

R 5

Name Iseli Nursery
By _____
Address 30590 SE Kelso Road
Boring, OR 97009

Date filed June 30, 1987
Priority June 30, 1987
Action suspended until KRS Inc.
Return to applicant _____
Date of approval OCT 19 1987

CONSTRUCTION

Date for beginning OCT 19 1988
Date for completion OCT 1 1989
Extended to _____
Date for application of water _____
Extended to _____

PROSECUTION OF WORK

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

FINAL PROOF

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

Application No. R 69175
RI0837
Permit No. _____
Certificate No. 85572

Stream Index, Page No. 2-10 Z 1

SEE FILE 69176

See Dam File I-14
Plans in flat file 2-24

FEES PAID

Date	Amount	Receipt No.
6-30-87	313.50	52701

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

Card for B OCT 18 1989

Received from WR's 8/4/87 AD

Form A (690-9-77)

Application No. R-09175

NOTICE OF BEGINNING OF CONSTRUCTION

R-10837 OK
~~R-09175~~ HA

Iseli Nursery

the holder of Permit No.

RECEIVED

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 12th day of Oct., 1987

Remarks: Digging Core trench - cut off trench
The appropriator must state the manner of beginning of construction, the amount 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.
Emergency spillway - Filling in Core trench
suitable material (over)

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of Oct., 1987
Fred Quast (Iseli Nur) 30590 Kelso, Boring
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.
SP*35567-690

we are using (2) 12 yd. scrapers, (1) blade
(1) water truck and (1) sheeps foot (grader)

Devell D. Zanders, a registered engineer
is supervising construction plus compaction
tests - we also installed toe drain

Received from WR's 8/4/87 FD

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 when available with any deficiency in the available supply at the unnamed drainage to be made up by appropriation from Tickle Creek, a tributary of Deep Creek, in RESERVOIR 4, appropriated under Permit 50048, for containerized nursery stock.

The right to store these waters was perfected under Reservoir Permit R-10837. The date of priority is June 30, 1987. The amount of water entitled to be stored each year under this right is not more than 52.0 acre-feet annually during the non-irrigation season or when excess water is otherwise available.

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

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Unnamed Drainage	2 S	4 E	WM	8	NW SW	1490 FEET NORTH & 900 FEET EAST FROM SW CORNER, SECTION 8
Tickle Creek	2 S	4 E	WM	8	SE SW	645 FEET NORTH & 1345 FEET EAST FROM SW CORNER, SECTION 8

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
2 S	4 E	WM	8	NW SW			NONE GIVEN

The area submerged by this reservoir is as follows:

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

The structure shall be operated and maintained in accordance with the approved plans and specifications and with the design intent.

The outlet gate shall be cycled at least once each year in order to assure smooth operation.

The embankment and spillway channel shall be kept clear of trees and brush.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

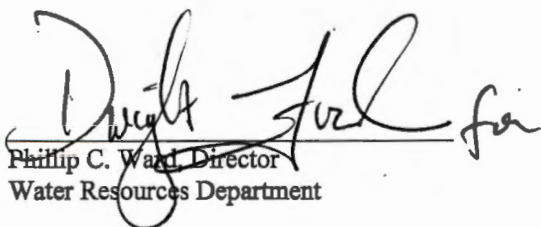
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review 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 embankment shall be kept free of burrowing animals.

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-69175

Permit: R-10837

Certificate: 85572

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>JUN 16 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):

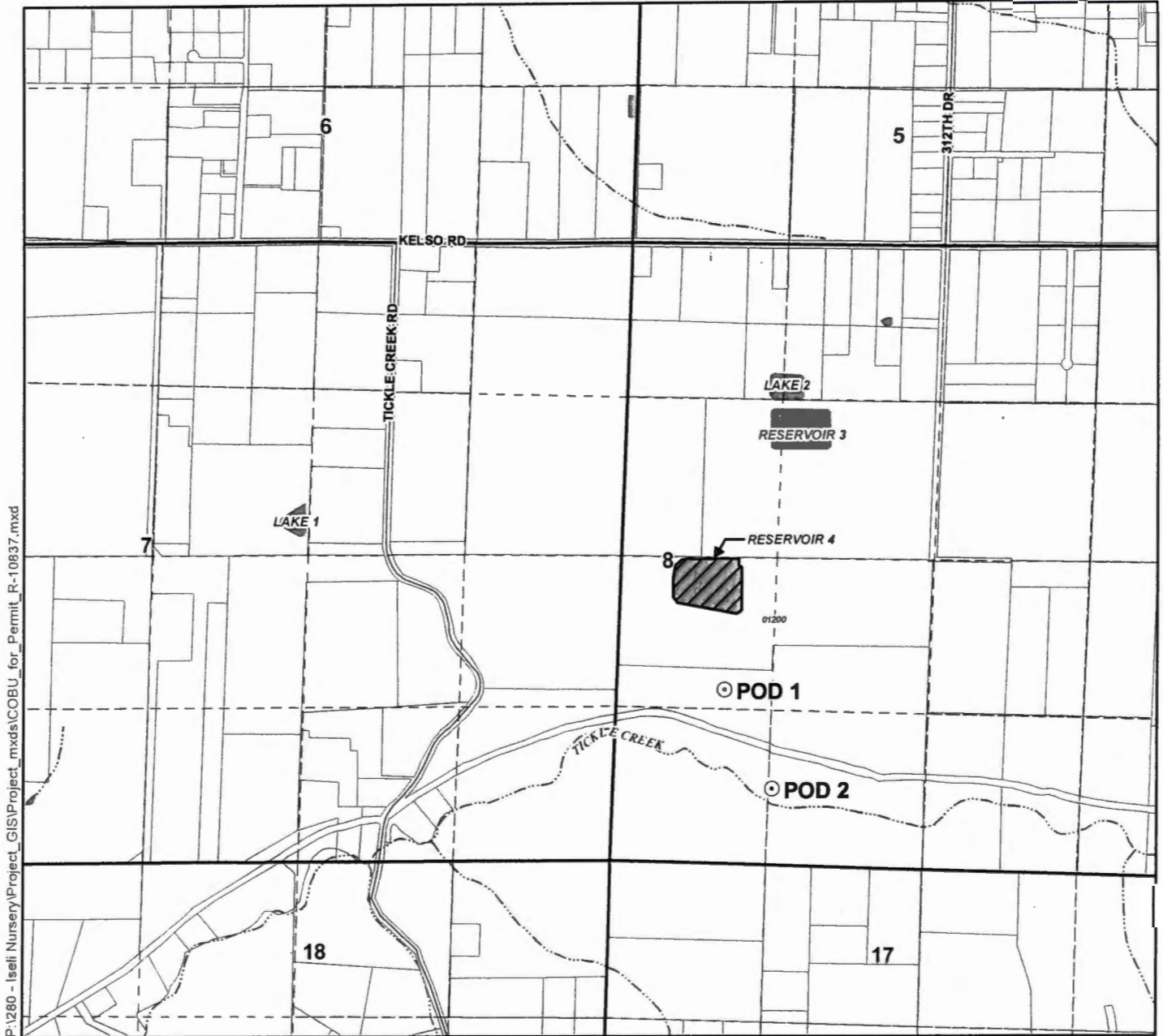
1. Theodore Ressler, CWRE ✓
2. Adam Sussman ✓

RECEIVED

SEP 29 2008

Claim of Beneficial Use Map
Permit R-10837 (Application R-69175)
Section 8, Township 2 South, Range 4 East (W.M.)

WATER RESOURCES DEPT
SALEM OREGON



P:\1280 - Iseli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_R-10837.mxd

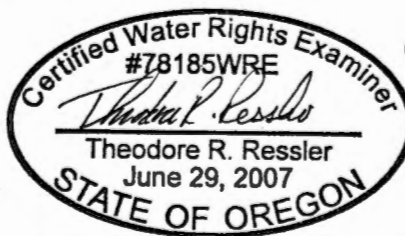
Legend

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

POD Location Description

POD 1
Located 1,490 feet North and 900 feet East from the SW corner of Section 8, Township 2 South, Range 4 East (W.M.)

POD 2
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 18, 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



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 when available with any deficiency in the available supply at the unnamed drainage to be made up by appropriation from Tickle Creek, a tributary of Deep Creek, in RESERVOIR 4, appropriated under Permit 50048, for containerized nursery stock.

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DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
2 S	4 E	WM	8	NW SW			NONE GIVEN

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
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The structure shall be operated and maintained in accordance with the approved plans and specifications and with the design intent.

The outlet gate shall be cycled at least once each year in order to assure smooth operation.

The embankment and spillway channel shall be kept clear of trees and brush.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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The embankment shall be kept free of burrowing animals.

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



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-69175

Permit: R-10837

Certificate: *****

Permit/Certificate Holder:

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

Copies Mailed	
by:	<u>Connie Wade</u> (STAFF)
on:	<u>APR 03 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 ✓



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

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.

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,

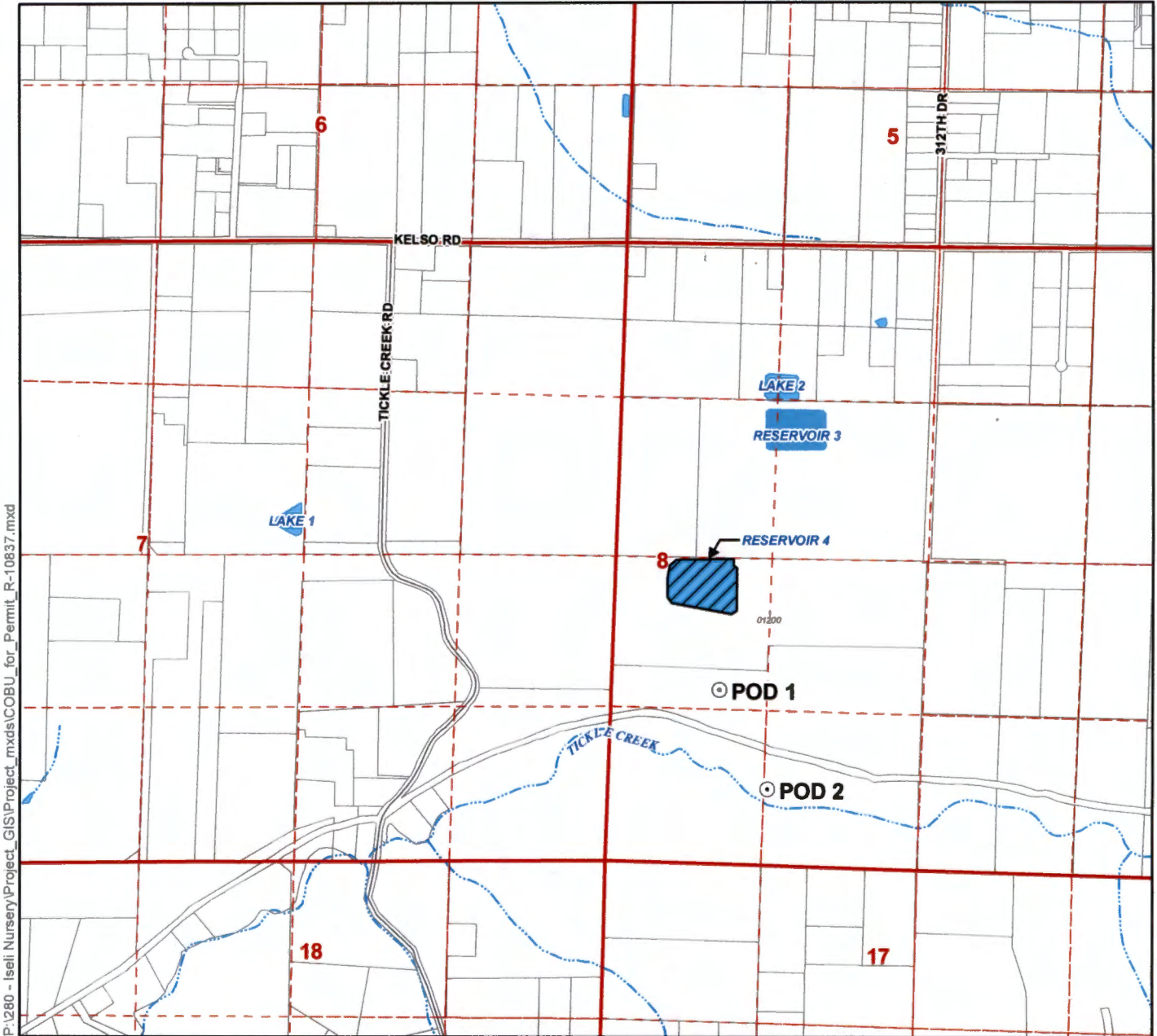
Dwight French
Administrator
Water Rights Division

RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM OREGON

Claim of Beneficial Use Map
Permit R-10837 (Application R-69175)
Section 8, Township 2 South, Range 4 East (W.M.)



P:\260 - Iseli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_R-10837.mxd

Legend

- ⊙ Point of Diversion (POD)
- ▨ Place of Use (POU)
- ⊕ Tax Lots
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POD Location Description

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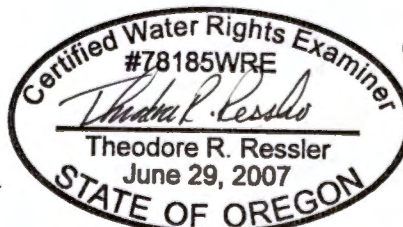
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Datum: North American Datum of 1983
Date: August 18, 2008
Prepared By: GSI Water Solutions, Inc.

Data Sources

Clackamas County GIS, Oregon Geospatial Data Clearinghouse

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EXPIRES: 12-31-2008



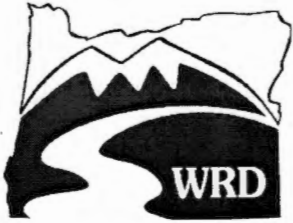
Scale

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



Completion Checklist for CWRE Claims of Beneficial Use

Application # R-69175
 Permit # R-10837
 Transfer # _____
 Date 7-4-09
 Reviewer: [Signature]



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) *no survey ops*
- 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 or transfer holder (OAR 690-014-0100)

*Less storage
 52 AF - per AS-BUILTS
 P's S
 Annulled
 Aug 1988*

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 been 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":

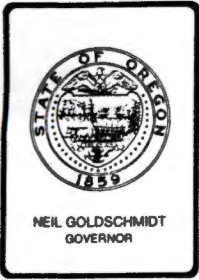
_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-2907

August 19, 1988

Denell D. Zander, P.E.
13700 SW Hall
Tigard OR 97233

REFERENCE: Iseli Pond #4 (I-14)

Dear Mr. Zander:

Thank you for your August 1, 1988 letter and "Record Drawings" for the referenced project. By copy of this letter the applicant is authorized to store water as allowed by the permit.

A It has been noted that the reservoir was not constructed as large as was shown on the original drawings. The certificate of water right, when issued, will reflect the change.

Sincerely,

HOWARD DAGGETT
Dam Safety Inspector
Dam Safety/Hydrographics Section

HD:wpc

cc: Iseli Nursery
Clif King, Watermaster

0092D

*check for maps received
Aug 1, 1988 (As-Built)*

Flat file Z-24?

52AF



Water Solutions, Inc.

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 cursive script that reads "Theodore Ressler".

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

Cc: Adam Sussman, GSI Water Solutions, Inc.

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SEP 29 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

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-69175</i>	<i>R-10837</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>

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

RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

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	1200	Reservoir location, 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

RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

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:

The diversion of water from the unnamed drainageway is accomplished using 1 submersible pump (refer to pump specifications under "System Information" section below). Additional water is added to Reservoir 4 under this water right from Tickle Creek (see section POD 2 – 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)
<i>POD 1 – 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>Unnamed drainageway</i>	<i>Tickle Creek</i>

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

<i>NW¼SW¼, Section 8, Township 2 South, Range 4 East (WM)</i>	<i>Located 1490 feet North and 900 feet East from the SW corner of Section 8</i>
---	--

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	<i>N/A</i>	Year Round	103 acre-feet annually

Total Quantity of Water Allowed **103 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
<i>N/A</i>	<i>N/A</i>	<i>NW SW</i>	8	2 S	4 E	Storage	<i>N/A</i>	<i>N/A</i>

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	August 19, 1987 <i>(date stamp on reservoir plans and specifications, Dam Safety file I-14)</i>	Yes <i>(OWRD approval letter dated 10/22/1987 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 4 during the site inspection on June 12, 2008 was at the maximum level of 4 feet below the top of the dam. Based on the storage chart included with the approved plans and specifications (Dam Safety file I-14), the observed reservoir level correlates to a storage volume of 103 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-14.

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-14.

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-14.

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-14.

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
Red Jacket Pump	Unknown*	Unknown*	Submersible	Unknown*	3"

**Notes: Record of the pump model, serial number, and intake size was not located and because the pump/motor is a submersible it was not readily available for inspection.*

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Franklin Electric	Unknown*	10	Unknown*	480

**Notes: Record of the motor model, max RPM, and voltage was not located and because the pump/motor is a submersible it was not readily available for inspection.*

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)
10	0	0	230	0.31	137

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:

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

$$Q_{\text{pump}} = \frac{(10)(7.04)}{[230 + 0]} = 0.31 \text{ cfs} = 137 \text{ gpm}^*$$

**Assumed minor frictional losses accounted for in the 230 feet of lift*

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8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground	Notes
12-inch	1500 feet	PVC	Buried	Conveys water to Reservoir 4

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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POD 2 – 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 4 is accomplished using 2 centrifugal pumps (refer to pump specifications under "System Information" section below). Approved plans and specifications for Reservoir 4 are available in Dam Safety file I-14.

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 2 – 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 deepening)

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
POD 2 – Tickle Creek Pump Station (TCPS)	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	103 acre-feet annually

Total Quantity of Water Allowed

103 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	NW SW	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	August 19, 1987 (date stamp on reservoir plans and specifications, Dam Safety file I-14)	Yes (OWRD approval letter dated 10/22/1987 is in the water right file)

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 4 during the site inspection on June 12, 2008 was at the maximum level of 4 feet below the top of the dam. Based on the storage chart included with the approved plans and specifications (Dam Safety file I-14), the observed reservoir level correlates to a storage volume of 103 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-14.						

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-14.

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-14.

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-14.			

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

ID	Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
2	Cornell Pump Company	2.5YHB60-2	61734	Centrifugal	6"	2.5"
3	Cornell Pump Company	5YB100-2	61673	Centrifugal	8"	5"

2. Motor information

ID	Brand	Model	Horsepower	Max RPM	Voltage
2	Marathon Electric	A15047B-55	60	3545	230/460
3	Marathon Electric	A15049A-55	100	3550	230/460

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

N/A

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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)
60	120	10	0	1.26	565
100	113	10	0	2.23	1001
			TOTAL	3.49 cfs	1566 gpm

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

For Pump/Motor 2

$$Q_{\text{pump}} = \frac{(60)(6.61)}{[10 + (120 * 2.54)]} = 1.26 \text{ cfs} = 565 \text{ gpm}^*$$

For Pump/Motor 3

$$Q_{\text{pump}} = \frac{(100)(6.61)}{[10 + (113 * 2.54)]} = 2.23 \text{ cfs} = 1001 \text{ gpm}^*$$

**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 2 discharge
6-inch	3 feet	Steel	Above ground	Receives Pump 3 discharge
12-inch	10 feet	Steel	Above ground	Receives Pump 2 and 3 discharge
12-inch	1100 feet	PVC	Buried	Conveys Pump 2 and 3 discharge to Reservoir 4

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

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	<u>10/19/1988</u>	<u>10/12/1987</u>	<i>Began construction of Reservoir 4</i>
Complete construction	<u>10/1/1989</u>	<u>8/1/1988</u>	<i>Date of final inspection of Reservoir 4 by OWRD.</i>
Complete application of water	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

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. **Location of Tickle Creek Point of Diversion.** *The location of the Tickle Creek Pump Station (POD 2) is slightly different that 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.*

2. **Unnamed Drainageway.** *An exact location of the unnamed drainageway is not stated on the permit. My interpretation of the permit from the information contained in the water right file is that the unnamed drainageway was listed to indicate a source of surface water runoff draining to Reservoir 4, adding water to storage. Accordingly, in this COBU report I have described the location of this unnamed drainageway as being in the same quarter-quarter as Reservoir 4 with a single Point of Diversion being Reservoir 4 (i.e. the endpoint of the surface water runoff draining toward Reservoir 4).*

Attachments

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

Attachment name	Description	
Attachment A	Permit R-10837	RECEIVED
Attachment B	Claim of Beneficial Use Map	
Attachment C	As-built plans for reservoir	SEP 29 2008
Attachment D	Layout of water system mainlines	WATER RESOURCES DEPT SALEM, OREGON

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 4	103 ac-ft	N/A	103 ac-ft	Storage	N/A	N/A

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.

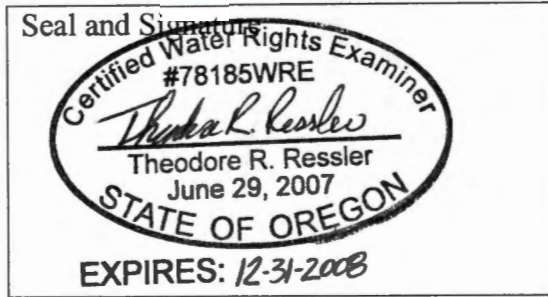
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CWRE Statement, Seal and Signature

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.

 Signature GREG PICKETT Pres/Gentler ISEI Nursery Inc 8/19/08
Print or type name Date

Signature Print or type name Date

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Attachment A
Permit R-10837
Claim of Beneficial Use for Permit R-10837

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SALEM, OREGON



STATE OF OREGON

County of CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION R-69175 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Iseli Nursery of 30590 SE Kelso Road, Boring, Oregon 97009, phone 663-3822, for the construction of Reservoir 4 and storage of water from an unnamed drainage when available with any deficiency in the available supply at the unnamed drainage to be made up by appropriation from Tickle Creek, a tributary of Deep Creek, stored water to be appropriated under Application 69176, Permit 50048 for *

The dam will be LOCATED in the: NW 1/4 SW 1/4 of Section 8, Township 2 South, Range 4 East, WM, in the County of Clackamas.

The maximum height will be 20.0 feet above the stream bed or ground surface at the centerline. The top width will be 16.0 ft, slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 4.0 feet.

The area submerged by the reservoir, when full, will be 7.6 acres, and the maximum depth of water will be 16.0 feet.
* containerized nursery stock and shall be subject to:

1. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
2. The structure shall be constructed under the supervision of a registered engineer licensed in Oregon. No water shall be stored until this department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this department.
3. The outlet gate shall be cycled at least once each year in order to assure smooth operation
4. The embankment and spillway channel shall be kept clear of trees and brush
5. The embankment shall be kept free of burrowing animals
6. No fill shall be placed until excavation of the cutoff trench and the emergency spillway have been completed in their entirety and approved by the engineer
7. The emergency spillway shall be constructed in original ground to a depth of 2.7 feet below the dam crest

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The dimensions of the spillway are: The bottom width of the spillway will be 28.0 feet. The top width of the spillway will be 40.0 feet. The distance between the crest of the dam and the crest of the spillway will be 2.0 feet.

The location and dimension of the outlet conduit will be: 12" diameter 16 gauge riveted asphalt coated helical CMP.

The dam is in the channel of unnamed drainage.

The dam will be earthfill construction.

The right hereunder shall be limited to the storage of 103.0 acre-feet annually during the nonirrigation season or when excess water is otherwise available. The PRIORITY DATE of this permit is June 30, 1987 .

Actual construction work shall begin on or before October 19, 1988 . and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 89 . Complete application of the water to the proposed use shall be made on or before October 1, 19 .

Witness my hand this 19th day of October . 19 87 .

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-10837

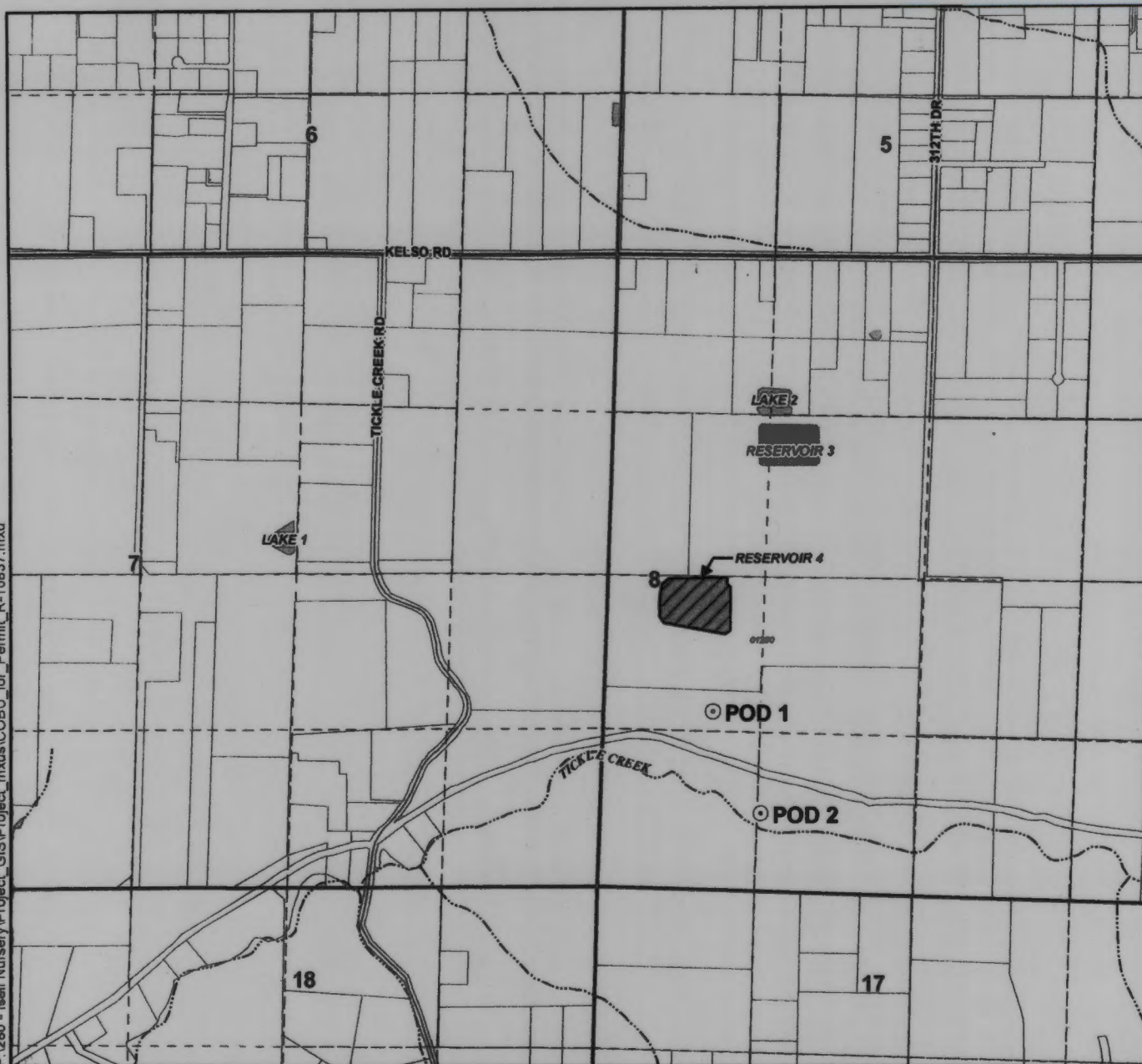
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SALEM, OREGON

Claim of Beneficial Use Map
Permit R-10837 (Application R-69175)
Section 8, Township 2 South, Range 4 East (W.M.)

P:\280 - leeli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_R-10837.mxd



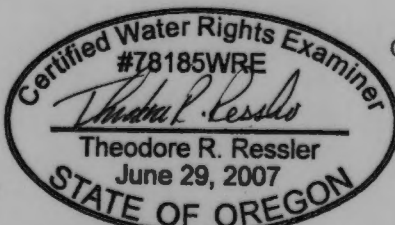
Legend

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

POD Location Description

POD 1
Located 1,490 feet North and 900 feet East from the SW corner of Section 8, Township 2 South, Range 4 East (W.M.)

POD 2
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 18, 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



Attachment C
As-built Plans for Reservoir
Claim of Beneficial Use for Permit R-10837

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WATER RESOURCES DEPT
SALEM, OREGON

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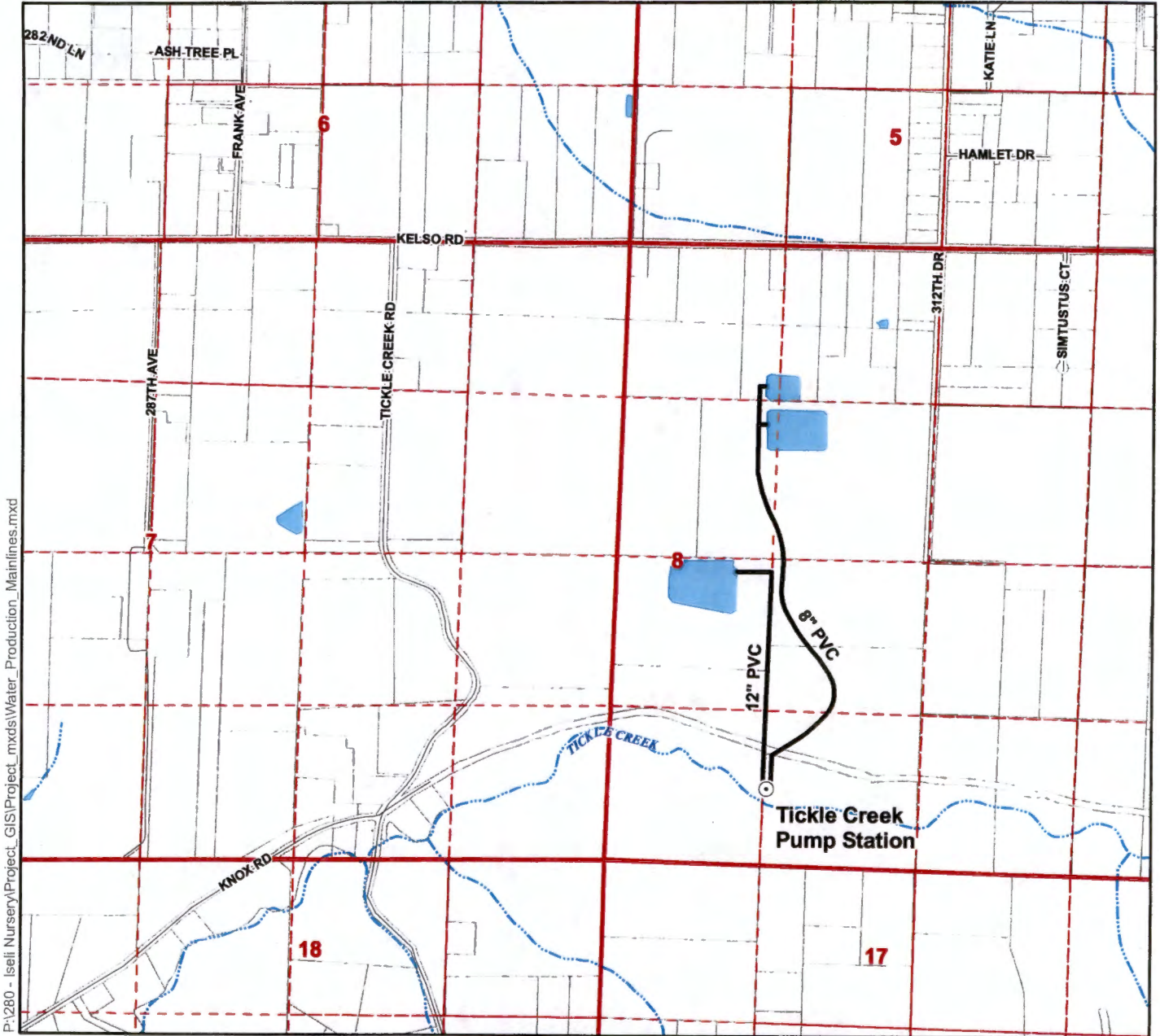
SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

Attachment D
Layout of Water System Mainlines
Claim of Beneficial Use for Permit R-10837

Water Production Mainlines

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



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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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WATER RESOURCES DEPT
SALEM, OREGON



Scale
0 660 1,320

1 inch equals 1,320 feet



DAM NAME: Izeli Nursery #4
 APPL. NO.: R-69175
 DAM FILE: I-14
 MAP FILE: Flat File 2-24

CHECKED BY: H. Daggett
 DATE: 8/4/87
 REVIEWED: _____

CONCURRENCE OF APPLICATION AND PLANS

ITEM	APPLICATION	PLANS	CORRECTIONS MADE		REMARKS
			APPL.	PLANS	
Location	NW SW Sec 8 T 23, R 4E	SW NW 8 T 23, R 4E			1/4 1/4 OK
Max Dam Height	20	✓			OK
Top Length	—	—			—
Bottom Length	—	—			—
Crest Width	16	✓			OK
Front and Rear Slopes	3:1 2:1	✓			OK
Height of Dam above W. S. when full	4 primary 2 emergency	4 primary OK 2 emergency			OK
Wasteway	b=28 T b=40 d=2	b=28 T b=40 d=22			Cover letter will state emergency *
Surface Area	68	76			OK
Capacity	103	✓			OK
Conduit	12" CMP	✓			OK
Max Depth	14	✓			OK
Mean Depth	—	—			—

REMARKS Ap needs changed *

I SELI NURSERY INC.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM NWC-3 V-3

DATE	INVOICE NUMBER	DESCRIPTION	AMOUNT	DEDUCTIONS		NET AMOUNT
				PARTICULARS	AMOUNT	
		Permit for lake 2308				450.00
		Application No. 69176 Permit No.				

ISELI NURSERY INC.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM NWC-3 V-3

DATE	INVOICE NUMBER	DESCRIPTION	AMOUNT	DEDUCTIONS		NET AMOUNT
				PARTICULARS	AMOUNT	
		Application for new lake 2125 2308				313.50

Application No. R-69175
Permit No.

Abstract of Permit

This is to certify that I have examined APPLICATION R-69175 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Iseli Nursery of 30590 SE Kelso Road, Boring, Oregon 97009, phone 663-3822, for the construction of Reservoir 4 and storage of water from an unnamed drainage when available with any deficiency in the available supply at the unnamed drainage to be made up by appropriation from Tickle Creek, a tributary of Deep Creek, stored water to be appropriated under Application 69176, Permit 50048 for *
The dam will be LOCATED in the: NW 1/4 SW 1/4 of Section 8, Township 2 South, Range 4 East, WM, in the County of Clackamas.

The maximum height will be 20.0 feet above the stream bed or ground surface at the centerline. The top width will be 16.0 feet, slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 4.0 feet.

The area submerged by the reservoir, when full, will be 7.6 acres, and the maximum depth of water will be 16.0 feet.
* containerized nursery stock and shall be subject to:

1. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
2. The structure shall be constructed under the supervision of a registered engineer licensed in Oregon. No water shall be stored until this department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this department.
3. The outlet gate shall be cycled at least once each year in order to assure smooth operation
4. The embankment and spillway channel shall be kept clear of trees and brush
5. The embankment shall be kept free of burrowing animals
6. No fill shall be placed until excavation of the cutoff trench and the emergency spillway have been completed in their entirety and approved by the engineer
7. The emergency spillway shall be constructed in original ground to a depth of 2.7 feet below the dam crest

SEE NEXT PAGE

The right hereunder shall be limited to the storage of 103.0 acre-feet annually during the nonirrigation season or when excess water is otherwise available.
The PRIORITY DATE of this permit is June 30, 1987.

Actual construction work shall begin on or before October 19, 1988, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 89.

Witness my hand this 19th day of October, 19 87.

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.

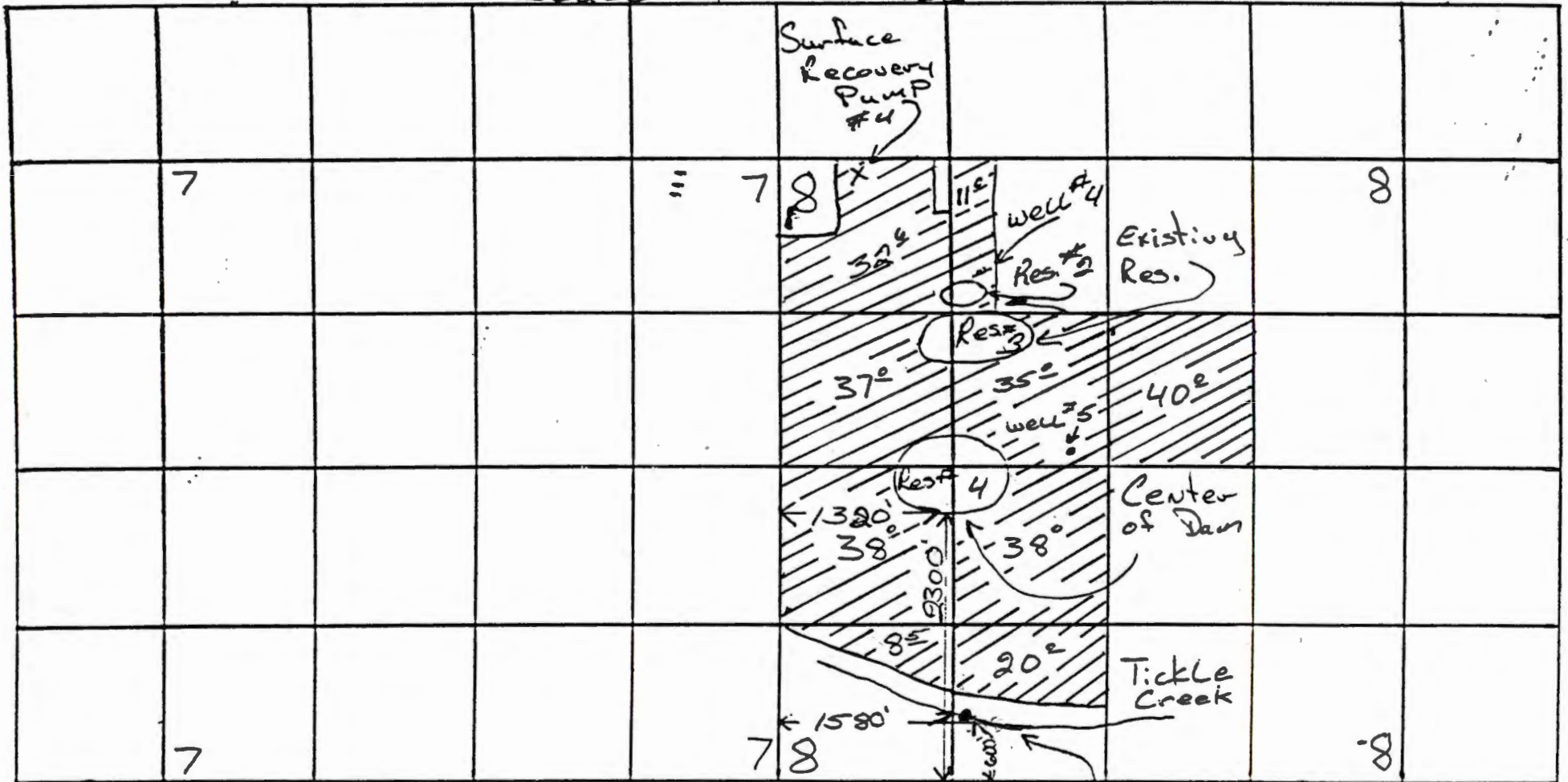
The dimensions of the spillway are: The bottom width of the spillway will be 28.0 feet. The top width of the spillway will be 40.0 feet. The distance between the crest of the dam and the crest of the spillway will be 2.0 feet.

The location and dimension of the outlet conduit will be: 12" diameter 16 gauge riveted asphalt coated helical CMP.

The dam is in the channel of unnamed drainage.

The dam will be earthfill construction.

1. 2. 3. 4. 5. 6. 7. 8.
 Scale 4" = 1 mile



D.u. PT Tickle Creek

600' N & 1580' E. From S.W. Corner
 Sec. 2 T2E, R4E

Diversiou Point

Application No. R-69175 & 69176

Permit No. R10837

50048



STATE OF OREGON

County of CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION R-69175 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Iseli Nursery of 30590 SE Kelso Road, Boring, Oregon 97009, phone 663-3822, for the construction of Reservoir 4 and storage of water from an unnamed drainage when available with any deficiency in the available supply at the unnamed drainage to be made up by appropriation from Tickle Creek, a tributary of Deep Creek, stored water to be appropriated under Application 69176, Permit 50048 for *

The dam will be LOCATED in the: NW 1/4 SW 1/4 of Section 8, Township 2 South, Range 4 East, WM, in the County of Clackamas.

The maximum height will be 20.0 feet above the stream bed or ground surface at the centerline. The top width will be 16.0 feet. Slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 4.0 feet.

The area submerged by the reservoir, when full, will be 7.6 acres, and the maximum depth of water will be 16.0 feet.
* containerized nursery stock and shall be subject to:

1. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
2. The structure shall be constructed under the supervision of a registered engineer licensed in Oregon. No water shall be stored until this department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this department.
3. The outlet gate shall be cycled at least once each year in order to assure smooth operation
4. The embankment and spillway channel shall be kept clear of trees and brush
5. The embankment shall be kept free of burrowing animals
6. No fill shall be placed until excavation of the cutoff trench and the emergency spillway have been completed in their entirety and approved by the engineer
7. The emergency spillway shall be constructed in original ground to a depth of 2.7 feet below the dam crest

SEE NEXT PAGE

APPLICATION R-69175

PERMIT **R10837**

The dimensions of the spillway are: The bottom width of the spillway will be 28.0 feet. The top width of the spillway will be 40.0 feet. The distance between the crest of the dam and the crest of the spillway will be 2.0 feet.

The location and dimension of the outlet conduit will be: 12" diameter 16 gauge riveted asphalt coated helical CMP.

The dam is in the channel of unnamed drainage.

The dam will be earthfill construction.

The right hereunder shall be limited to the storage of 103.0 acre-feet annually during the nonirrigation season or when excess water is otherwise available.
The PRIORITY DATE of this permit is June 30, 1987 .

Actual construction work shall begin on or before October 19, 1988 , and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 89 .
Complete application of the water to the proposed use shall be made on or before October 1, 19 .

Witness my hand this 19th day of October . 19 87 .

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-69175

PERMIT

R10837



STATE OF OREGON

County of CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION R-69175 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Iseli Nursery of 30590 SE Kelso Road, Boring, Oregon 97009, phone 663-3822, for the construction of Reservoir 4 and storage of water from an unnamed drainage when available with any deficiency in the available supply at the unnamed drainage to be made up by appropriation from Tickle Creek, a tributary of Deep Creek, stored water to be appropriated under Application 69176, Permit 50048 for *

The dam will be LOCATED in the: NW 1/4 SW 1/4 of Section 8, Township 2 South, Range 4 East, WM, in the County of Clackamas.

The maximum height will be 20.0 feet above the stream bed or ground surface at the centerline. The top width will be 16.0 feet. Slope of upstream face 3:1, slope of downstream face 2:1, and height of dam above water line when full 4.0 feet.

The area submerged by the reservoir, when full, will be 7.6 ACRES, and the maximum depth of water will be 16.0 feet. * containerized nursery stock and shall be subject to:

1. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
2. The structure shall be constructed under the supervision of a registered engineer licensed in Oregon. No water shall be stored until this department receives written certification from the engineer that construction has been completed in accordance with the approved plans and specifications, and written authorization for storage is received from this department.
3. The outlet gate shall be cycled at least once each year in order to assure smooth operation
4. The embankment and spillway channel shall be kept clear of trees and brush
5. The embankment shall be kept free of burrowing animals
6. No fill shall be placed until excavation of the cutoff trench and the emergency spillway have been completed in their entirety and approved by the engineer
7. The emergency spillway shall be constructed in original ground to a depth of 2.7 feet below the dam crest

SEE NEXT PAGE

APPLICATION R-69175

PERMIT **R10837**

The dimensions of the spillway are: The bottom width of the spillway will be 28.0 feet. The top width of the spillway will be 40.0 feet. The distance between the crest of the dam and the crest of the spillway will be 2.0 feet.

The location and dimension of the outlet conduit will be: 12" diameter 16 gauge riveted asphalt coated helical CMP.

The dam is in the channel of unnamed drainage.

The dam will be earthfill construction.

The right hereunder shall be limited to the storage of 103.0 acre-feet annually during the nonirrigation season or when excess water is otherwise available.
The PRIORITY DATE of this permit is June 30, 1987 .

Actual construction work shall begin on or before October 19, 1988 , and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 89 .
Complete application of the water to the proposed use shall be made on or before October 1, 19 .

Witness my hand this 19th day of October , 19 87 .

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-69175

PERMIT **R10837**

Application No. R-69175

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

RECEIVED

JUN 30 1987

WATER RESOURCES DEPT
SALEM, OREGON

I, Isel Nursery

(Name of Applicant)

of 30590 S.E. Kelso RD Boring

(Mailing Address)

(City)

State of Oregon 97009, Phone No. 663-3822

(Zip Code)

do hereby make application for a permit to construct the # 4 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
tickle Creek tributary to Deep Creek (see remarks)

2. If not in channel of a stream, state how it is to be filled. Reservoir in channel
of the drainage water, water will be
pumped from tickle Creek by use of
30 hp pump & 8" pipe line

3. The dam will be located in the n.w. $\frac{1}{4}$ of the s.w. $\frac{1}{4}$ of Section 8,
Township 2S, Range 4E, W. M. Clackamas

4. The maximum height will be 20 feet above stream bed or ground surface at the
centerline. The top width will be 14 feet, slope of upstream face 3:1,
slope of downstream face 2:1, and height of dam above water line when full
4 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: 12" ϕ 16 ga
Riveted asphalt coated helical CMP

(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

1947E

200.00
100.00 50
13.25 5.3

Application No. R-69175

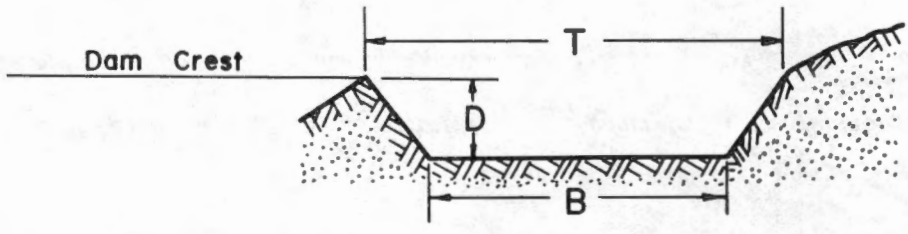
Permit No.

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

8. The amount of water to be stored is 103 acre feet

9. The area submerged by the reservoir, when full, will be ca. 76 acres, and the maximum depth of water will be 14 feet.

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



The bottom width of the spillway, B, will be 28 feet.

The top width of the spillway, T, will be 40 feet.

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

If any other type of spillway describe and give dimensions:

.....
.....
.....

11. Construction work will begin on or before 7-15-87

12. Construction work will be completed and the reservoir filled by 5-15-88

Remarks: the unclaimed drainage will be the primary source for filling the reservoir. any deficiency in supply from the drainage way for filling reservoir will be made up by appropriate ation from tickle Creek

STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
1987
RECEIVED

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.

Fred Quayle
Signature of Applicant
Fred Quayle
Facilities Development
Mgr.

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 30th day of June, 1987, at 1:02 o'clock P.M.

Application No. R-69175

Permit No.....

WCR

Application No. R-69175

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 4 and storage of water from an unpaired
drainage when available with any deficiency in the available
supply at the unpaired drainage to be made up by appropriation
from Tickle Creek to be appropriated under Application 69176
Permit for containerized nursery stock and shall
be subject to:

The right hereunder shall be limited to the storage of 103.0 acre feet.

The priority date of this permit is June 30, 1987

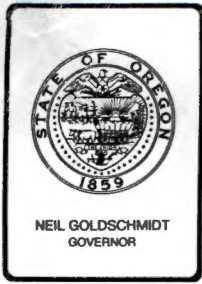
Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

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

1. THE STRUCTURE SHALL BE CONSTRUCTED, OPERATED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED PLANS & SPECIFICATIONS AND WITH THE DESIGN INTENT.
2. THE STRUCTURE SHALL BE CONSTRUCTED UNDER THE SUPERVISION OF A REGISTERED ENGINEER LICENSED IN OREGON. NO WATER SHALL BE STORED UNTIL THIS DEPARTMENT RECEIVES WRITTEN CERTIFICATION FROM THE ENGINEER THAT CONSTRUCTION HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS, AND WRITTEN AUTHORIZATION FOR STORAGE IS RECEIVED FROM THIS DEPARTMENT.
3. THE OUTLET GATE SHALL BE CYCLED AT LEAST ONCE EACH YEAR IN ORDER TO ASSURE SMOOTH OPERATION.
4. THE EMBANKMENT AND SPILLWAY CHANNEL SHALL BE KEPT CLEAR OF TREES AND BRUSH.
5. THE EMBANKMENT SHALL BE KEPT FREE OF BURROWING ANIMALS.
6. NO FILL SHALL BE PLACED UNTIL EXCAVATION OF THE CUTOFF TRENCH AND THE EMERGENCY SPILLWAY HAVE BEEN COMPLETED IN THEIR ENTIRETY AND APPROVED BY THE ENGINEER.
7. THE EMERGENCY SPILLWAY SHALL BE CONSTRUCTED IN ORIGINAL GROUND TO A DEPTH OF 2.7 FEET BELOW THE DAM CREST.

Water Resources Director

[Handwritten signature]



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-2907

October 22, 1987

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

Dear Mr. Zander:

REFERENCE: File R-69175

The plans and specifications for the Iseli Nursery No. 4 Pond 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.

Approval of the plans are contingent upon the emergency spillway being 2.7 feet deep and being constructed in original ground.

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. This Department will then authorize the applicant to store water.

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

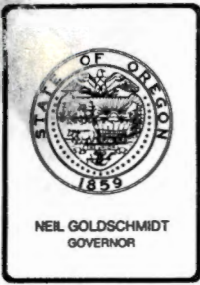
Sincerely,

BARRY F. NORRIS
Engineer, Dam Safety

BFN:wpc

cc: Iseli Nursery
Clif King, Watermaster, District 16
Dam Safety Section

1774A
1079A



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

October 22, 1987

Iseli Nursery
30590 SE Kelso Road
Boring, OR 97009

REFERENCE: Files R-69175 and 69176

ENCLOSED: Permits R-10837 and 50048

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Your permit has been recorded in this office, but you should hold the original permit as evidence of your water right. If the land is sold, an assignment to the new owner must be recorded in this office. Assignment blanks will be furnished upon request.

The permit fixes time limits for beginning of construction, completion of construction and complete application of water to beneficial use. The law requires that you begin actual construction within one year from the date of issuance of the permit or your right will be lost. The Water Resources Director is authorized to extend the time for completion of construction and for complete application of water upon proper showing, but has no authority to extend the time limit for beginning of construction.

Forms A, B and C may be attached for submitting (A) Notice of Beginning of Construction, (B) Notice of Completion of Construction and (C) Notice of Complete Application of Water. If your application has stated that construction has already been started, or that construction work is completed, or that complete application of water has been made, only the required forms will be attached.

If your project will require only a portable pumping plant and pipelines, the acquisition of such equipment will be considered construction.

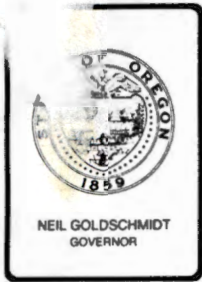
When complete application of water has been made, Form C should be submitted as the first step in proof of appropriation. When proof satisfactory to the Water Resources Director has been made, the right will be confirmed by issuance of a certificate. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

The late summer flow in nearly all streams is required to satisfy existing rights. Your permit grants a right to use water only when there is a surplus in the source involved over and above that required to satisfy prior rights.

Sincerely,

William H. Young
WILLIAM H. YOUNG
Director

WHY:wpc
enclosures
0032B/2



APPROVED
10-9-87

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

MEMORANDUM

TO: Water Resources Commission
FROM: Director *WJ*
SUBJECT: Agenda Item C, October 9 1987, Water Resources
Commission Meeting

Consideration for Approval of Application R-69175
to Store Water from An Unnamed Drainage, Clackamas
County

Background:

Two applications were received on June 30, 1987 in the name of Iseli Nursery and filed as R-69175 and 69176. The reservoir application proposes the construction of Reservoir #4 to a height of 20.0 feet, to impound 103.0 acre-feet (af) of water from an unnamed drainage, tributary of Tickle Creek. The application is being referred to the Commission since the dam is in excess of ten feet in height and will impound more than 9.2 af of water.

Discussion:

The reservoir application indicates that an unnamed drainageway is the primary source for storage with any shortage to be pumped from Tickle Creek.

Plans and specifications have been submitted by a registered professional engineer, in conformity with the statutes, and approved by the Dam Safety and Hydrographics Section of the Field Operations Division.

Iseli Nursery, Inc. has two existing permits. Permit 47675 authorizes the diversion of 5.5 cfs from Tickle Creek for a nursery operation with a date of priority of April 28, 1983. Permit 48577 authorizes a diversion of an additional 5.5 cfs from Tickle Creek for the same nursery operation.

These permits are subject to regulation for the May 5, 1966, minimum flows. (Attachment F)

Notice of the filing was sent to the agencies on the Department's mailing list in the "press release" of July 6, 1987. The Oregon Department of Fish and Wildlife (ODFW) responded indicating that they prefer that the applicant pump water from direct flow prior to the summer low-flow periods.

The approval of the reservoir application by issuance of a permit would allow the reservoir to be filled once each year during periods of excess flow usually prior to the irrigation season.

The secondary application 69176 has been amended to clearly indicate the use is from stored water only and that no additional live flow appropriation is intended.

Administrative rule OAR 690-11-080 (2)(a)(C) requires that all applications for reservoirs to be constructed to a height in excess of 10.0 feet or impounding 9.2 af or more of water be referred to the Commission for a determination that the public interest would not be violated by granting a permit. No other provisions of the administrative rules which specify the criteria for referral would apply to the proposed use.

Alternatives:

1. Find that the public interest may be injured by granting a permit for the construction of the dam and storage of 103 af of water as requested in the application, and schedule a public interest hearing by the Commission to assist in making this determination.
2. Determine that the public interest is not violated by the proposed construction and storage of water proposed; authorize the Director to issue a permit.

Director's Recommendation:

The staff recommends (Alternative 2) that the Commission authorize the Director to grant a permit for the use of water as outlined in the application.

Attachments:

- A) Copy of Application R-69175
- B) Copy of Application 69176
- C) Copy of application map accompanying Application 69176
- D) Copy of a USGS quadrangle map, showing the general area.
- E) Copy of a memorandum from ODFW
- F) Copy of minimum flows from basin program

Application No. R-69175

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

RECEIVED

JUN 30 1987

WATER RESOURCES DE
SALEM, OREGON

I, Isel Nursery

(Name of Applicant)

of 30590 S.E. Kelso RD, Boring

(Mailing Address)

(City)

State of Oregon, 97009, Phone No. 663-3822

(Zip Code)

do hereby make application for a permit to construct the #4 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
tickle Creek tributary to Deep Creek (see remarks)

2. If not in channel of a stream, state how it is to be filled. Reservoir in channel
of the drainage water, water will be
pumped from tickle Creek by use of
30 hp pump & 8" pipe line

3. The dam will be located in the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 8
Township 2S, Range 4E, W. M.

4. The maximum height will be 20 feet above stream bed or ground surface at the
centerline. The top width will be 16 feet, slope of upstream face 3:1
slope of downstream face 2:1, and height of dam above water line when full
4 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: 12" ϕ 16 gal
Riveted asphalt coated helical CMP

(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

Application No. R-69175

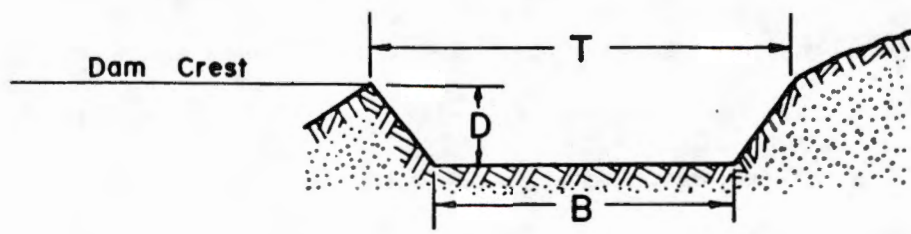
Permit No.

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

8. The amount of water to be stored is 103 acre feet

9. The area submerged by the reservoir, when full, will be 76 1/2 acres, and the maximum depth of water will be 16 feet.

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



The bottom width of the spillway, B, will be 28 feet.

The top width of the spillway, T, will be 40 feet.

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

If any other type of spillway describe and give dimensions:

.....
.....
.....

11. Construction work will begin on or before 7-15-87

12. Construction work will be completed and the reservoir filled by 5-15-88

Remarks: the unmeasured drainage will be the primary source for filling the reservoir. any deficiency in supply from the drainage may for filling reservoir will be made up by appropriate diversion from Tickle Creek.

STATE OF CALIFORNIA
WATER RESOURCES DIVISION
7/15/87
RECEIVED

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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.

Fred Quayle
Signature of Applicant
Fred Quayle
Facilities Development
Mgr.

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 *30th* day of *June*, 19*87*, at *1:02* o'clock *P.*M.

Application No. *R-69175*

Permit No.....

Application No. 69176

Permit No. Attachment B

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water RECEIVED

JUN 30 1987

WATER RESOURCES DEPARTMENT SALEM, OREGON

I, Iseli Nursery, of 30590 SE Kelso RD, Boring, Oregon 97009, Phone No. 503-3822 do hereby make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is unmarked Drainage of Kus #4, a tributary of Tickle Creek

2. The point of diversion is to be located 2300 ft. N and 1320 ft. E from the SW corner of Sec 8 (Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NW 1/4 of the SW 1/4 of Sec. 8, Tp. 25, R. 4E, W. M., in the county of Clackamas.

3. Location of area to be irrigated, or place of use if other than irrigation.

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Includes handwritten entries for Township 25, Range 4E, Section 8, and various quarter-section descriptions with acreage values.

Handwritten calculations: 2000, 1000, 3000

4. The amount of water which the applicant intends to apply to beneficial use is 1.00

cubic feet per second.....
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Containerized Nursery stock (supplemental to be made under Permit # 49577)

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

50 hp pump to pump water thru a 8" pipe 800' From Res # 4 to Res # 3 to be applied to nursery stock

If for domestic use state number of families to be supplied.....

7. Construction work will begin on or before..... 7-15-88

8. Construction work will be completed on or before..... 5-15-89

9. The water will be completely applied to the proposed use on or before..... June 1 1989

RECEIVED

Application No. 69176

Permit No.

Remarks: all land involved in application is owned by Isel Nursery

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.

Fred Quayle
Signature of Applicant
Fred Quayle
Facilities Development
Mgr.

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

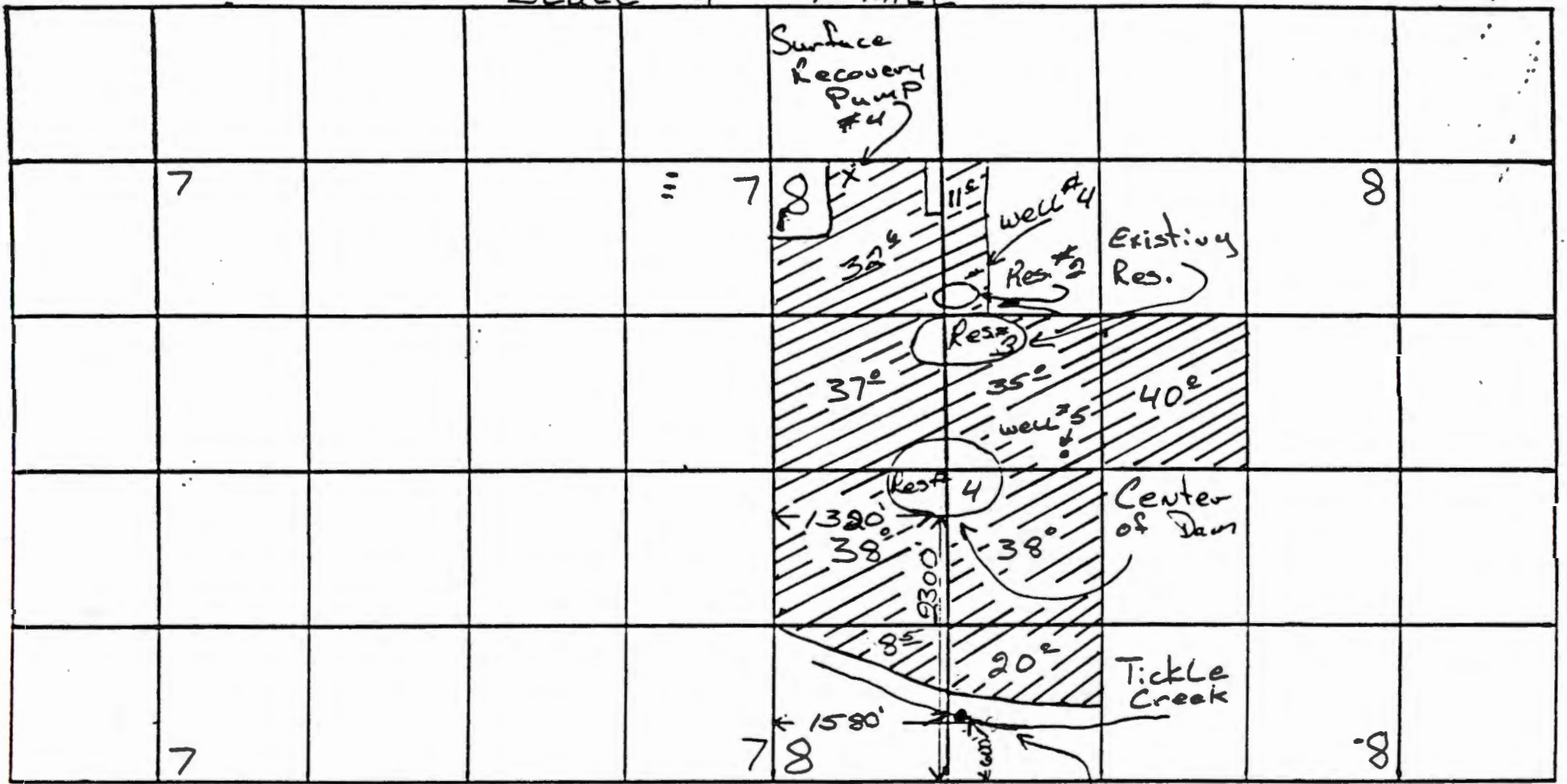
By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 30th day of June, 1987, at 1:02 o'clock P.M.

Application No. 69176

Permit No.....

I. 2 J. R. 7 L
 Scale 4" = 1 mile

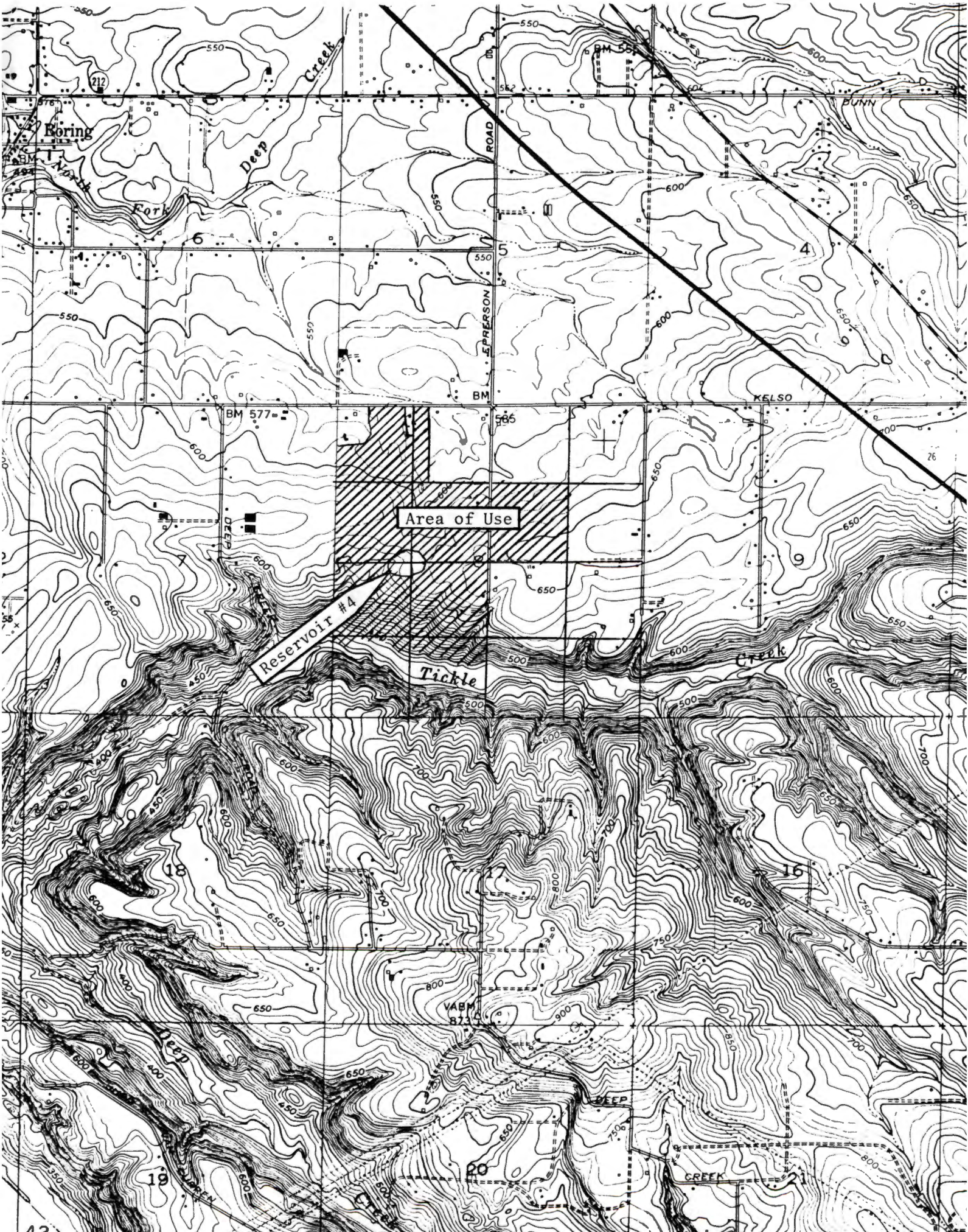


D.u. AT Tickle Creek

600' N & 1580' E. From S.W. Corner
 Sec. 2 T2E, R4E

Diversiou Point

Application No. R-69175 & 69176
 Permit No.



DEPARTMENT FISH AND
WILDLIFE

MEMORANDUM

INTRA-DEPARTMENT

DATE: 7/22/87
TO: Massey - Clackamas
FROM: Louis Fredd
SUBJECT: Water Right Application Number 69176

Please review the enclosed notice of applications for water appropriation permits. Advise me of any potential conflicts between the proposed use and fish and wildlife.

No Comments:

Comments: COUPLED WITH AN EXISTING WATER RIGHT (65054), 2.6 CFS, THIS APPLICANT COULD CERTAINLY VIOLATE MINIMUM STREAMFLOWS ON TICKLE CREEK. WE ARE CONCERNED ABOUT THE ADDITIONAL PUMPING (1.00 CFS) DURING LOW FLOW PERIODS. THESE PEOPLE HAVE THE CAPABILITY OF PUMPING AND STORING THE WATER. OUR PREFERENCE WOULD BE FOR THEM TO PUMP WATER PRIOR TO THE LOW FLOW PERIOD TO AVOID PROBLEMS. A 4 CFS IS THE MINIMUM PERENNIAL STREAMFLOW LISTED FOR TICKLE CREEK.

TABLE 2 CONTINUED
 MINIMUM PERENNIAL STREAMFLOWS (Cubic Feet Per Second)

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL 1-15/16-30	AUG	SEP	Priority Date	
<u>North Fork Deep Creek above the mouth</u>	1	20	20	20	20	20	20	20	3	3	1	1	5-25-66	
<u>Tickle Creek above the mouth</u>	4	30	30	30	30	30	30	30	6	4	4	4	5-25-66	
<u>Clear Creek above the mouth</u>	-	-	-	-	-	-	-	-	40	40	20	20	5-25-66	
<u>Clear Creek above Viola (NW 1/4, Sec 23, T3S, R3E)</u>	-	-	-	-	-	-	-	-	25	25/15	15	15	5-25-66	
<u>Hot Springs Fork of the Collawash River above the mouth</u>	75	75	75	75	75	75	75	75	75	75/15	15	15/75	5-25-66	
<u>Oak Grove Fork of the Clackamas River above the mouth</u>	-	-	-	-	-	-	-	-	-	-	10	10	5-25-66	
<u>Clackamas River above gage 14209500, above Three Lynx (NE 1/4, Sec 21, T5S, R6E)</u>	-	-	-	-	-	-	-	-	-	400	400	-	5-25-66	
<u>Clackamas River above gage 14209500, above Three Lynx and maintained to the mouth</u>	640	640	640	640	640	640	640	640	640	640	400*	400*	400/640	8-26-68
<u>Roaring River above the mouth</u>	40/100	100	100	100	100	100	100	100	100	100	40	40	40	5-25-66
<u>Fish Creek above the mouth</u>	15	60	60	60	60	60	60	60	60	60	15	15	15	5-25-66
<u>Fish Creek above the confluence of Wash Creek (SE 1/4, Sec 3, T6S, R5E)</u>	-	-	-	-	-	-	-	-	-	-	3	3	3	5-25-66
<u>Wash Creek above the mouth</u>	3	25	25	25	25	25	25	25	25	25/10	10/3	3	3	5-25-66

*Earlier priority date for all or part of the indicated flow at the gage.

AUGUST 4, 198786

TO: WATER RIGHTS

FROM: BARRY NORRIS

RE: ISELI NURSERY NO. 4

R-69175

PLEASE INCLUDE THE FOLLOWING CONDITIONS IN THE RESERVOIR PERMIT.

1. THE STRUCTURE SHALL BE CONSTRUCTED, OPERATED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED PLANS & SPECIFICATIONS AND WITH THE DESIGN INTENT.
2. THE STRUCTURE SHALL BE CONSTRUCTED UNDER THE SUPERVISION OF A REGISTERED ENGINEER LICENSED IN OREGON. NO WATER SHALL BE STORED UNTIL THIS DEPARTMENT RECEIVES WRITTEN CERTIFICATION FROM THE ENGINEER THAT CONSTRUCTION HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS, AND WRITTEN AUTHORIZATION FOR STORAGE IS RECEIVED FROM THIS DEPARTMENT.
3. THE OUTLET GATE SHALL BE CYCLED AT LEAST ONCE EACH YEAR IN ORDER TO ASSURE SMOOTH OPERATION.
4. THE EMBANKMENT AND SPILLWAY CHANNEL SHALL BE KEPT CLEAR OF TREES AND BRUSH.
5. THE EMBANKMENT SHALL BE KEPT FREE OF BURROWING ANIMALS.
6. NO FILL SHALL BE PLACED UNTIL EXCAVATION OF THE CUTOFF TRENCH AND THE EMERGENCY SPILLWAY HAVE BEEN COMPLETED IN THEIR ENTIRETY AND APPROVED BY THE ENGINEER.
7. THE EMERGENCY SPILLWAY SHALL BE CONSTRUCTED IN ORIGINAL GROUND TO A DEPTH OF 2.7 FEET BELOW THE DAM CREST.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

July 14, 1987

Isell Nursery
30590 SE Kelso Road
Boring OR 97009

REFERENCE: Files R-69175 and 69176

We have received your applications for use of water for containerized nursery stock along with the supporting data and fees. Your applications have been filed and assigned numbers R-69175 and 69176.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will be considered for approval shortly after the mandatory 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will be reviewed in detail and will be returned for completion or correction within 45 days.

If your applications are approved, the projects described in the applications will be subject to the Water Resources Commission's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

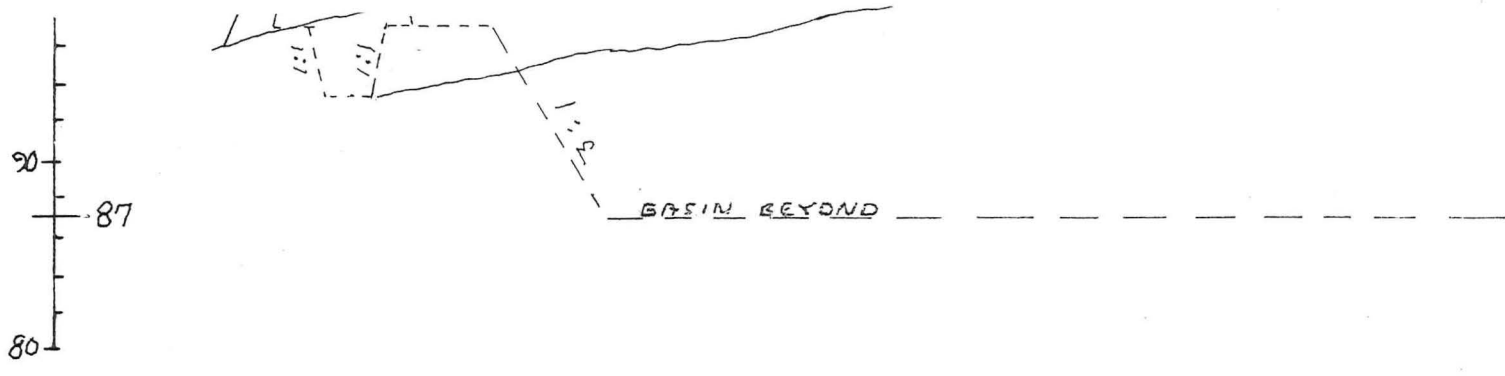
Sincerely,

RALPH H. JACKSON
Application/Permit Section

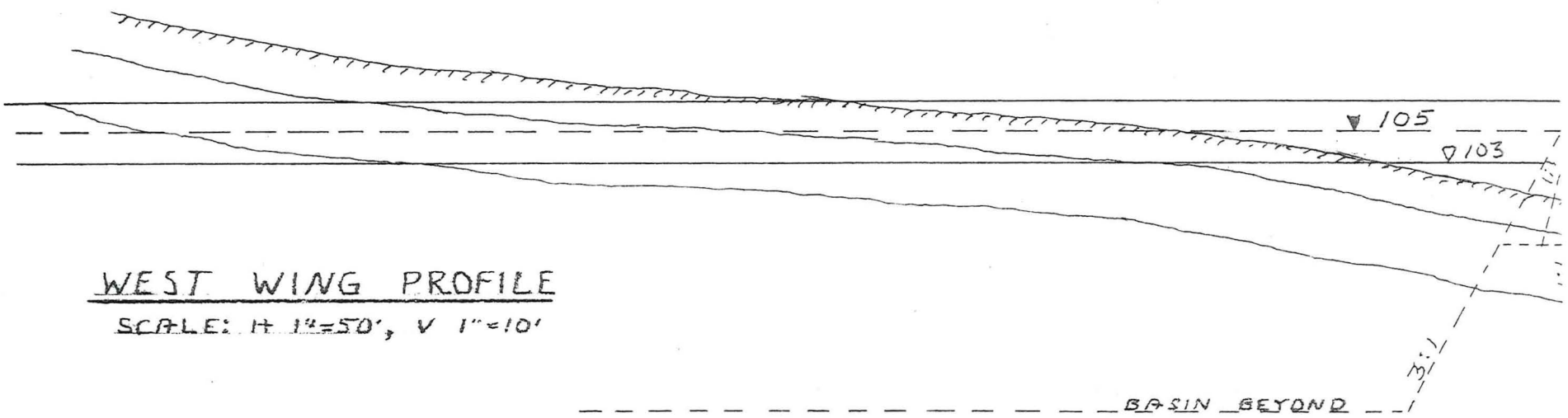
RHJ:wpc

0003/X
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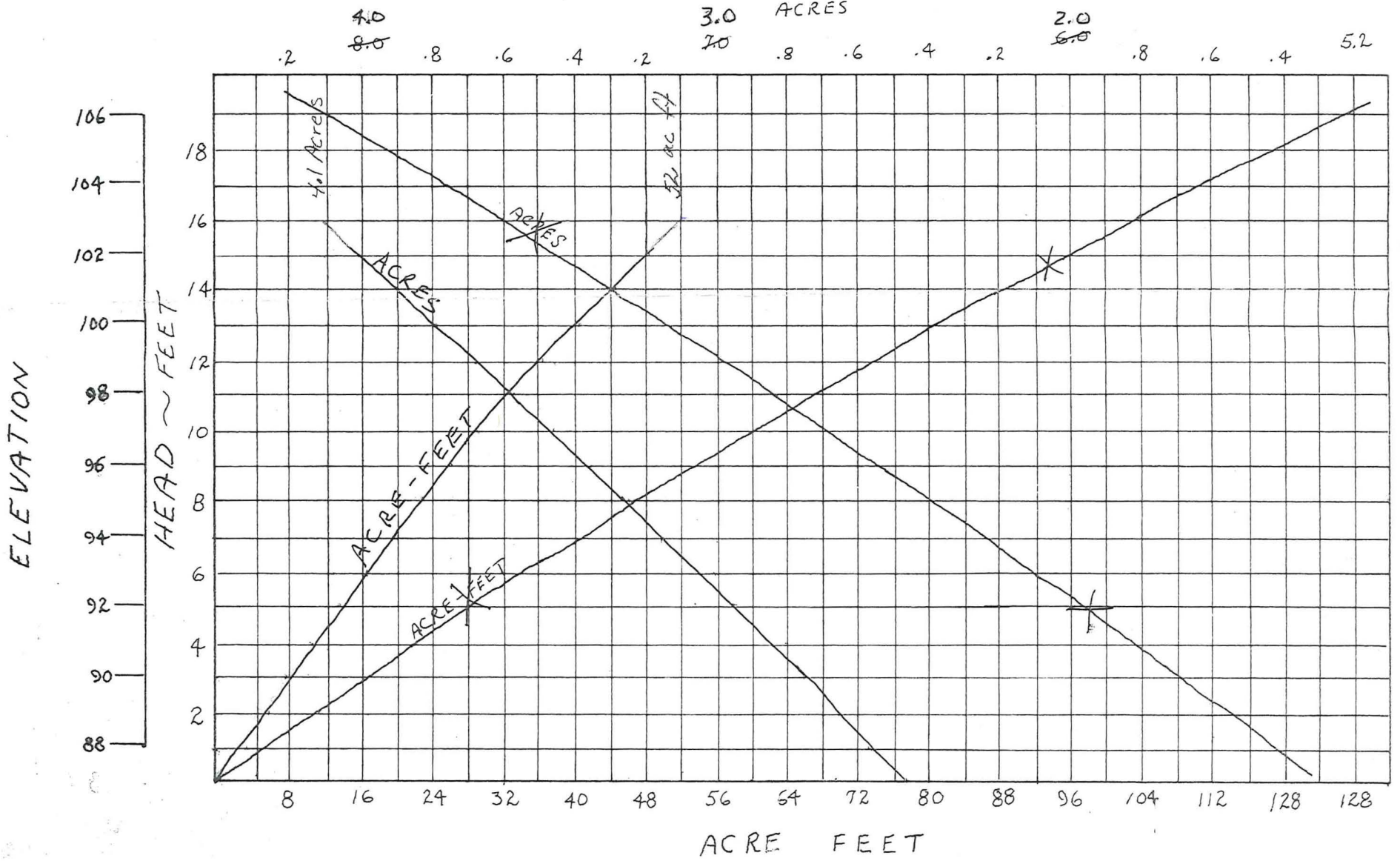
EAST WING
SCALE: H 1"=50', V 1"=10'



WEST WING PROFILE
SCALE: H 1"=50', V 1"=10'



SURFACE AREA



STORAGE CHART

As-Builts

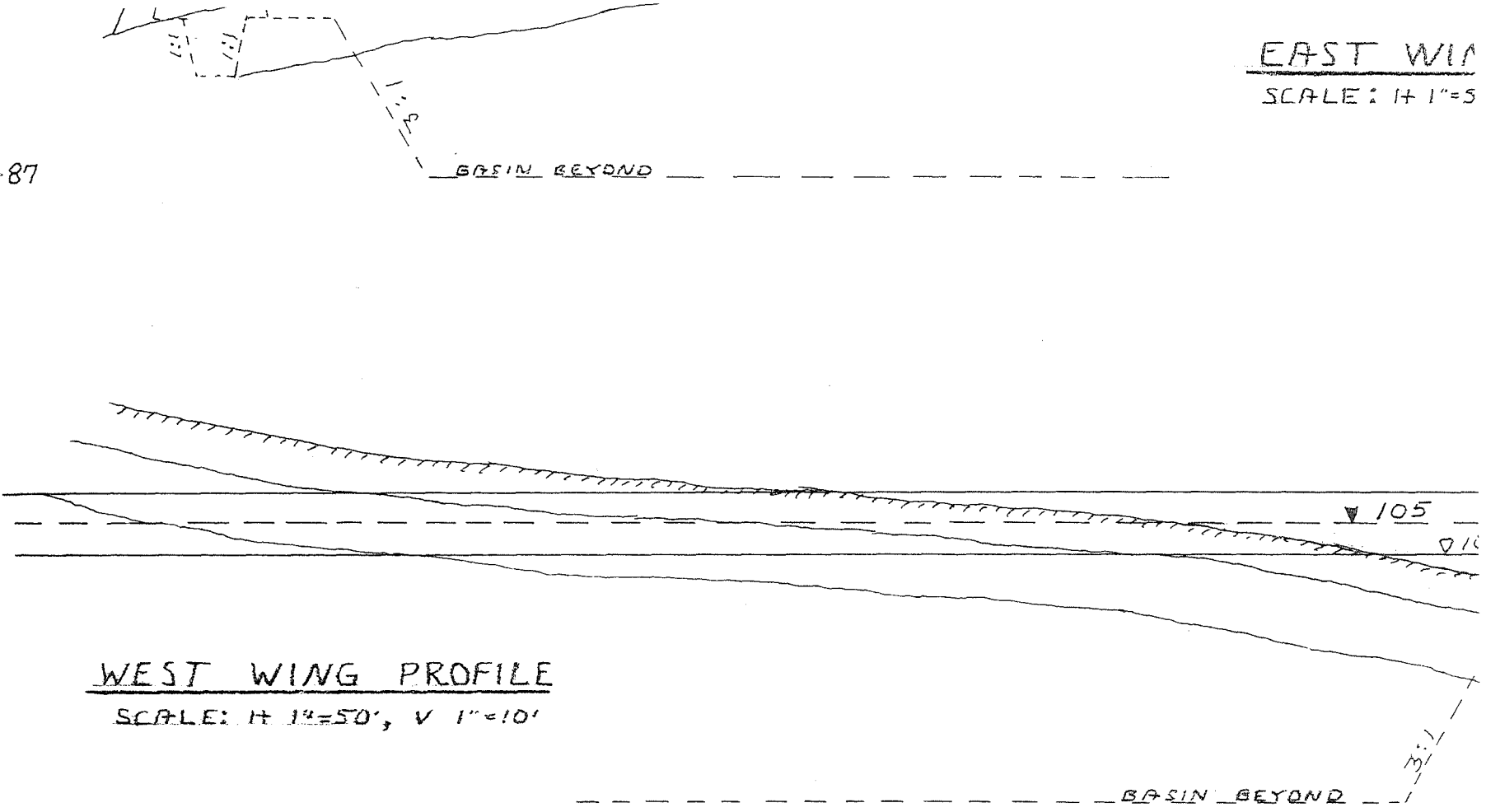
Aug 1988 → Revised storage capacity

from Hanging files "I-14"

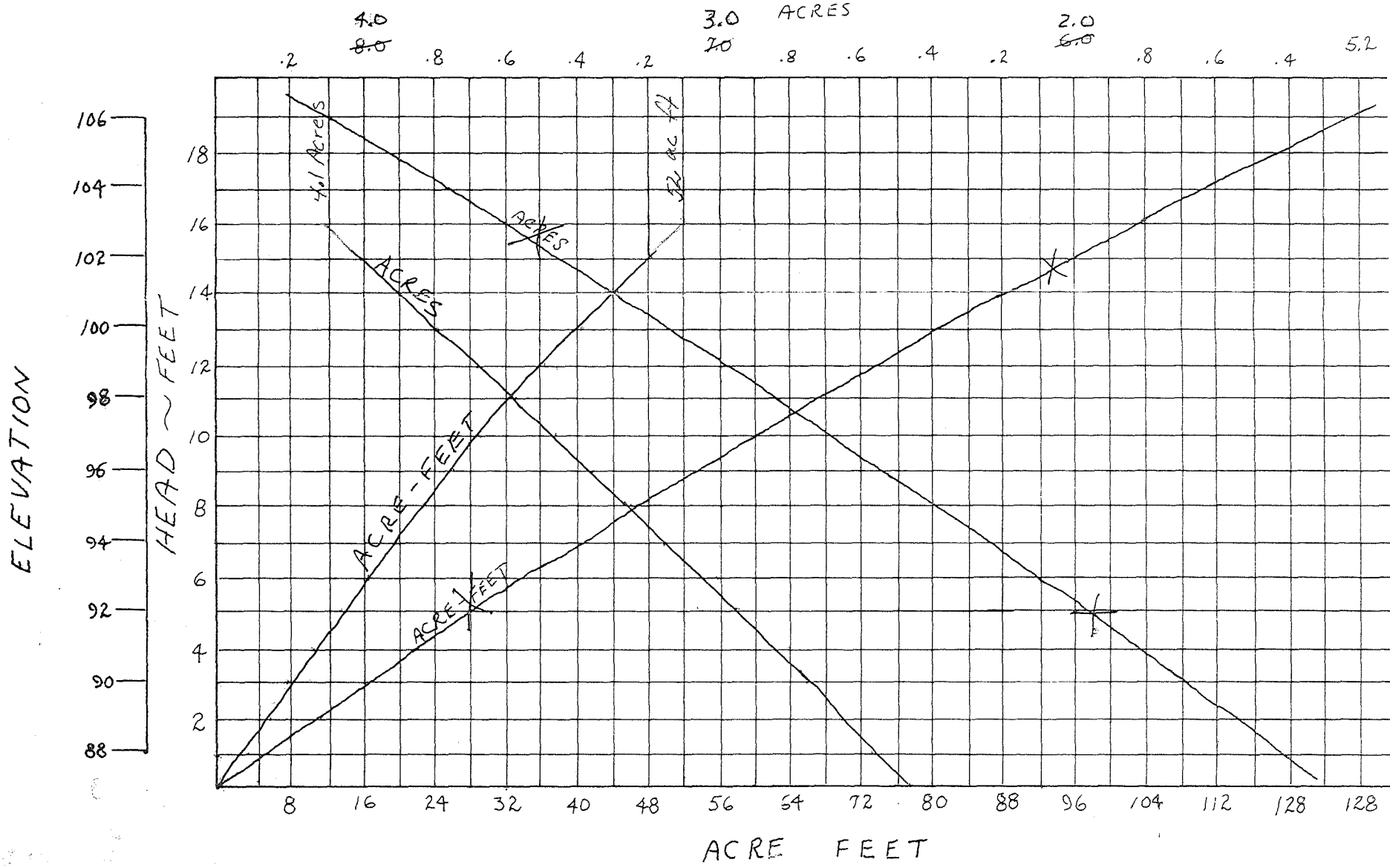
Iseli Nursery Res #4

EAST WING
SCALE: 1"=5'

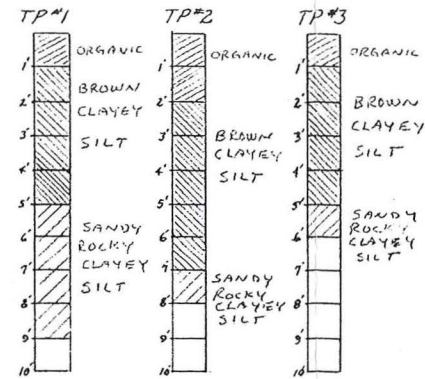
90
87
80



SURFACE AREA



STORAGE CHART

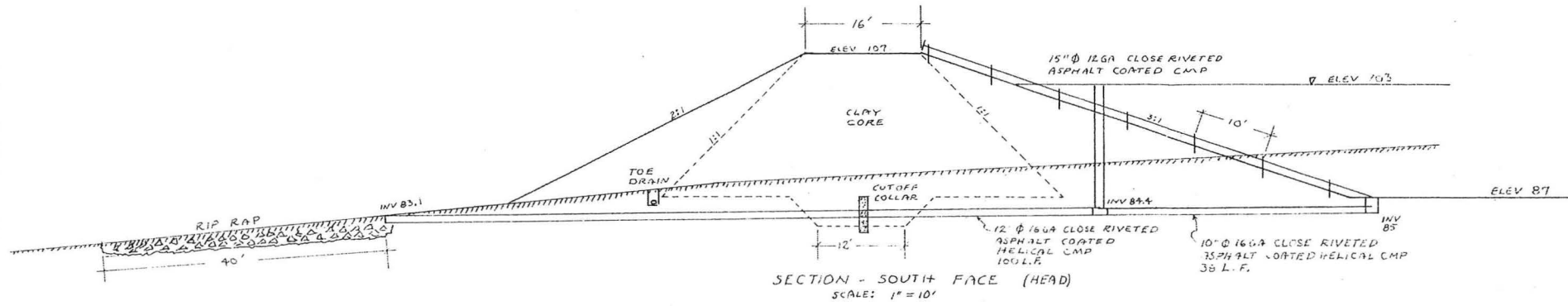


SOIL LOGS

RECEIVED
MAR 19 1987
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
SEP 29 2008
WATER RESOURCES DEPT
SALEM, OREGON

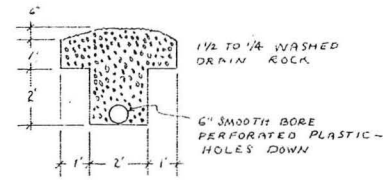
POND # 4



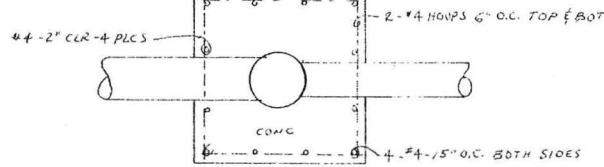
SECTION - SOUTH FACE (HEAD)
SCALE: 1"=10'

WATER RESOURCES DEPARTMENT
APPROVED: 8/26/1987
William H. Young
DIRECTOR
Barry J. Brown
ENGINEER DAM SAFETY DIVISION

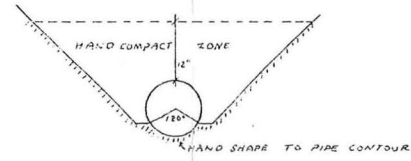
DEPARTMENT OF
WATER RESOURCES
DO NOT SEND OUT



TOE DRAIN
NO SCALE

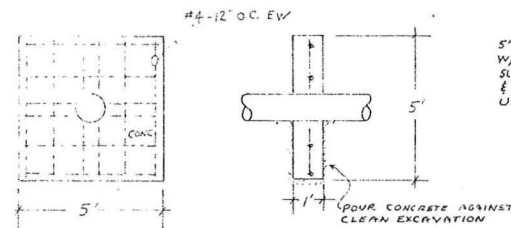


PLAN

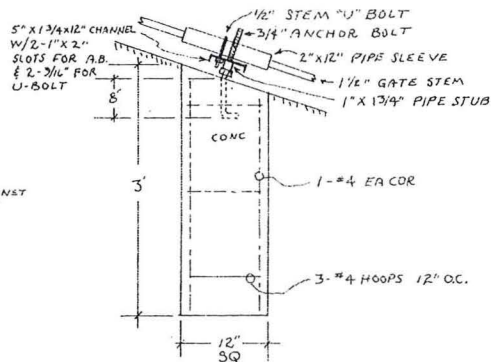


TYPICAL TRENCH
NO SCALE

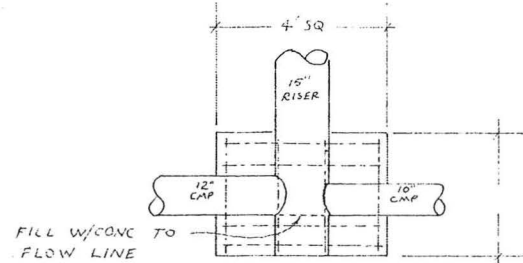
WATER RESOURCES DEPARTMENT
APPROVED: _____ 19____
DIRECTOR
ENGINEER DAM SAFETY DIVISION



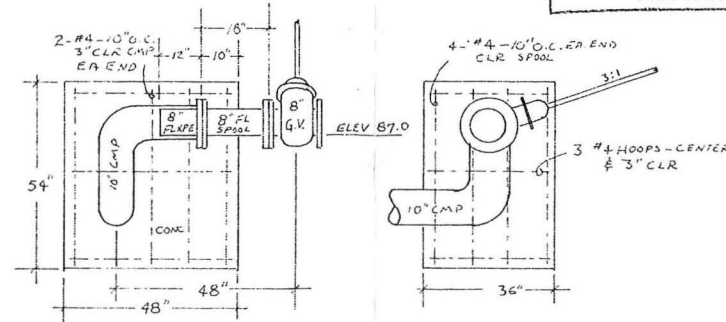
ANTI-SEEP COLLAR
NO SCALE



GATE STEM GUIDE & PEDESTAL
NO SCALE



RISER DETAIL
NO SCALE



6" MAINTENANCE DRAIN
NO SCALE

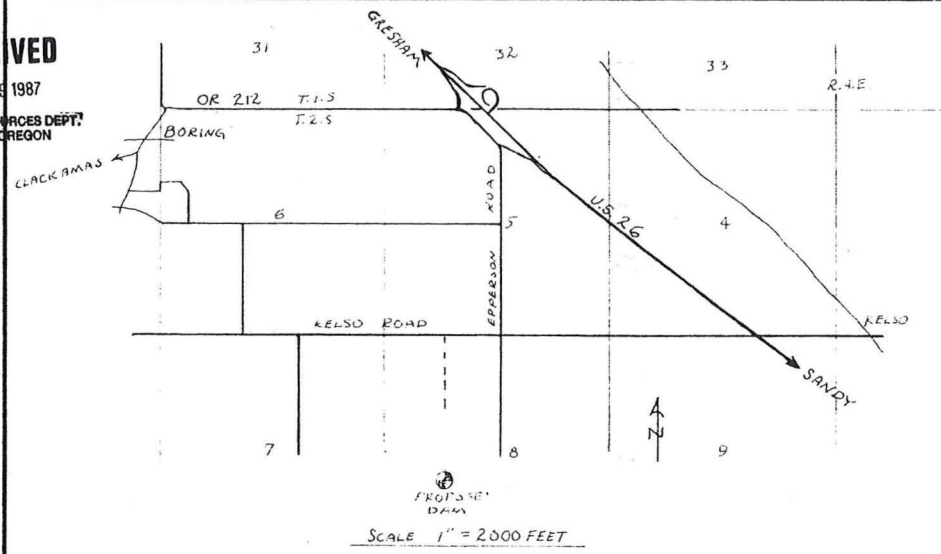


ISELI NURSERY
15241 SE TICKLE CREEK ROAD
BORING, OREGON 97009 (503) 663-3822

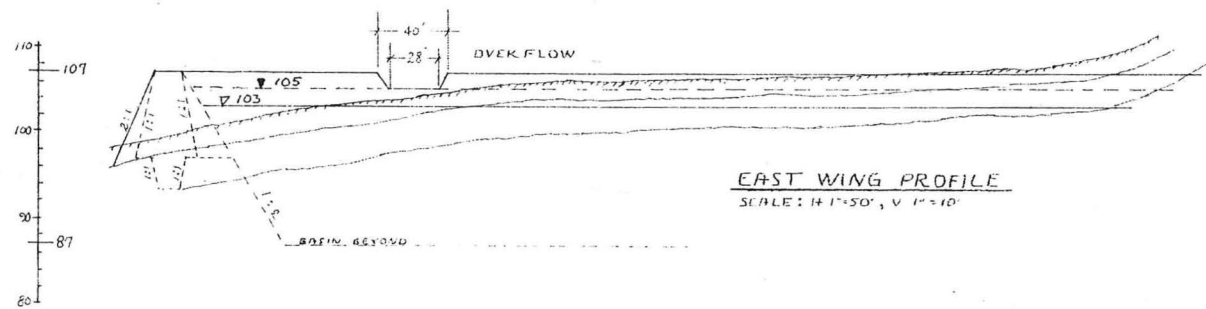
Date 1.5.87
Scale AS SHOWN
Drawn DDL
Job
Sheet 2
Of 2 Sheets

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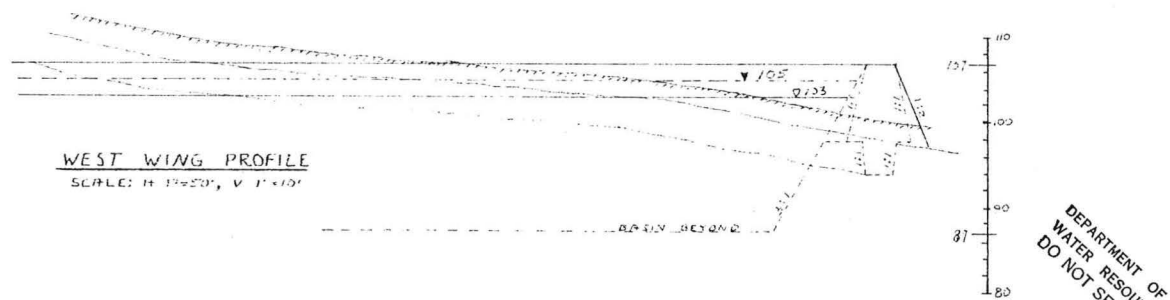
AUG 19 1987
WATER RESOURCES DEPT.
SALEM, OREGON



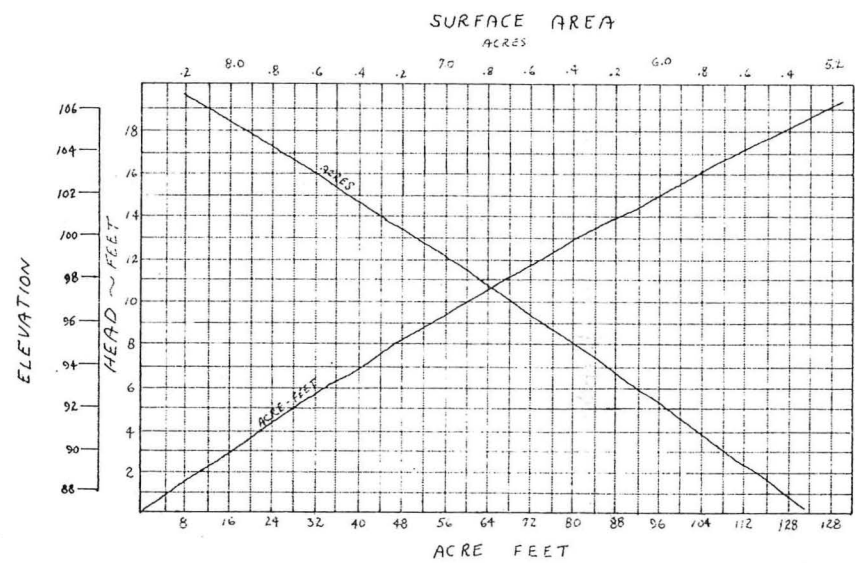
LOCATION MAP



EAST WING PROFILE

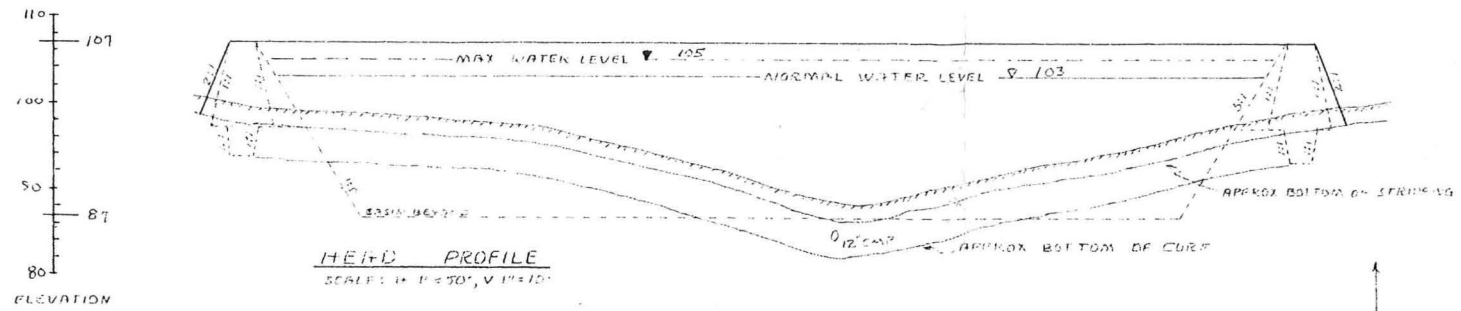


WEST WING PROFILE

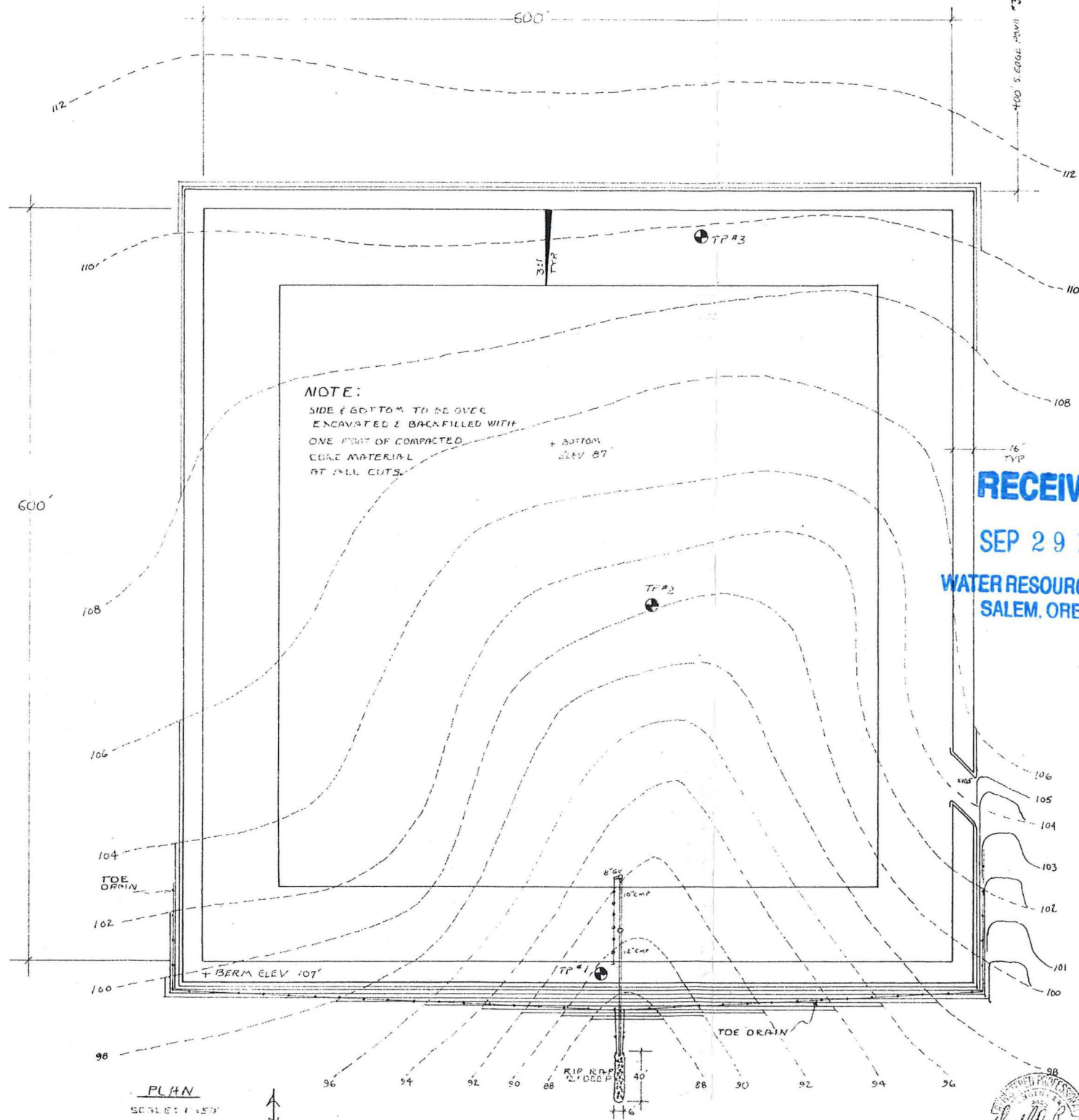


STORAGE CHART

WATER RESOURCES DEPARTMENT
 APPROVED: 8/26 19 87
 William H. Young
 DIRECTOR
 ENGINEER DAM SAFETY DIVISION



HEAD PROFILE



PLAN

RECEIVED

SEP 29 2008

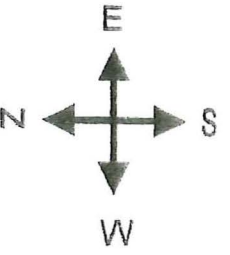
WATER RESOURCES DEPT
SALEM, OREGON

POND # 4

ISELI NURSERY
15241 S.E. TICKLE CREEK ROAD
BORING, OREGON 97009 (503) 665-3822

Date	1.5.87
Scale	AS SHOWN
Drawn	DDZ
Job	
Sheet	1
of	2 Sheets

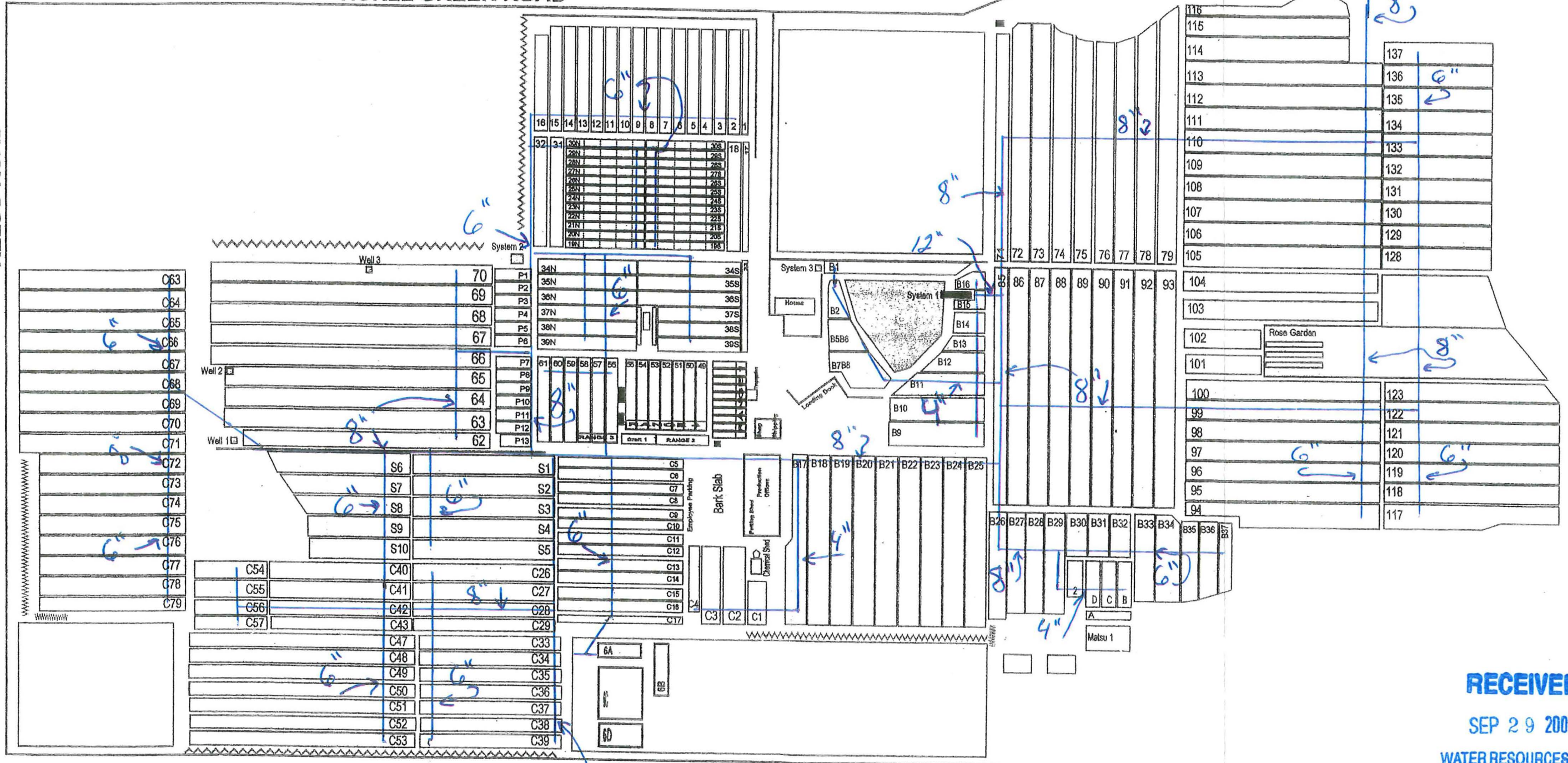
Iseli Nursery
 Tickle Creek Canyon
 February 2008



KELSO ROAD

TICKLE CREEK ROAD

287 TH

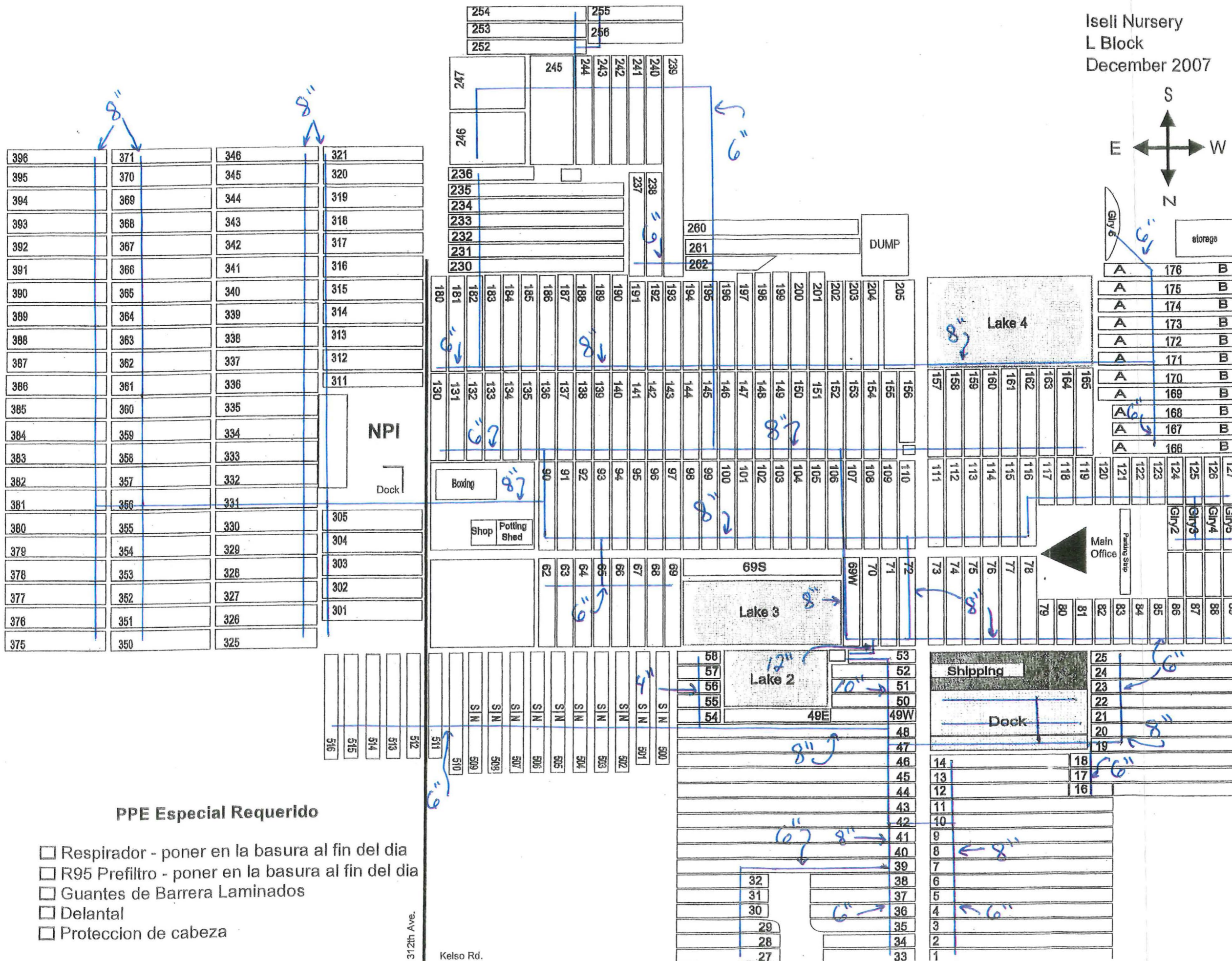
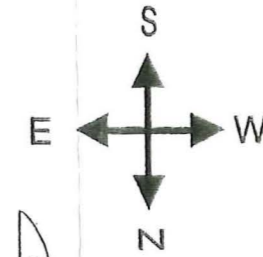


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SEP 29 2008

WATER RESOURCES DEPT
 SALEM, OREGON

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

RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON