	040E	8	BD	02114002300130050	0.0	0.000				
					0.0	0.000				
					0.0	0.000				

** REMARKS; - - - - ->

** DATED--> 07231984

** SEE APPLICATION 68024

PLACE-OF-USE DATA:

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE	%	CNSMTV	ACRES	STATUS	S	OR	P
0205	040E	08	BD	03	ST	.00	.00	.00	✓			P
0205	040E	08	BC	03	ST	.00	.00	.00	✓			P

** - - - - ->

** - - - - ->

** - - - - ->

** - - - - ->

[Handwritten signature]

W.R.I.S.

Assembled 07241984 by [Signature]

Entered 07241984 by [Signature]

Verified _____ by _____

WRDT-0982-02 W.R. NO.

*** RESERVOIR DATA ***

NAME-> RESERVOIR NO. 3

HEIGHT-----> 12.0

ABOVE WATER--> 2.5

STORED VOLUME-----> 46.0

SPILLWAY LOC 1

TOP WIDTH--> 12.0

MADE OF-----> E

SUBMERGED AREA-----> 4.3

BASE 1.25

UP SLOPE----> 3.0

COND. DIAM.----> 1.25

MAX. DEPTH-----> 15.0

TOP 1.25

DOWN SLOPE-> 2.0

USE-----> CM

DEPTH 1.25

MADE OF { DROP INLET
15" CMP

*** POWER CLAIM DATA ***

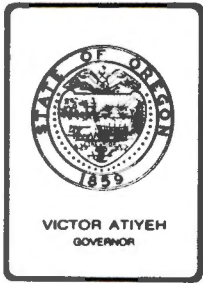
NAME->

CLAIM NO.---->

EXP. DATE---->

HEAD FEET---->

HORSEPOWER RATING---->



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

July 30, 1984

Douglas F. Foley
Bullivant, Houser, Bailey, Pendergrass,
Hoffman, O'Connell & Goyak
Attorneys at Law
405 West 13th Street
Vancouver, Washington 98660

Dear Mr. Foley:

REFERENCE: Application G-11241

We have your letter of July 25, 1984 transmitting a protest by Carl Aschoff and others against approval of pending water right applications in the name of Iseli Nursery, Inc., together with proof of service on the applicant. These items were received on July 26, 1984.

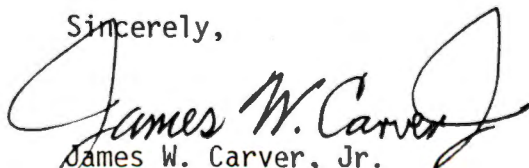
We also have your letter of July 27, 1984, transmitting your firm's check in the amount of twenty-five dollars, in payment of the statutory protest filing fee. The check was received today, as noted on the enclosed receipt.

The protest document cites Applications G-11241 and 68024, both in the name of Iseli Nursery, Inc., and alleges that the proposed appropriations would interfere with the protestants' continued uses of ground water for their residential needs. Only Application G-11241 pertains to development and use of ground water. Application 68024 proposes to appropriate water from Tickle Creek and a proposed reservoir to be filled from several surface water sources.

Therefore, as discussed with you during our telephone conversation this morning, the protest is being accepted and filed as a formal protest against approval of the pending Application G-11241, only.

Application G-11241 and the protest against it will be held without action for a reasonable time to allow opportunity for the parties to discuss and, perhaps, arrive at an agreement on the issues raised by the protest. If it is determined that the matter cannot be settled by an agreement between the parties, it will be set for hearing as a contested case under the provisions of ORS chapter 183, at the request of the applicant.

Sincerely,


James W. Carver, Jr.
Hearings Supervisor

cc: Clifton R. King, Watermaster
Iseli Nursery, Inc. Applicant

July 31, 1984

Denell D. Zander, PE
13700 SW Hall Boulevard
Tigard, OR 97223

Dear Mr. Zander:

REFERENCE: File R-68128

The plans and specifications for the Iseli Nursery Pond 3 have been reviewed and approved and permits issued. Copies of the approved plans and specifications have been forwarded to Iseli Nursery. Because this structure exceeds the size limits for exempt structures, construction must be supervised by an engineer licensed to practice in Oregon. Since your office prepared the plans and specifications, I will assume that you will provide the required supervision and inspection. If this is incorrect, please advise me immediately.

Any deviations from the approved plans will require prior approval from this office. In the event that any deviations become necessary during construction due to unforeseen circumstances, engineers are available from this office to work with you and are authorized to grant immediate approval in the field.

On completion please issue this Department certification that all construction was performed in accordance with the approved plans and specifications.

Please advise this office when construction starts so that we may schedule periodic field inspections.

Sincerely,

BARRY F. NORRIS
Administrator, Dam Safety

BFN:wpc

cc: Iseli Nursery
Cliff King, Watermaster

1774A

July 31, 1984

Iseli Nursery, Inc.
15241 Tickle Creek
Boring, OR 97009

68024 and R-68128

48577 and R-9901

July 26, 1984

Jean Isell
Isell Nursery, Inc.
30590 SE Keleo Road
Sandy, OR 97009

REFERENCE: Files G-11241, 68024 and R-68128

This is to acknowledge return of your Ground Water Application G-11241 describing the proposed use of 100.0 gallons per minute from Well 1, 350.0 gpm from Well 2, 750.0 gpm from Well 3, 350.0 gpm from Well 4, and 100.0 gpm from Well 5 for the supplemental irrigation of 15.4 acres, primary irrigation of 26.5 acres, related nursery use on 51.9 acres and container nursery operation on 364.6 acres. The print of the map to support this application was also received. This application was amended while you were in this office July 23, 1984, by noting that of the amounts of water to be used, 292.0 gpm will be used for irrigation, 70.0 gpm will be used for related nursery use and 1650.0 gpm will be used for container nursery stock.

This is also to acknowledge return of your Surface Water Application 68024 describing the proposed use of 0.65 cubic foot per second of water from Tickle Creek for supplemental irrigation of 51.9 acres, 1.6 cfs from Tickle Creek for related nursery use on 51.9 acres, and 3.30 cfs from Tickle Creek and Reservoirs 1, 2 and 3 for container nursery operation, being use from Tickle Creek with any deficiency to be made up from Reservoirs 1, 2 and 3 on 96.5 acres of container nursery stock and use from Reservoirs 1, 2 and 3 on 268.1 acres of container nursery stock. The print of the map to support this application was also received. This application was amended while you were in this office July 23, 1984, by deleting Reservoirs 1 and 2 as sources of water and noting that 0.16 cfs will be used for the related nursery use instead of the 1.6 cfs and that 5.55 cfs will be used for the container nursery operation instead of the 3.3 cfs. The addition of 2.25 cfs requested for the container nursery operation has received the date of priority of July 23, 1984, being the date the addition was made.

Isell Nursery, Inc.

July 26, 1984

page two

This is also to acknowledge your application for a permit to construct Reservoir 3 and to store therein 46.0 acre-feet of water from the unnamed drainageway in the reservoir area as the primary source with any deficiency in supply to be made up by diversion of water from drainageway in NW 1/4 NW 1/4 of Section 8, drainageway in SW 1/4 NE 1/4 of Section 7 and two drainageways in NE 1/4 SE 1/4 of Section 7, with any deficiency in supply in the drainageways to be made up by diversion of water from Tickle Creek for container nursery stock. The two copies of the specifications, a sepia print and regular prints of the plans and your request to waive the thirty-day waiting period were also received. Our Receipt 43567 covering the fees of \$300 credited to your Reservoir file was handed to you.

Our Receipts 43591 and 43592 covering the additional fees of \$208 received today of which \$54 has been credited to your File G-11241 and \$154 credited to your File 68024 are enclosed.

Your three applications are now in satisfactory form and providing we do not receive a protest against their approval they will be considered for approval as discussed while you were in this office.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJC:wpc

enclosures

cc: Cliff King, Watermaster District 16

3737C



30950 S.E. Kelso Road
Boring, Oregon 97009
(503) 663-3822

RECEIVED
JUL 23 1984
WATER RESOURCES DEPT.
SALEM, OREGON

July 23, 1984

Bill Young
Director of Water Resources
555 13th Street N.E.
Salem, OR 97310

Dear Mr. Young:

Several months ago, on the recommendation of your Mr. Cliff King, Iseli Nursery, Inc. submitted applications to appropriate ground and surface water and to construct a reservoir for the containment of the water.

We were given assurances that the approval for the reservoir was not subject to the thirty day waiting period. Concurrently, the nursery, through the Oregon Economic Development Commission, secured approval for a Revenue Bond in the amount of two million dollars (\$2,000,000.00). This approval was subject to approval of the reservoir project. Iseli Nursery, Inc. obtained a commitment to sell the bonds and the closing is to be on 1 August 1984.

The purpose of this letter is to appeal to you to waive the thirty day restriction which we were subsequently informed on the 20th of July 1984 that we would be subject to. If approval for the reservoir project is not secured prior to 1 August 1984, then the commitment to purchase the bonds will be lost. This could impose a severe penalty to the nursery which over the life of the bonds could amount to several hundred thousand dollars.

Plans for the reservoir have been reviewed by your staff who have indicated that we should have a project.

May we appeal to you for help in waiving the thirty day restriction to avoid subjecting the nursery to this severe economic penalty. We have been in the process of securing approval for the entire water system at Iseli Nursery, Inc. for several months and believe that our request has merit.

Thank you for your consideration in this matter.

Warmest regards,

Jean Iseli

Jean Iseli
President

Jl:cp

cc: Andre' W. Iseli, Chairman of the Board; Frank Spears
Oregon's quality container and field-grown nursery stock

see #68024

Application No.

R-68128

Permit No.

R 9901

Sub map
7/23/84
Name Iseli Nursery, Incorporated

Address ~~15241 Tickle Creek~~, Boring, OR 97009

Assigned

30590 S.E. Kelso Rd

Address

JUL 30 1985

Beginning construction

Completion of construction

OCT 1 1986

Extended to

Complete application of water

Extended to