

Name IseliNursery Inc.
By 30590 SE Kelso
Address 15241 Tickle Creek Road
Boring, OR 97009

Date filed April 28, 1983
Priority _____
Action suspended until Sub
Return to applicant _____
Date of approval OCT 11 1983

CONSTRUCTION
Date for beginning ~~OCT 11 1984~~
Date for completion OCT 1 1985
Extended to 10-1-86 10-1-87
Date for application of water OCT 1 1986
Extended to 10-1-87 10-1-89

PROSECUTION OF WORK
Form "A" filed started
Form "B" filed July 7, 1988
Form "C" filed Sept. 29, 1989

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

Application No. 65054
Permit No. 47675
Certificate No. 85571

Stream Index, Page No. 2-10 Z
*See also A# G-2629
G-11241
68024*

FEES PAID		
Date	Amount	Receipt No.
4-28-83	40.00	36239
5-9-83	45.00	36395
FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

REMARKS
5/4/83 See Clip before returning App
 Card for B NOV 12 1986 *will be submitting superseding app*
 Card for BC NOV-13 1986-
 CARD FOR BC OCT 13 1987
 FORM 100 JUN 6 1988
 Form 128 Sat; OCT 03 1989

Mark Mietro

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 65054

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Iseli Nursery, Inc., the holder of Permit No. 47675

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 27 day of Sept., 1989.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 27 day of Sept, 1989.

[Signature]
VICE PRES Iseli Nursery, Inc.
(Signature of Applicant)

30590 SE Kelso Rd. Boring 97009
(Address)

OK
LHN

Form B (690-9-77)

Application No. 65054

NOTICE OF COMPLETION OF CONSTRUCTION

I, Iseli Nursery, Inc., the holder of Permit No. 47675

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 20 day of September, 1987.

Remarks: _____

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

IN WITNESS WHEREOF, I have hereunto set my hand this 6 day of July, 1988.

[Signature]
VICE PRES
(Signature of Applicant)

30590 SE Kelso Road Boring Oregon 97009
(Address)

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

OK
LHN

RECEIVED

SEP 29 1989

WATER RESOURCES DEPARTMENT
SALEM, OREGON

RECEIVED

JUL 7 1988

WATER RESOURCES DEPARTMENT
SALEM, OREGON



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

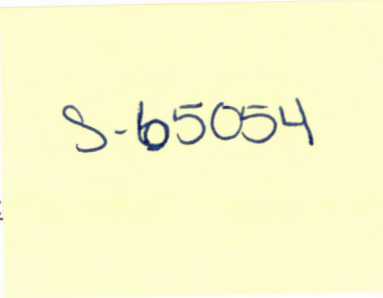
Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

March 24, 2016

Iseli Nursery
30590 SE Kelso Road
Boring, OR 97009



RE: Reclaimed Municipal Water Use Regist

5 Permit 102492

Dear Iseli Nursey management:

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

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

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

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

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

Sincerely,

Steven W. Parrett
Water Reuse Coordinator
Water Right Services Division

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





Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

March 24, 2016

Iseli Nursery
30590 SE Kelso Road
Boring, OR 97009

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

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Registration of Reclaimed Municipal Water Use Acceptance Letter

Retain For Your Records



STATE OF OREGON
 COUNTY OF CLACKAMAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY INC.
 30590 SE KELSO RD
 BORING OR 97009

confirms the right to use the waters of TICKLE CREEK, tributary of Clackamas River, for CONTAINER NURSERY OPERATION on 200.96 acres.

This right was perfected under Permit 47675. The date of priority is APRIL 28, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.50 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
2 S	4 E	WM	8	SE SW			645 FEET NORTH & 1345 FEET EAST FROM SW CORNER, SECTION 8

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	4 E	WM	8	SW NE			39.10
2 S	4 E	WM	8	NE NW			13.65
2 S	4 E	WM	8	NW NW			31.11
2 S	4 E	WM	8	SW NW			39.56
2 S	4 E	WM	8	SE NW			35.57
2 S	4 E	WM	8	NE SW			31.22
2 S	4 E	WM	8	NW SW			10.75

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


The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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 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: S-65054

Permit: 47675

Certificate: 85571

Permit/Certificate Holder:

ISELI NURSERY INC.
30590 SE KELSO RD
BORING OR 97009

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

Copies of Final Certificate to be sent to:

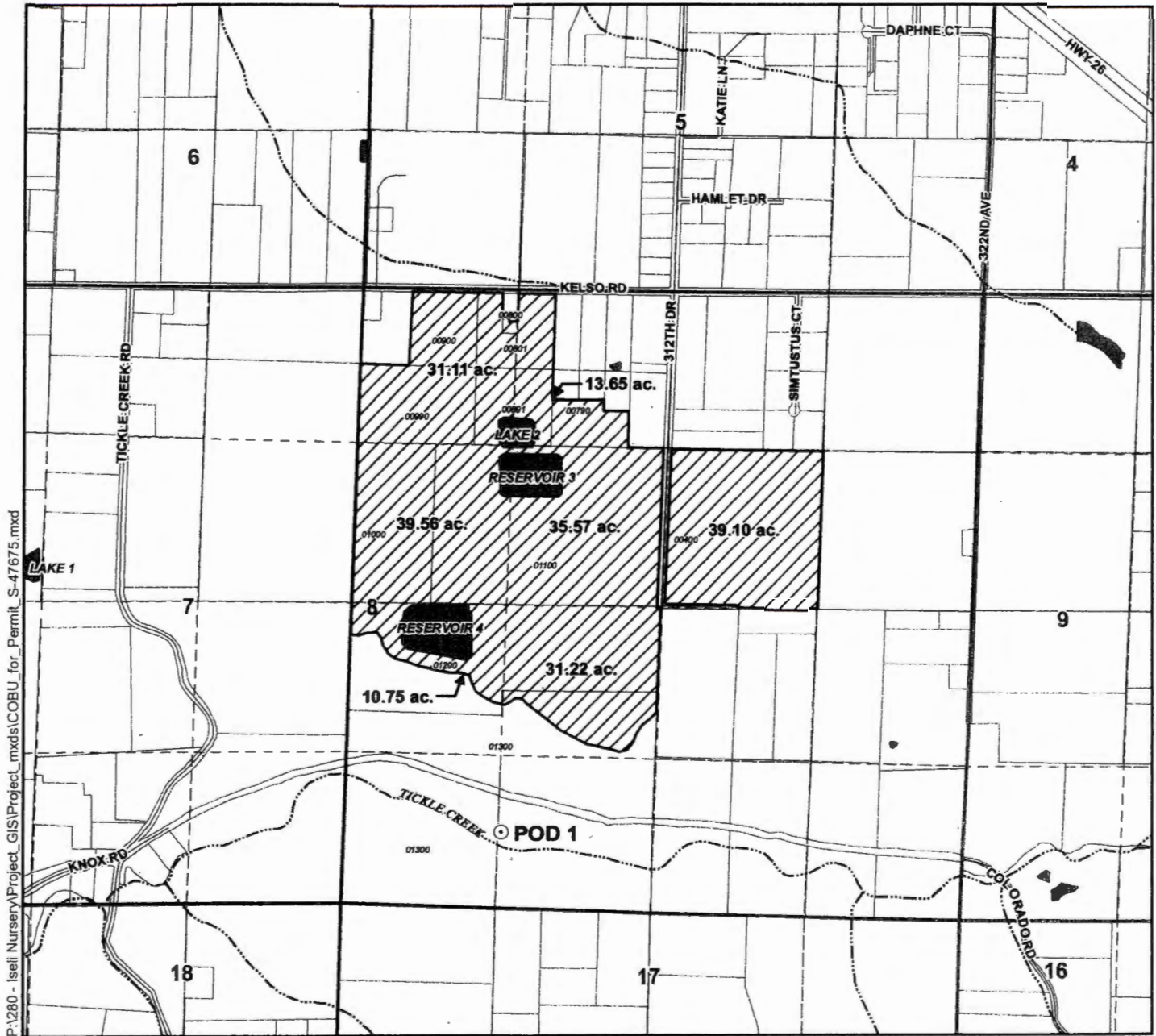
1. Watermaster District 16, Mike L. McCord ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

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

Claim of Beneficial Use Map

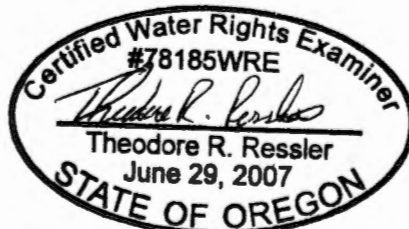
Permit S-47675 (Application S-65054)
Section 8, Township 2 South, Range 4 East (W.M.)



P:\280 - Isell Nursery\Project_GIS\Project_mxd\COBU_for_Permit_S-47675.mxd

Legend

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



EXPIRES: 12-31-2008

RECEIVED

2008

WATER RESOURCES DEPT
SALEM, OREGON

Map Information

Projection: Oregon State Plane North Zone
Datum: North American Datum of 1983
Date: August 11, 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.

POD Location Description

POD 1
Located 645 feet North and 1,345 feet East from the SW corner of Section 8, Township 2 South, Range 4 East (W.M.)



Scale

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



STATE OF OREGON
 COUNTY OF CLACKAMAS
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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: S-65054

Permit: 47675

Certificate: *****

Permit/Certificate Holder:

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

<p style="text-align: center;">Copies Mailed</p> <p>by: <u>Connie Vance</u> (STAFF)</p> <p>APR 03 2009 on: _____ (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 R. 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.

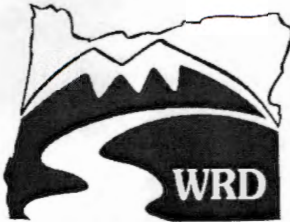
Sincerely,

Dwight French
Administrator
Water Rights Division

Permit	47675	COBU
40	SW NE	39.1
11	NE NW	13.65
32.6	NW NW	31.11
32.1	SW NW	39.56
7.9	SW NW	
9.7	SE NW	35.57
30.3	SE NW	
16	NE SW	31.22
24	NE SW	
28.2	NW SW	10.75
11.8	NW SW	
8.5	SW SW	
20	SE SW	
272.1	SEC 8	200.96

Completion Checklist for CWRE Claims of Beneficial Use

Application # 65054
 Permit # 47675
 Transfer # _____
 Date 2-4-09
 Reviewer JWg



Date Received	<u>9-29-08</u>
CWRE Name	<u>J R Resler</u>
Claim Logged	<u>_____</u>
File Marked	<u>_____</u>
Oversized Map #	<u>_____</u>
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) *see map 2*
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

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

DEF = deficient
 N/A = Not Applicable

Certificate Issuance Processing Checklist

- Map and COBU reviewed
- Conflict check (include copy of plat card printout)
- Check for ownership

Any Conflicts? _____

Staff Recommendations:

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

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

_____ 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:

RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

Claim of Beneficial Use Map

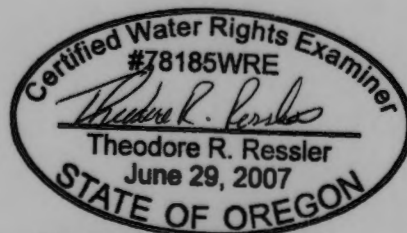
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P:\280 - Iselli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_S-47675.mxd

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EXPIRES: 12-31-2008

Map Information

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Date: August 11, 2008
Prepared By: GSI Water Solutions, Inc.

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Clackamas County GIS, Oregon Geospatial Data Clearinghouse

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RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON



Scale

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



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>S-65054</i>	<i>S-47675</i>

2. Property owner (current owner information)

a. Individuals *N/A*

b. Businesses/Organizations

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

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

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

a. Individuals *N/A*

b. Businesses/Organizations

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

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

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

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

6. County:

7. Tax Lot Information:

Tax map number	Tax lot number
<i>02s04e08</i>	<i>900</i>
<i>02s04e08</i>	<i>801</i>
<i>02s04e08</i>	<i>800</i>
<i>02s04e08</i>	<i>790</i>
<i>02s04e08</i>	<i>990</i>
<i>02s04e08</i>	<i>891</i>
<i>02s04e08</i>	<i>1000</i>
<i>02s04e08</i>	<i>1100</i>
<i>02s04e08</i>	<i>1200</i>
<i>02s04e08</i>	<i>1300</i>
<i>02s04e08</i>	<i>400</i>

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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

Permit S-47675 authorized nursery operations on 272.1 acres. Iseli Nursery, Inc. has developed 201 acres of the permitted Place of Use. The remaining 71.1 acres not developed and excluded from this report are all located on property that is owned by Iseli Nursery, Inc.

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.

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 at the Point of the Diversion is accomplished using 3 centrifugal pumps (refer to pump specifications under "System Information" section below) which deliver water to the system for use in nursery operations. The nursery's water conveyance system includes two reservoirs (authorized storage under Permit R-9901 and Permit R-10837) and two ponds, which serve as bulges in the system to facilitate the movement and use of water within the nursery. A map showing the layout of the nursery and the water conveyance mainlines is provided in Attachment C.

A total of fifteen centrifugal pumps (housed at four separate pump stations: System 1, System 4, System 5, and System 6) are used to supply water to the nursery's water application system (refer to pump specifications under "System Information" section below). The application of water to the nursery stock is completed using a combination of sprinklers and drip emitters, and the water application is completed in

phases according to a watering schedule developed by the nursery based on a number of factors including, but not limited to, the pumping capacity of the system, water needs of the nursery plants, and weather.

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

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
POD 1 – Tickle Creek Pump Station	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	Clackamas River

4. Point of diversion/appropriation location:

(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
SE 1/4 SW 1/4 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
Nursery	Container nursery operation	Year round	5.5 cfs (2468 gpm)
Total Quantity of Water			<u>5.5 cfs (2468 gpm)</u>

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

DLC	Gov lot	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
N/A	N/A	SW NE	8	2 S	4 E	NU	39.10	N/A
N/A	N/A	NE NW	8	2 S	4 E	NU	13.65	N/A
N/A	N/A	NW NW	8	2 S	4 E	NU	31.11	N/A
N/A	N/A	SW NW	8	2 S	4 E	NU	39.56	N/A
N/A	N/A	SE NW	8	2 S	4 E	NU	35.57	N/A
N/A	N/A	NE SW	8	2 S	4 E	NU	31.22	N/A
N/A	N/A	NW SW	8	2 S	4 E	NU	10.75	N/A

Total Acres of Nursery Operations

201 acres

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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:

ID	Have the documents been submitted? yes or no	When were the documents submitted	Have they been approved by the Department?
Reservoir 3	Yes	7/28/1984	Yes
Reservoir 4	Yes	3/19/1987	Yes

The water distribution system includes two (2) reservoirs, permitted under Permit R-9901 (Dam Safety File I-3) and Permit R-10837 (Dam Safety File I-14). As-built plans for the reservoirs, include storage capacity curves, are provided in Attachment D. For a more complete description of the reservoirs, please consult the Dam Safety Files and in the Claim of Beneficial Use reports submitted for these reservoir permits.

Storage tank data

**If this system does not include a storage tank as part of the distribution system, this section, item 1, can be deleted.

1. If the system involved a storage tank, complete the table below:

Material (concrete, fiberglass, metal, etc.)	Capacity in gallons	Above ground or buried
<i>In-ground pond storage (Lake 1)</i>	<i>980,000 gal (3 ac-ft)</i>	<i>N/A – in ground storage</i>
<i>In-ground pond storage (Lake 2)</i>	<i>3,300,000 gal (10 ac-ft)</i>	<i>N/A – in ground storage</i>

System Information:

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

1. Pump information

**Tickle Creek Pump Station – used to divert water from Tickle Creek*

ID	Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
<i>1</i>	<i>Cornell Pump Company</i>	<i>5YB100-2</i>	<i>61674</i>	<i>Centrifugal</i>	<i>8"</i>	<i>5"</i>
<i>2</i>	<i>Cornell Pump Company</i>	<i>2.5YHB60-2</i>	<i>61734</i>	<i>Centrifugal</i>	<i>6"</i>	<i>2.5"</i>
<i>3</i>	<i>Cornell Pump Company</i>	<i>5YB100-2</i>	<i>61673</i>	<i>Centrifugal</i>	<i>8"</i>	<i>5"</i>

**System Pumps – used within the water conveyance and application system*

ID	Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
<i>System 1-1</i>	<i>PACO</i>	<i>10-30955-0A00011901</i>	<i>95B05159</i>	<i>Centrifugal</i>	<i>4</i>	<i>3</i>
<i>System 1-2</i>	<i>PACO</i>	<i>10-30955-0A00011901</i>	<i>95B05086</i>	<i>Centrifugal</i>	<i>4</i>	<i>3</i>
<i>System 1-3</i>	<i>PACO</i>	<i>10-30955-0A00011901</i>	<i>95B05085</i>	<i>Centrifugal</i>	<i>4</i>	<i>3</i>
<i>System 1-4</i>	<i>PACO</i>	<i>10-30955-0A00011901</i>	<i>96B005772</i>	<i>Centrifugal</i>	<i>4</i>	<i>3</i>
<i>System 1-5</i>	<i>Berkely</i>	<i>B1-1127PLS</i>	<i>M2331</i>	<i>Centrifugal</i>	<i>2</i>	<i>1.5</i>
<i>System 4-1</i>	<i>Cornell</i>	<i>2.5YHB-50-2</i>	<i>33603</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 4-2</i>	<i>Cornell</i>	<i>2.5YHB-50-2</i>	<i>38479</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 4-3</i>	<i>Cornell</i>	<i>2.5YNB-50-2</i>	<i>33769</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 5-1</i>	<i>Cornell</i>	<i>2.5YHB-50-2</i>	<i>59984</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 5-2</i>	<i>Cornell</i>	<i>2.5YHB-50-2</i>	<i>48832</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 5-3</i>	<i>Cornell</i>	<i>2.5YHB-50-2</i>	<i>59983</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 5-4</i>	<i>PACO</i>	<i>10259510300001851</i>	<i>BIERBP43596</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 6-1</i>	<i>Cornell</i>	<i>2.5YHB-40-2</i>	<i>106110</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 6-2</i>	<i>Cornell</i>	<i>2.5YHB-40-2</i>	<i>106112</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>
<i>System 6-3</i>	<i>Cornell</i>	<i>2.5YHB-40-2</i>	<i>106111</i>	<i>Centrifugal</i>	<i>3</i>	<i>2.5</i>

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2. Motor information

***Tickle Creek Pump Station – used to divert water from Tickle Creek**

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

***System Pumps – used within the water conveyance and application system**

ID	Brand	Model	Horsepower	Max RPM	Voltage
System 1-1	Century	6-323059-01	50	3540	230/460
System 1-2	Century	6-323059-01	50	3540	230/460
System 1-3	Century	6-323059-01	50	3540	230/460
System 1-4	Century	6-323059-01	50	3540	230/460
System 1-5	Baldor	JMM33HT	15	3450	230/460
System 4-1	Century	6-323059-01	50	3540	230/460
System 4-2	Marathon	MA324TTDR7611BNW	50	3550	230/460
System 4-3	Marathon	MA324TTDR7611BNW	50	3500	230/460
System 5-1	Baldor	42E96X61	50	3550	230/460
System 5-2	Marathon	RF324TTDR7611BPW	50	3550	230/460
System 5-3	Baldor	42E96X61	50	3550	230/460
System 5-4	US Electric	N/A	20	3500	230/460
System 6-1	Super E	A15045D-55	40	3525	230/460
System 6-2	Super E	A15045D-55	40	3525	230/460
System 6-3	Super E	A15045D-55	40	3525	230/460

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

The diversion pumps 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

***Tickle Creek Pump Station – used to divert water from Tickle Creek**

Pump/Motor	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)
1	100	93	10	0	2.68	1203
2	60	120	10	0	1.26	565
3	100	113	10	0	2.23	1001
TOTAL					6.17 cfs	2769 gpm

***System Pumps – used within the water conveyance and application system**

Pump/Motor	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)
System 1-1	50	70	0	135	1.11	500
System 1-2	50	70	0	135	1.11	500

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System 1-3	50	70	0	135	1.11	500
System 1-4	50	70	0	135	1.11	500
System 1-5**	15	70	0	135	0.33	150
System 4-1	50	70	0	135	1.11	500
System 4-2	50	70	0	135	1.11	500
System 4-3	50	70	0	135	1.11	500
System 5-1	50	70	0	135	1.11	500
System 5-2	50	70	0	135	1.11	500
System 5-3	50	70	0	135	1.11	500
System 5-4**	20	70	0	135	0.45	200
System 6-1	40	70	0	135	0.89	400
System 6-2	40	70	0	135	0.89	400
System 6-3	40	70	0	135	0.89	400

TOTAL **14.61 cfs** **6560 gpm**

* The lift from the pump to the place of use includes head losses associated with the in-line sand filtering units in place within the conveyance system and friction losses in the system piping.

**These smaller pumps are used to conserve power during the wetter winter months when less water needed by the nursery.

7. Provide pump calculations in the box below:

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

Conversion factor:

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

Tickle Creek Pump Station – used to divert water from Tickle Creek

Pump/Motor 1 – 100 Hp pump:

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

Pump/Motor 2 – 60 Hp pump:

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

Pump/Motor 3 – 100 Hp pump:

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

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

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System Pumps – used within the water conveyance and application system

For a 50 Hp pump/motor:

$$Q_{pump} = \frac{(50)(6.61)}{[135 + (70*2.31)]} = 1.11 \text{ cfs} = 500 \text{ gpm}^{**}$$

For a 40 Hp pump/motor:

$$Q_{pump} = \frac{(40)(6.61)}{[135 + (70*2.31)]} = 0.89 \text{ cfs} = 400 \text{ gpm}^{**}$$

For a 20 Hp pump/motor:

$$Q_{pump} = \frac{(20)(6.61)}{[135 + (70*2.31)]} = 0.45 \text{ cfs} = 200 \text{ gpm}^{**}$$

For a 15 Hp pump/motor:

$$Q_{pump} = \frac{(15)(6.61)}{[135 + (70*2.31)]} = 0.33 \text{ cfs} = 150 \text{ gpm}^{**}$$

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****Head losses associated with the in-line sand filtering units in place within the conveyance system and friction losses in the system piping are accounted for in the lift from the pump to the place of use.**

8. Mainline information

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

Refer to Attachment C for a map showing the mainlines within the irrigation system. All mainlines are PVC pipe.

9. Lateral or handline information

Lateral or handline size	Length	Type of pipe	Buried or above ground
3/4-inch (for sprinklers)	Various	PVC or steel	Above ground
Drip irrigation lines	Various	Plastic and rubber	Above ground

Refer to Item #11 below for additional information

10. Sprinkler information Make and model:

Make	Model	Nozzle Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
Rain Bird	30 PSH	13/64-inch	50	8.5 gpm	Not determined	23,285 gpm (total of

K-Rain	KRK2P	#8	50	8.5 gpm	Not determined	all nursery beds)
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11. Additional notes or comments related to the system:

The nursery's water application system is comprised of a combination of sprinklers and drip emitters. Each sprinkler is equipped with a pressure regulator to maintain a 50 psi operational pressure with an output of 8.5 gpm per sprinkler. Application of water to the nursery beds is completed in phases according to a watering schedule developed by the nursery based on the pumping capacity of the system, water needs of the nursery plants, weather, and other factors.

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	10/11/1984	Prior to 10/11/1984	Began construction
Complete construction	10/1/1987	9/20/1987	Form B submitted to Department on 7/7/1988
Complete application of water	10/1/1989	9/27/1989	Form C submitted to Department on 9/29/1989

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.

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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** (however, the diversion intakes are equipped with fish screens)

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. Point of Diversion.** *The location of the authorized Point of Diversion 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. Place of Use.** *The distribution of acres by quarter-quarter differs slightly from that stated on the permit; however, all of the acres are either within the tax lots specified in the permit application or in adjoining taxlots owned by Iseli Nursery, Inc. The total number of acres developed does not exceed that authorized by the permit.*

Attachments

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

Attachment name	Description	
Attachment A	Permit S-47675	RECEIVED
Attachment B	Claim of Beneficial Use Map	SEP 29 2008
Attachment C	Layout of water system mainlines	
Attachment D	As-built plans for reservoirs	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
POD 1 – Tickle Creek Pump Station	5.5 cfs (2468 gpm)	6.17 cfs* (2769 gpm)	Not measured	Container nursery operation	Nursery on 272.1 acres	Nursery on 201 acres

***Full appropriation of rate allowed under Permit S-47675 (5.5 cfs) with additional appropriation under Permit S-48577.**

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 Point of Appropriation 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.

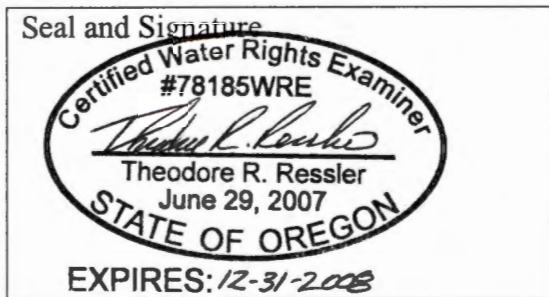
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CWRE Statement, Seal and Signature

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.

[Handwritten Signature] GREB, LUTHER PRES/Gen Mgr ISFLI NURSERY, INC. 8/18/08
Signature Print or type name Date

Signature Print or type name Date

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Attachment A
Permit S-47675
Claim of Beneficial Use for Permit S-47675

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STATE OF OREGON

County of CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 65054 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Isell Nursery, Incorporated of 15241 Southeast Tickle Creek Road, Boring, Oregon 97009, phone 663-3822, for the use of the waters of Tickle Creek, tributary Clackamas River, for the PURPOSE of container nursery operation

that the PRIORITY OF THE RIGHT dates from April 28, 1983

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 5.5 cubic feet per second

The POINT OF DIVERSION is to be LOCATED: 600 feet North and 1580 feet East from the Southwest Corner of Section 8, being within the SE 1/4 SW 1/4 of Section 8, Township 2 South, Range 4 East, WM; In the County of Clackamas.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 2 South, Range 4 East, WM	Section 8	SW 1/4	NE 1/4	40.0 acres
		NE 1/4	NW 1/4	11.0 acres
		NW 1/4	NW 1/4	32.6 acres
		SW 1/4	NW 1/4	32.1 acres
		SW 1/4	NW 1/4	7.9 acres
		SE 1/4	NW 1/4	9.7 acres
		SE 1/4	NW 1/4	30.3 acres
		NE 1/4	SW 1/4	16.0 acres
		NE 1/4	SW 1/4	24.0 acres
		NW 1/4	SW 1/4	28.2 acres
		NW 1/4	SW 1/4	11.8 acres
		SW 1/4	SW 1/4	8.5 acres
SE 1/4	SW 1/4	20.0 acres		

Actual construction work shall begin on or before October 11, 1984 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 85 . ~~Extended to Oct. 1, 1984~~ Extended to October 1987

Complete application of the water to the proposed use shall be made on or before October 1, 19 86 . ~~Extended to October 1987~~
extended to 10-1-89
 Witness my hand this 11th day of October, 1983 .

/s/ CHRIS L. WHEELER
 DEPUTY 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 65054

PERMIT

47675

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WATER RESOURCES DEPT
 SALEM, OREGON

Attachment B
Claim of Beneficial Use Map
Claim of Beneficial Use for Permit S-47675

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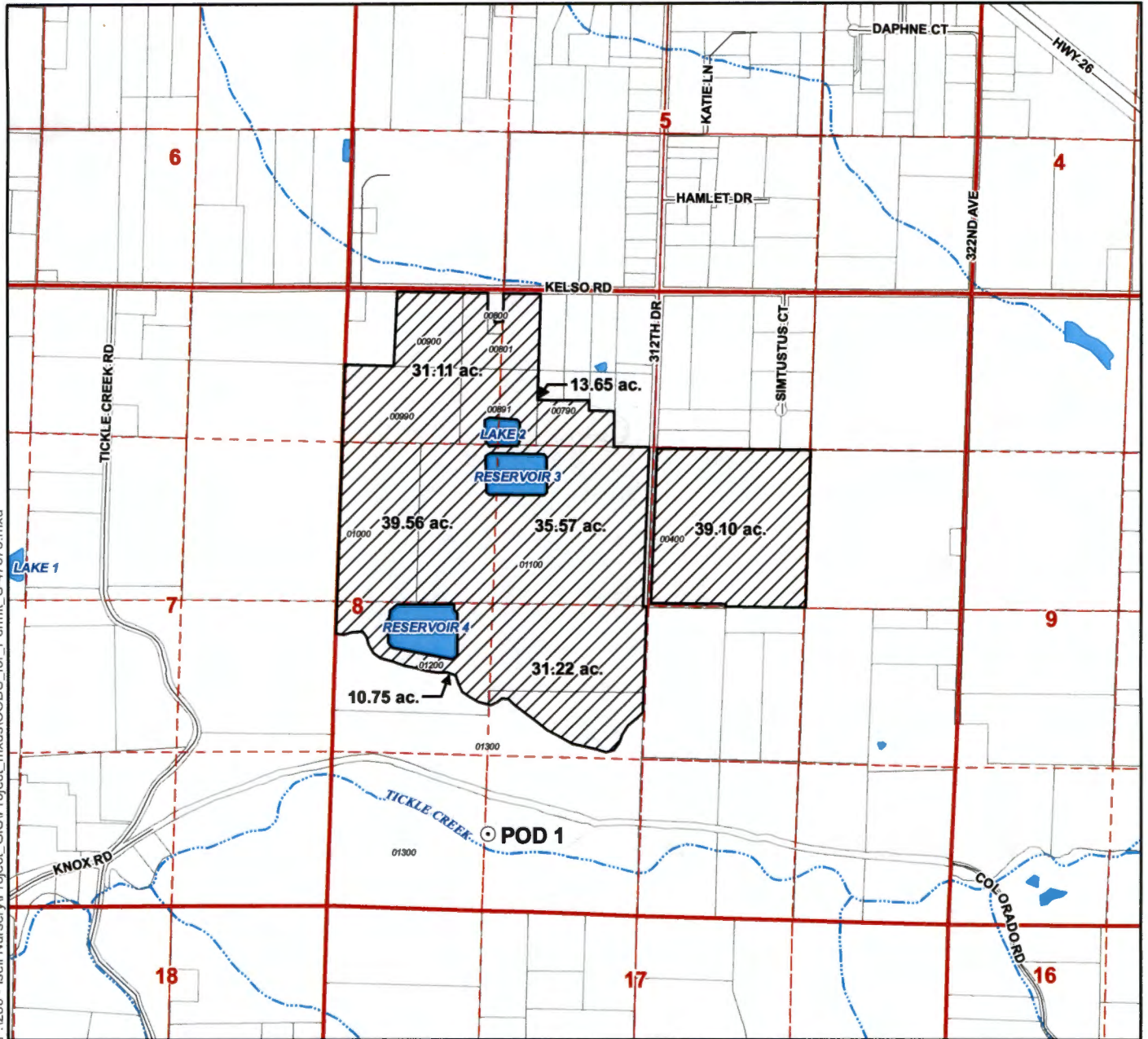
SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

Claim of Beneficial Use Map

Permit S-47675 (Application S-65054)

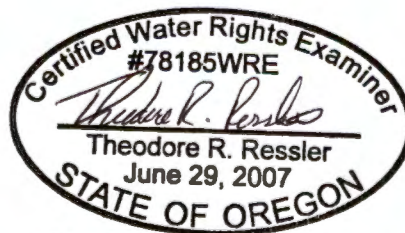
Section 8, Township 2 South, Range 4 East (W.M.)



P:\280 - Iseli Nursery\Project_GIS\Project_mxd\COBU_for_Permit_S-47675.mxd

Legend

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



EXPIRES: 12-31-2008

Map Information

Projection: Oregon State Plane North Zone
 Datum: North American Datum of 1983
 Date: August 11, 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.

POD Location Description

POD 1
 Located 645 feet North and 1,345 feet East from the SW corner of Section 8, Township 2 South, Range 4 East (W.M.)



Scale

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



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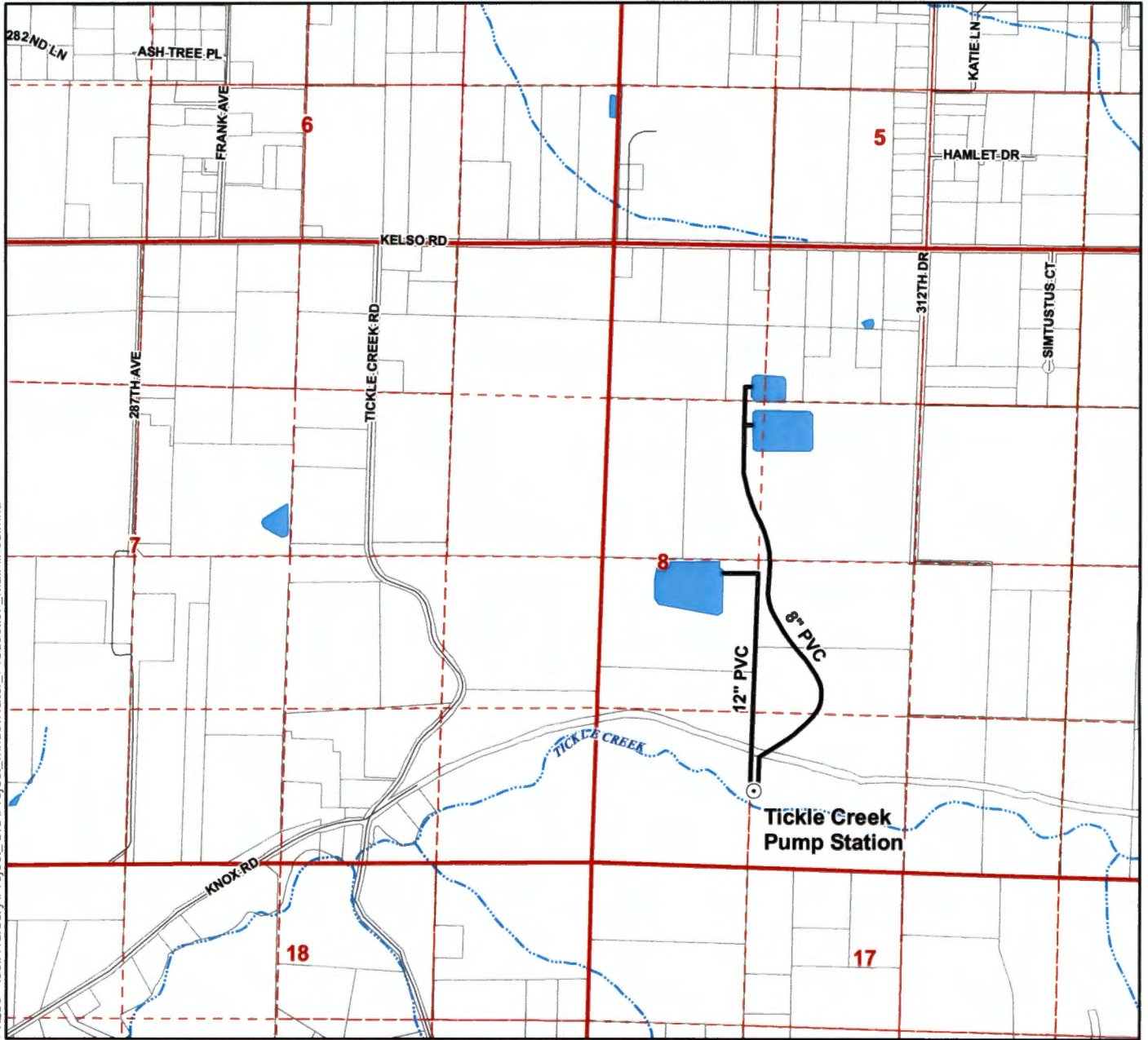
WATER RESOURCES DEPT
SALEM, OREGON

Attachment C
Layout of Water System Mainlines
Claim of Beneficial Use for Permit S-47675

Water Production Mainlines







Iseli Nursery, Inc.

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



P:\280 - Iseli Nursery\Project_GIS\Project_mxd\Water_Production_Mainlines.mxd

Legend

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

Map Information

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

Data Sources

Clackamas County GIS, Oregon Geospatial Data Clearinghouse

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**WATER RESOURCES DEPT
 SALEM, OREGON**



Scale

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



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SALEM, OREGON

Attachment D

As-built Plans for Reservoirs
Claim of Beneficial Use for Permit S-47675

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POND # 4

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SEP 29 2008
WATER RESOURCES DEPT
SALEM, OREGON

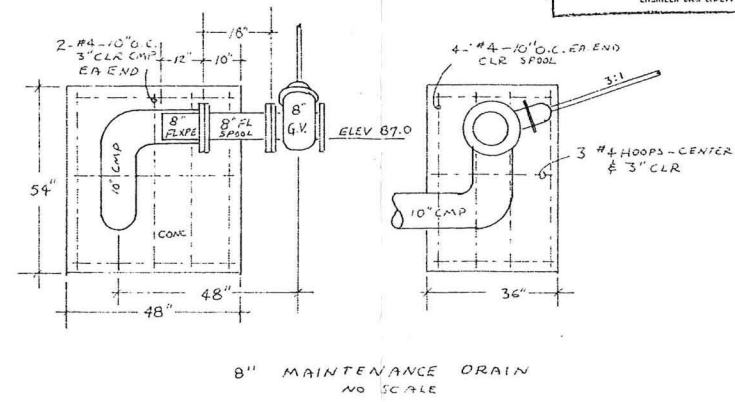
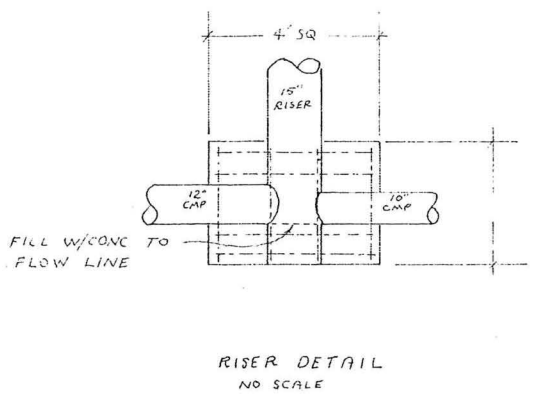
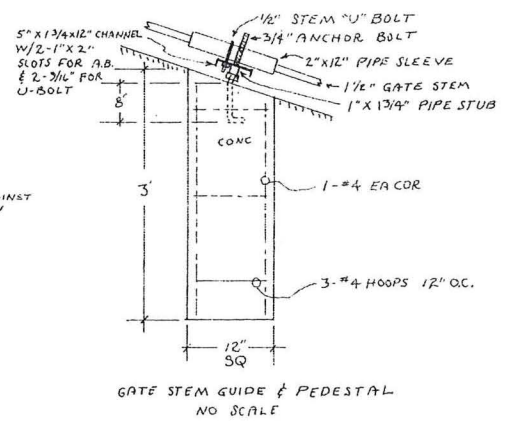
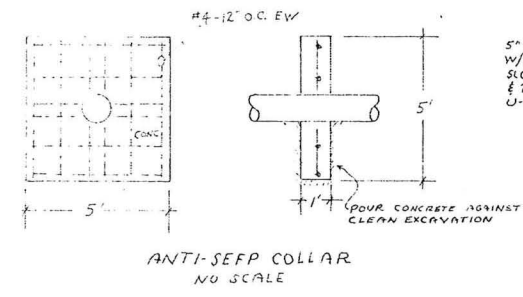
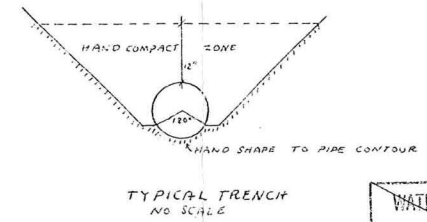
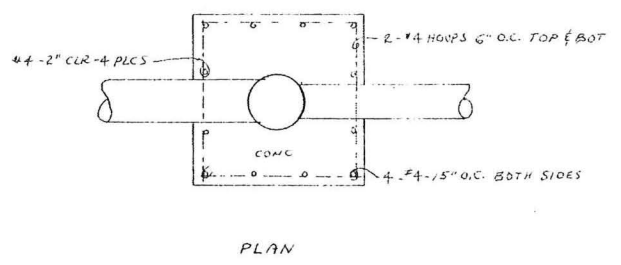
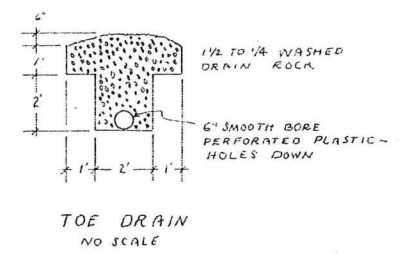
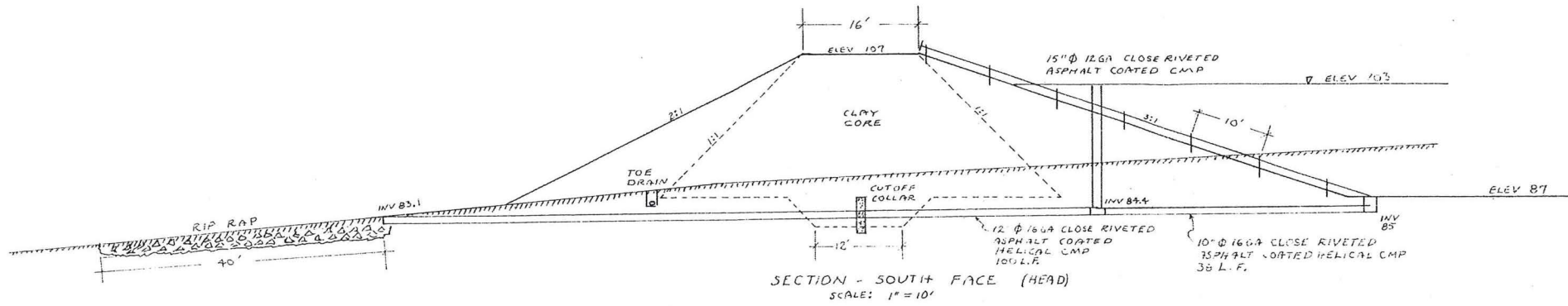
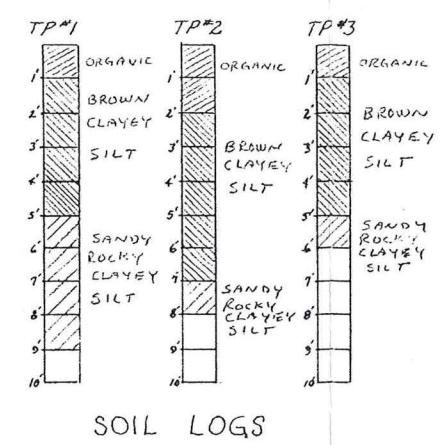
WATER RESOURCES DEPARTMENT
APPROVED: 8/26 1987
William H. Young
DIRECTOR
Barry J. ...
ENGINEER DAM SAFETY DIVISION

DEPARTMENT OF
WATER RESOURCES
DO NOT SEND OUT

WATER RESOURCES DEPARTMENT
APPROVED: 19...
DIRECTOR
ENGINEER DAM SAFETY DIVISION

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

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



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SALEM, OREGON

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SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

POND # 4

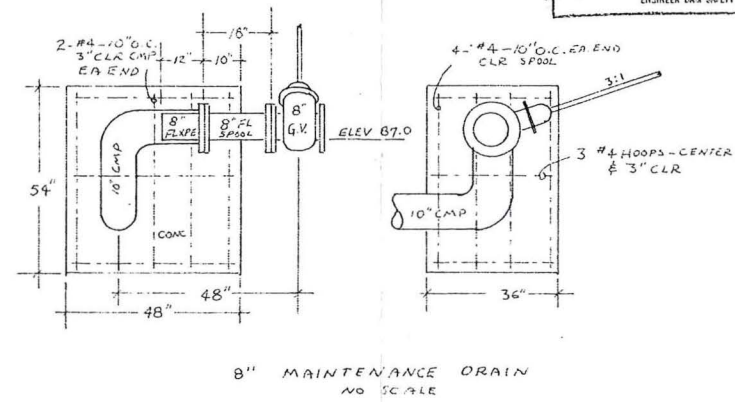
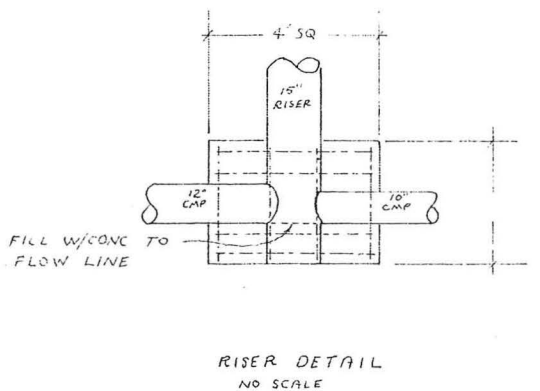
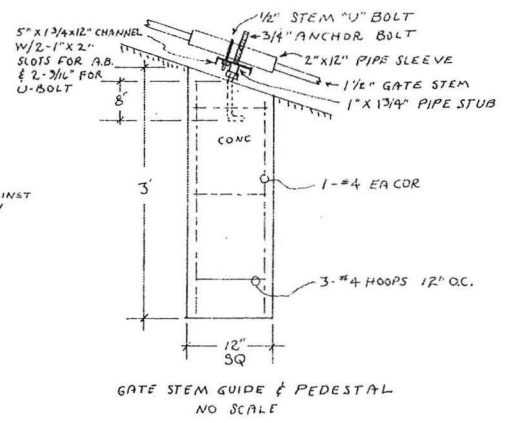
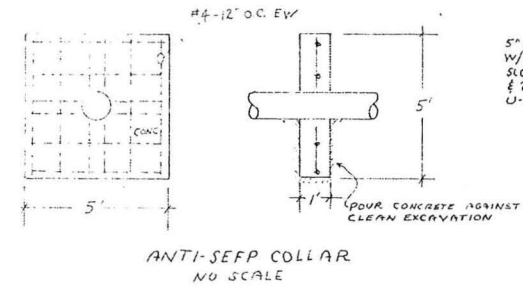
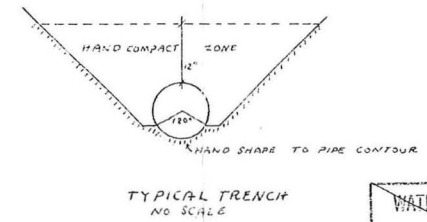
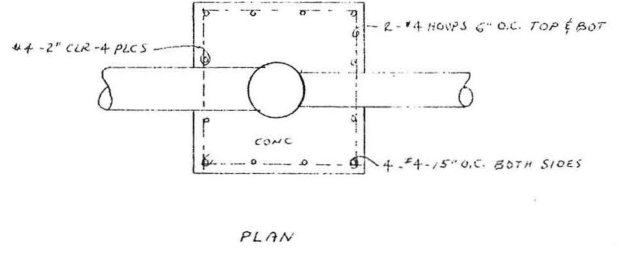
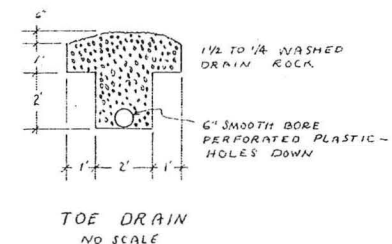
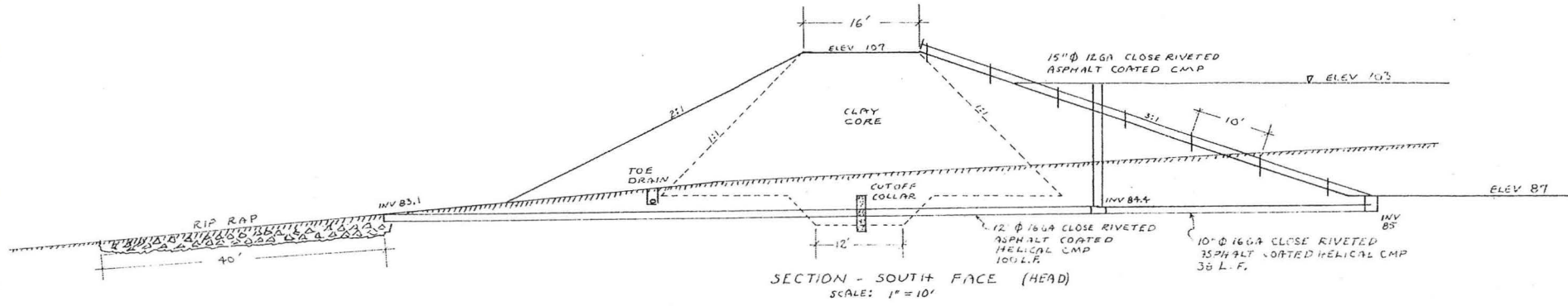
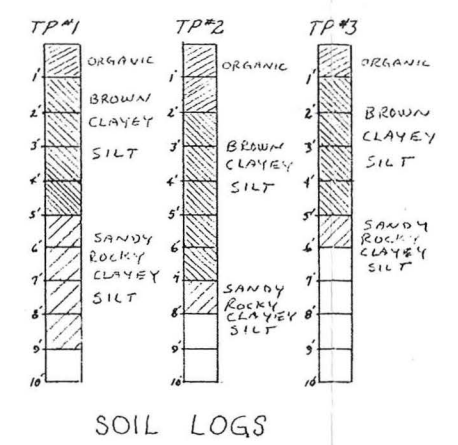
WATER RESOURCES DEPARTMENT
APPROVED: 8/26 19 87
William H. Young
DIRECTOR
ENGINEER DAM SAFETY DIVISION

DEPARTMENT OF
WATER RESOURCES
DO NOT SEND OUT

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

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

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



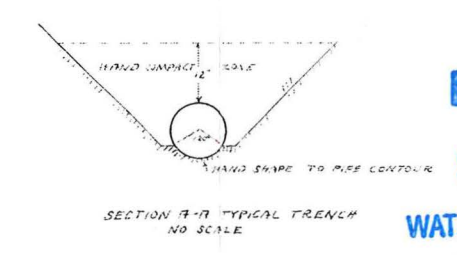
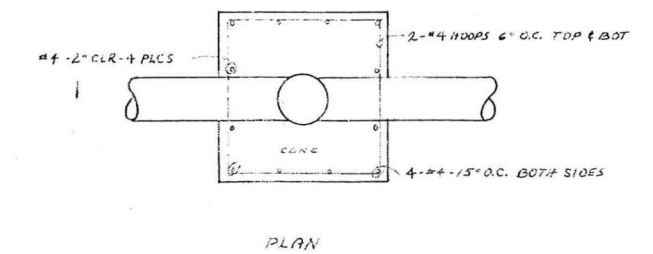
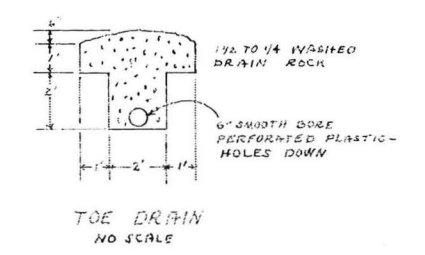
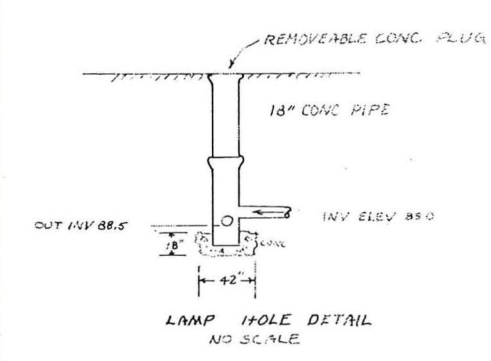
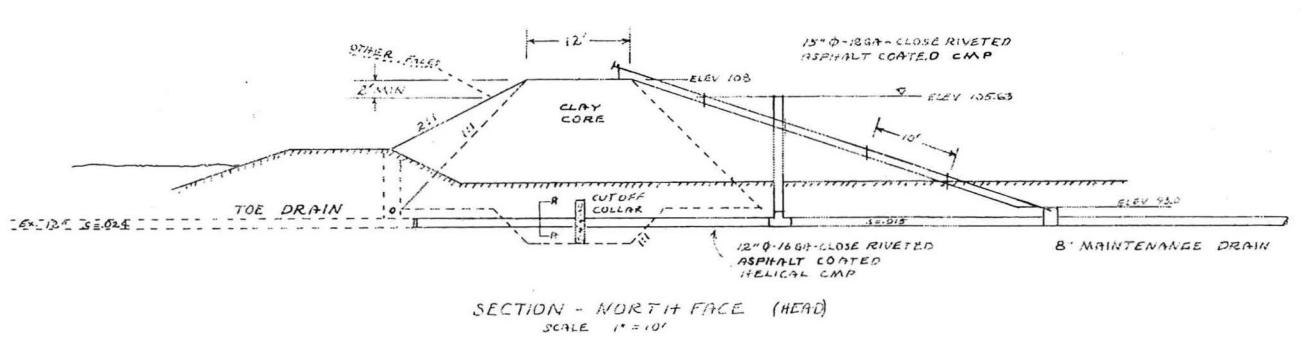
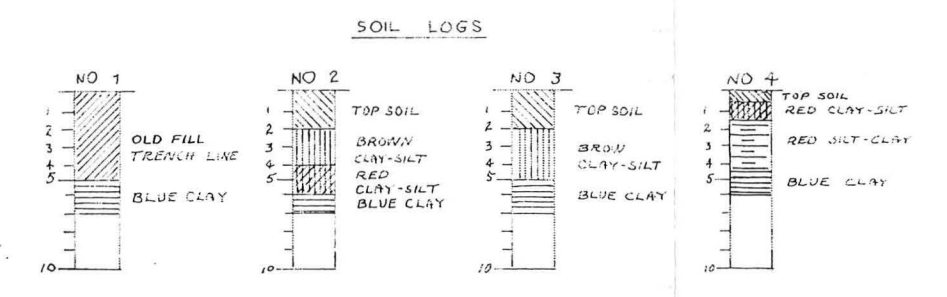
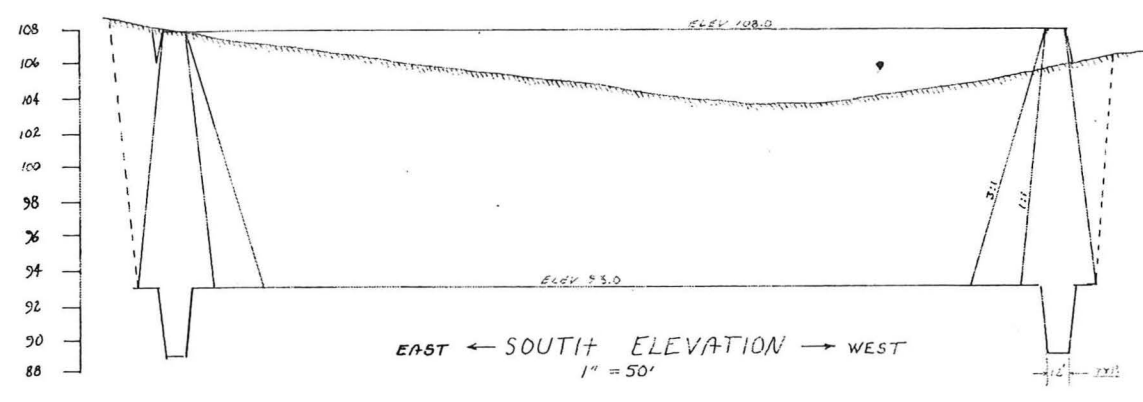
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 SALEM, OREGON

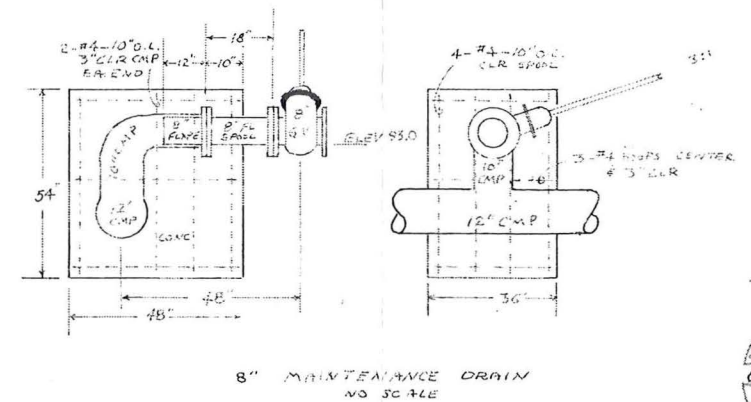
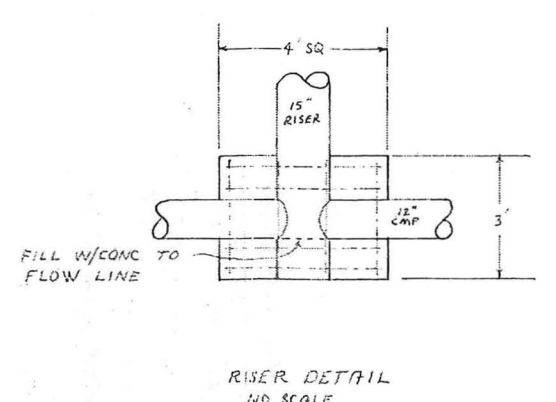
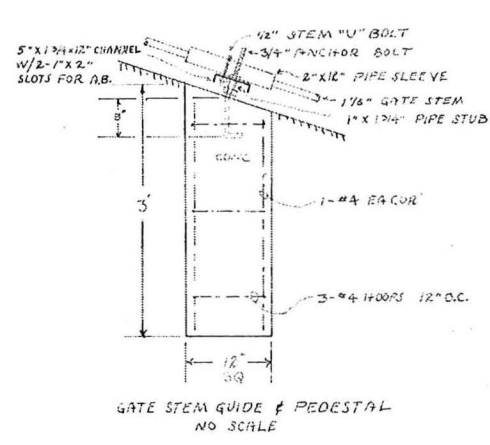
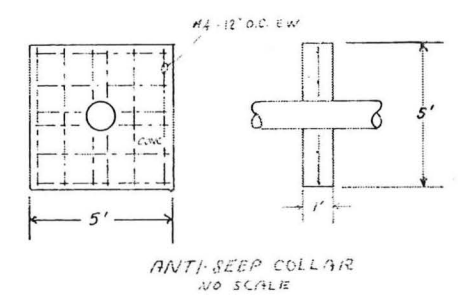
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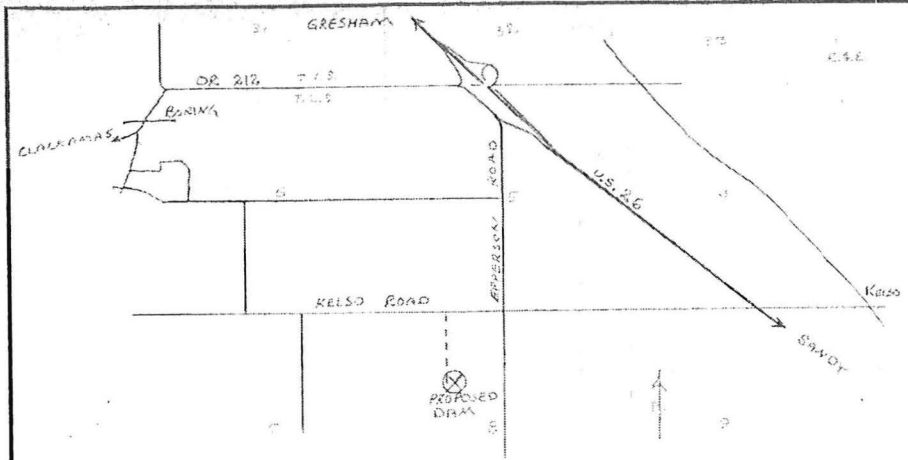
ISELI NURSERY
 15241 S.E. TICKLE CREEK ROAD
 BORING, OREGON 97009 (503) 663-3822

Date 7-16-84
 Scale AS SHOWN
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 Sheet 2
 Of 2 Sheets

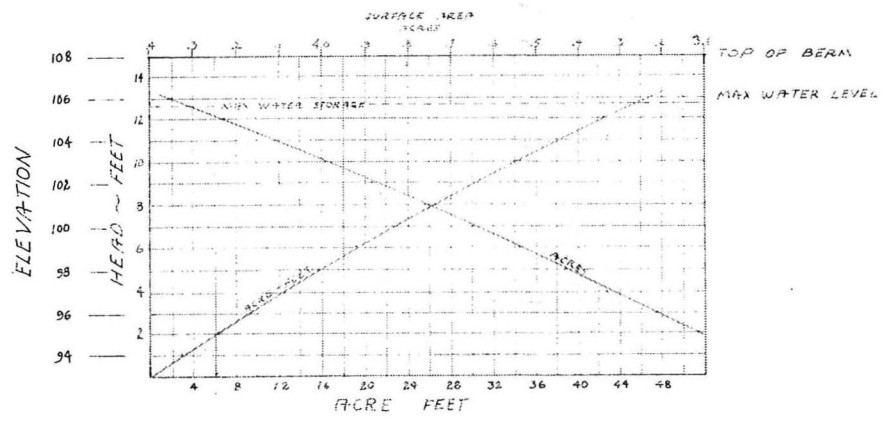
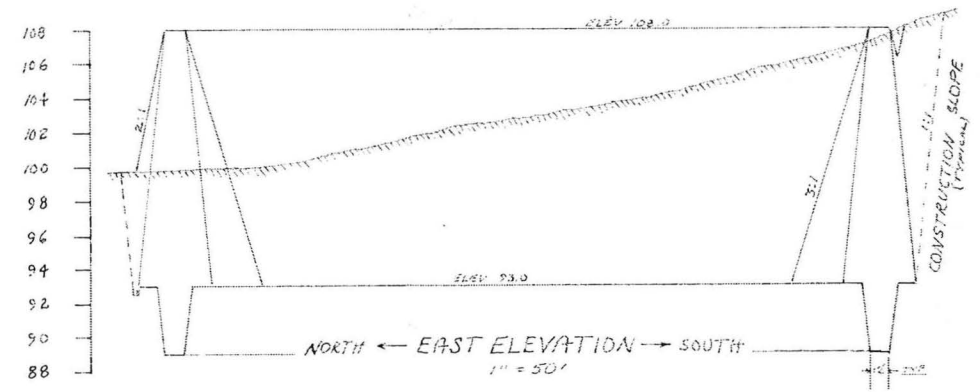
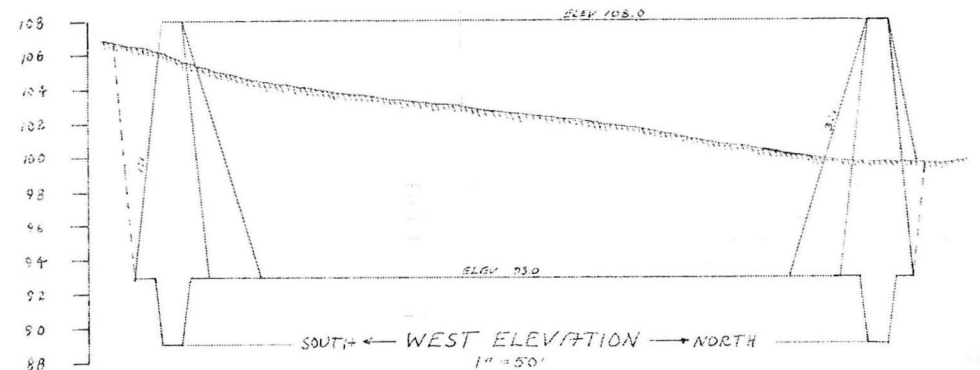


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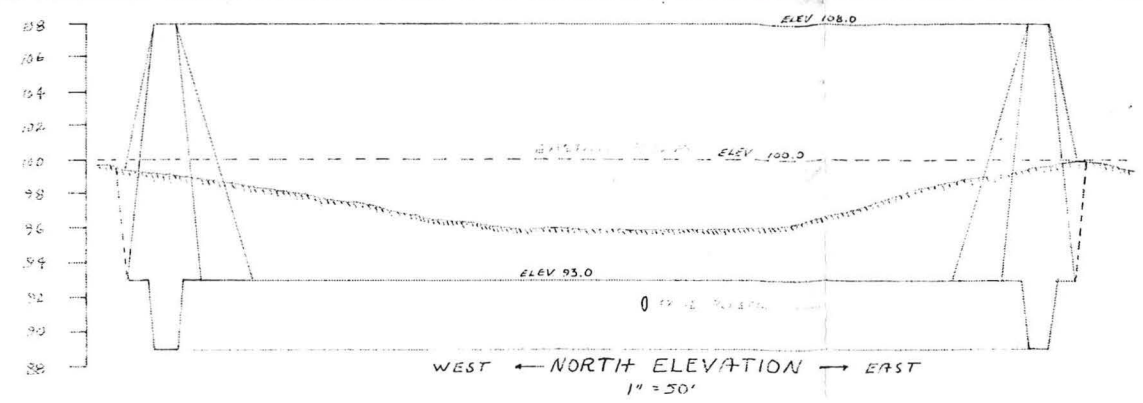




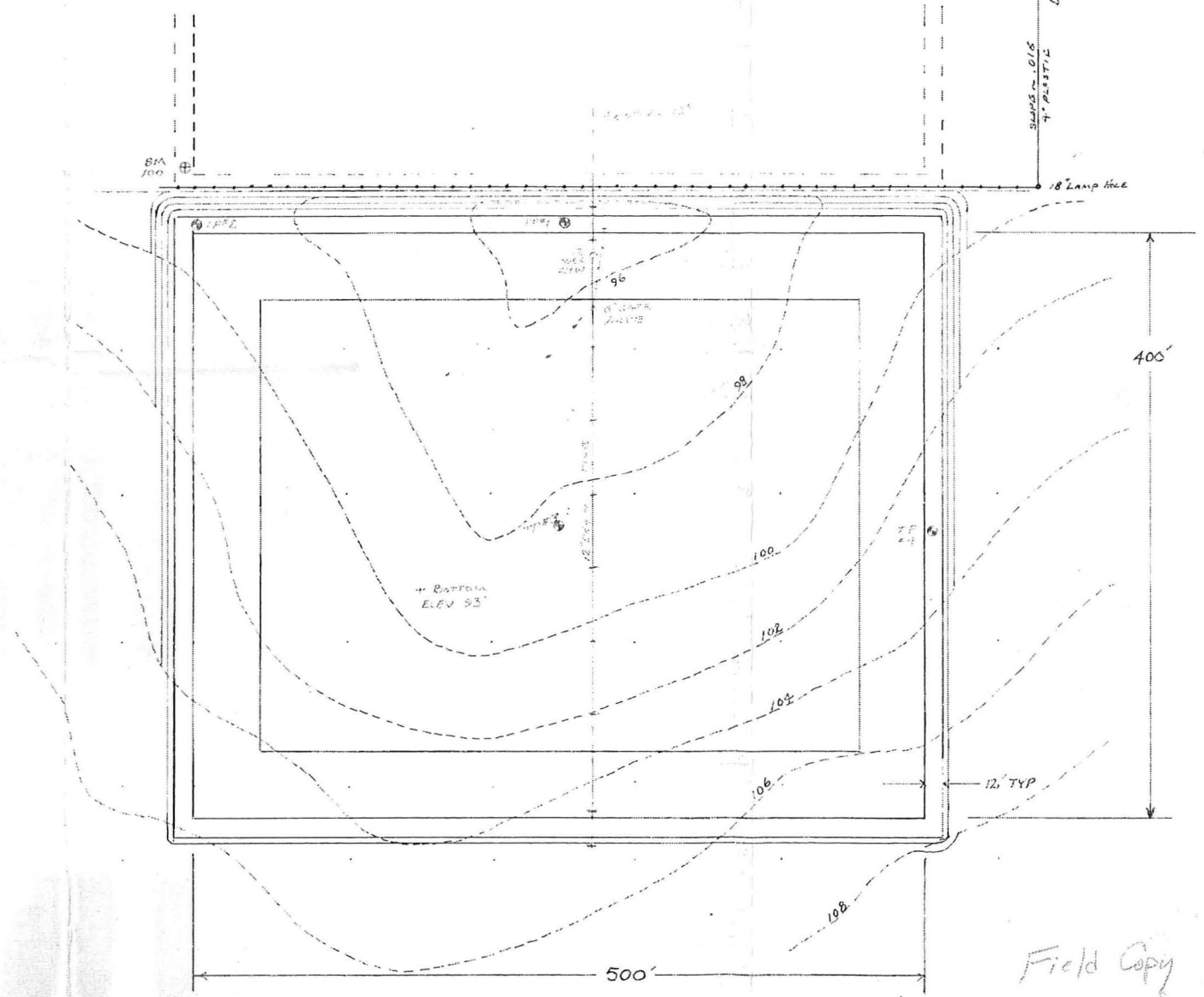
SCALE 1" = 2,000 FEET
LOCATION MAP



STORAGE CHART



EXISTING POND



PLAN
SCALE 1" = 50'
CONTOUR INTERVAL ~ 2'

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WATER RESOURCES DEPT
SALEM, OREGON

Field Copy



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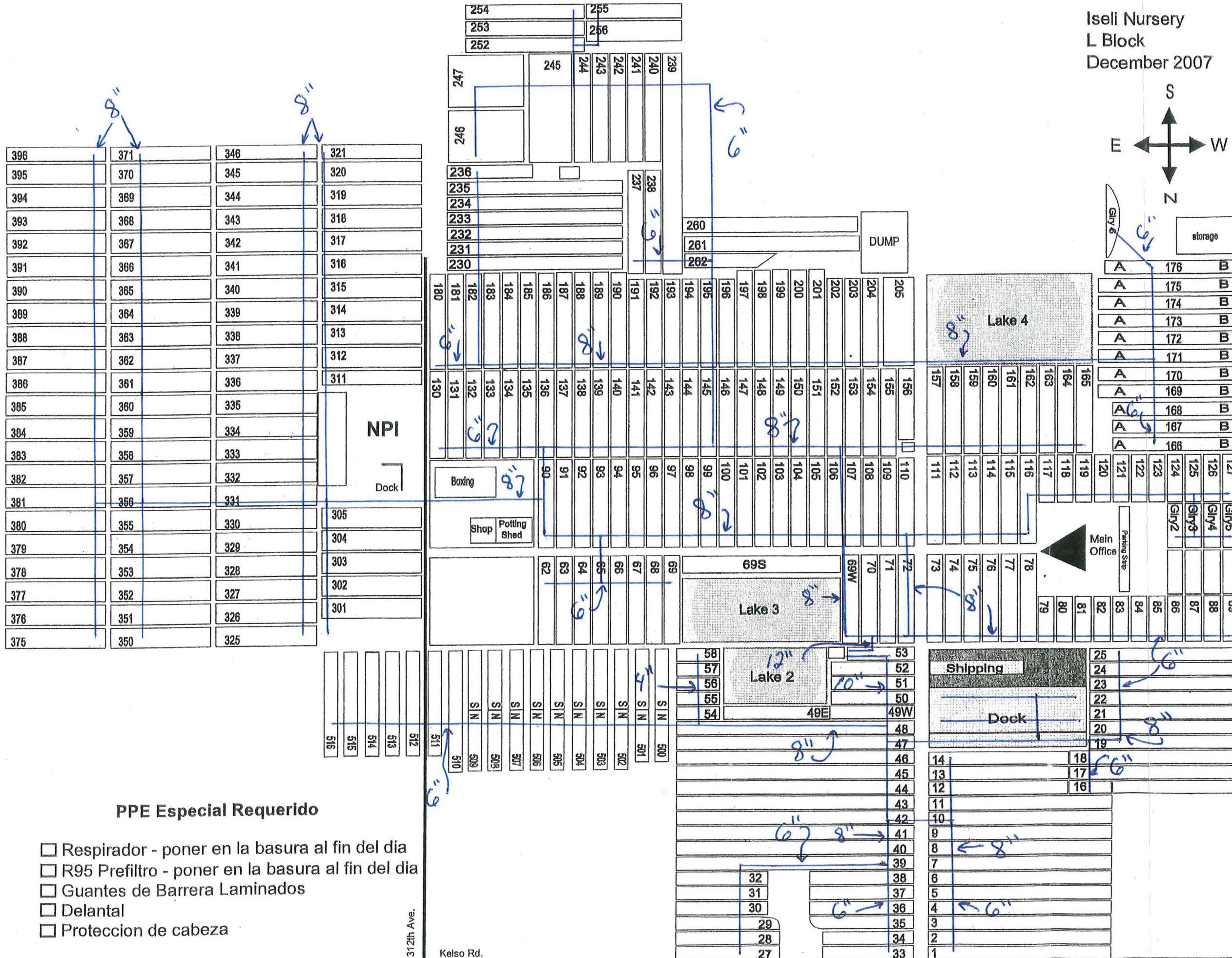
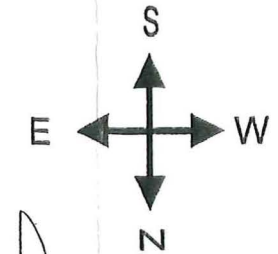
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JUL 23 1994
WATER RESOURCES DEPT
SALEM, OREGON

POND #3

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

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

Iseli Nursery
L Block
December 2007



PPE Especial Requerido

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

312th Ave.

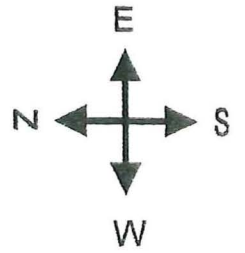
Kelso Rd.

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SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

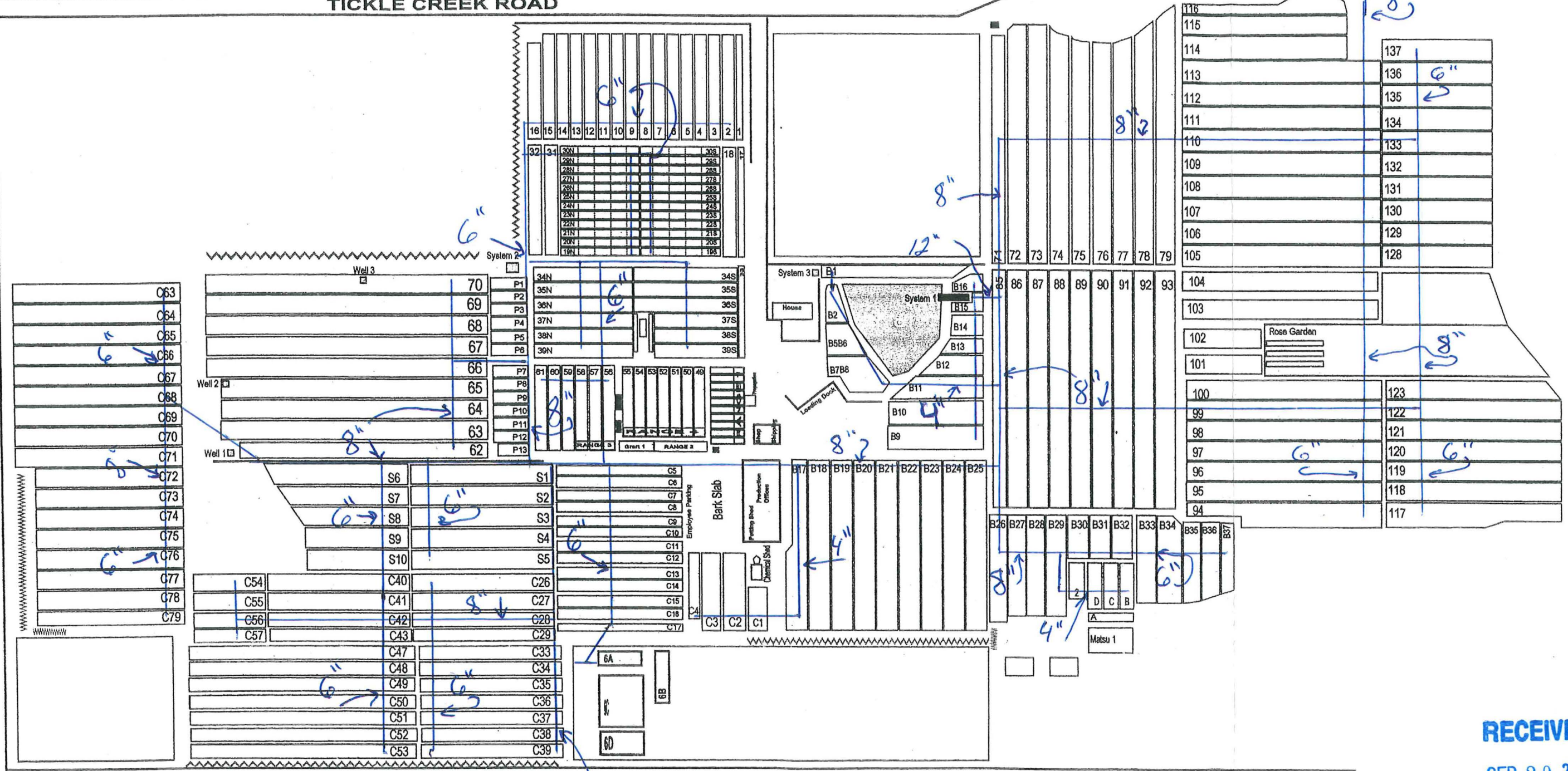
Iseli Nursery
 Tickle Creek Canyon
 February 2008



TICKLE CREEK ROAD

KELSO ROAD

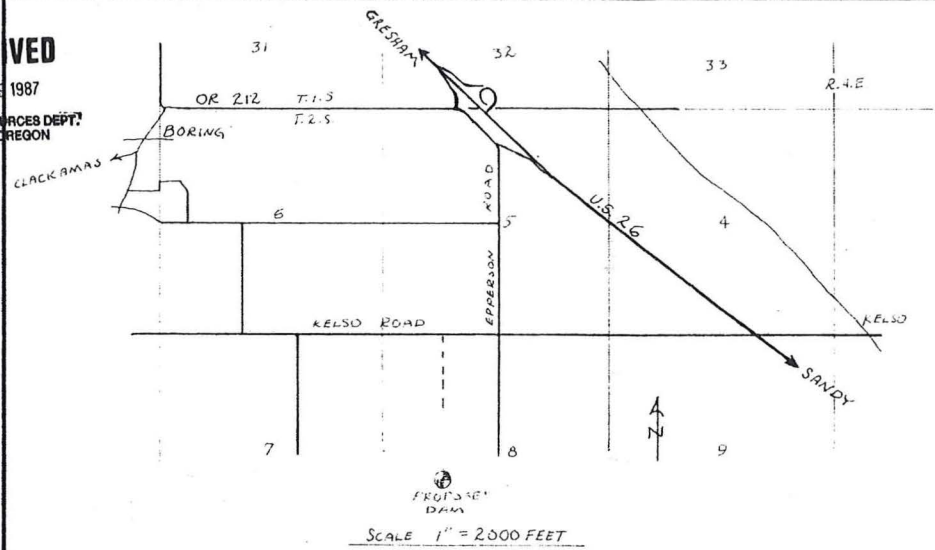
287 TH



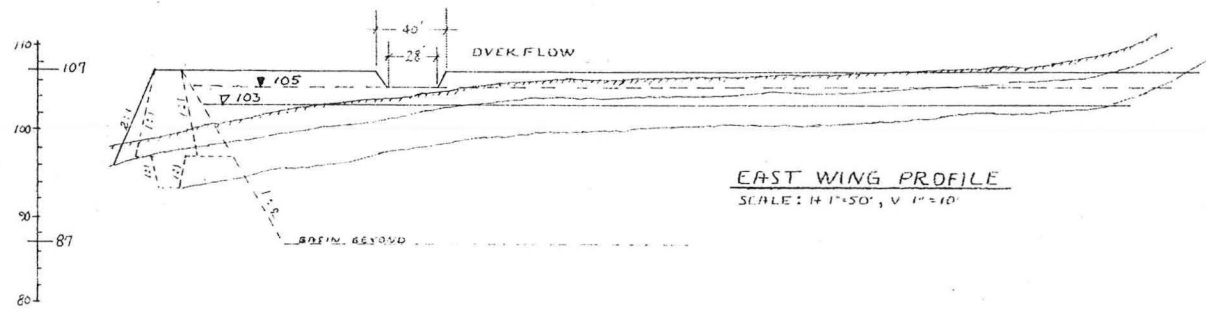
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 SALEM, OREGON

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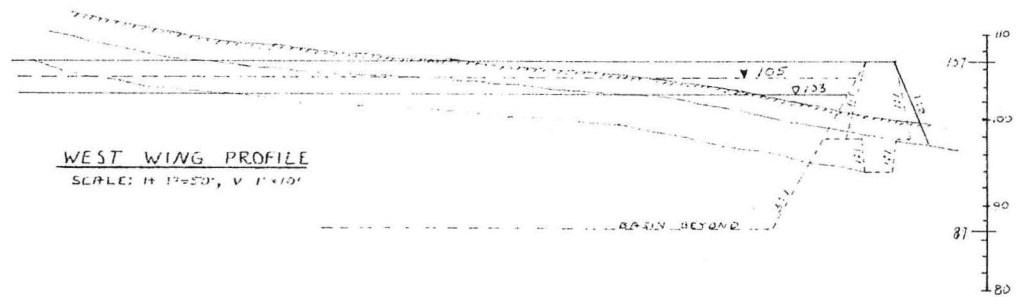
AUG 14 1987
WATER RESOURCES DEPT.
SALEM, OREGON



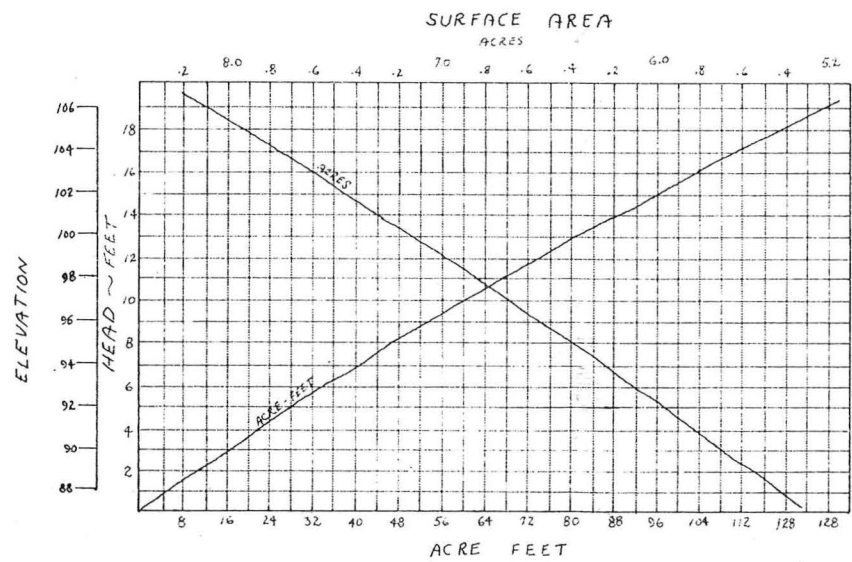
LOCATION MAP



EAST WING PROFILE



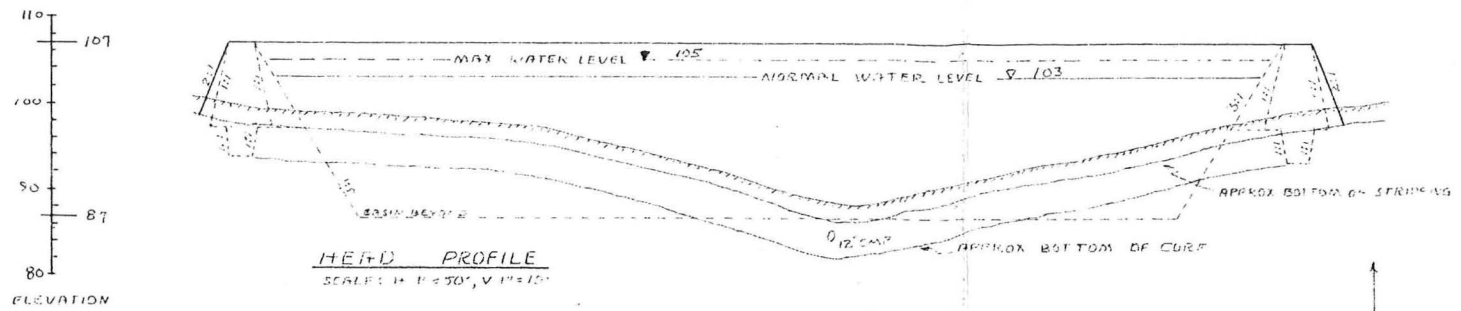
WEST WING PROFILE



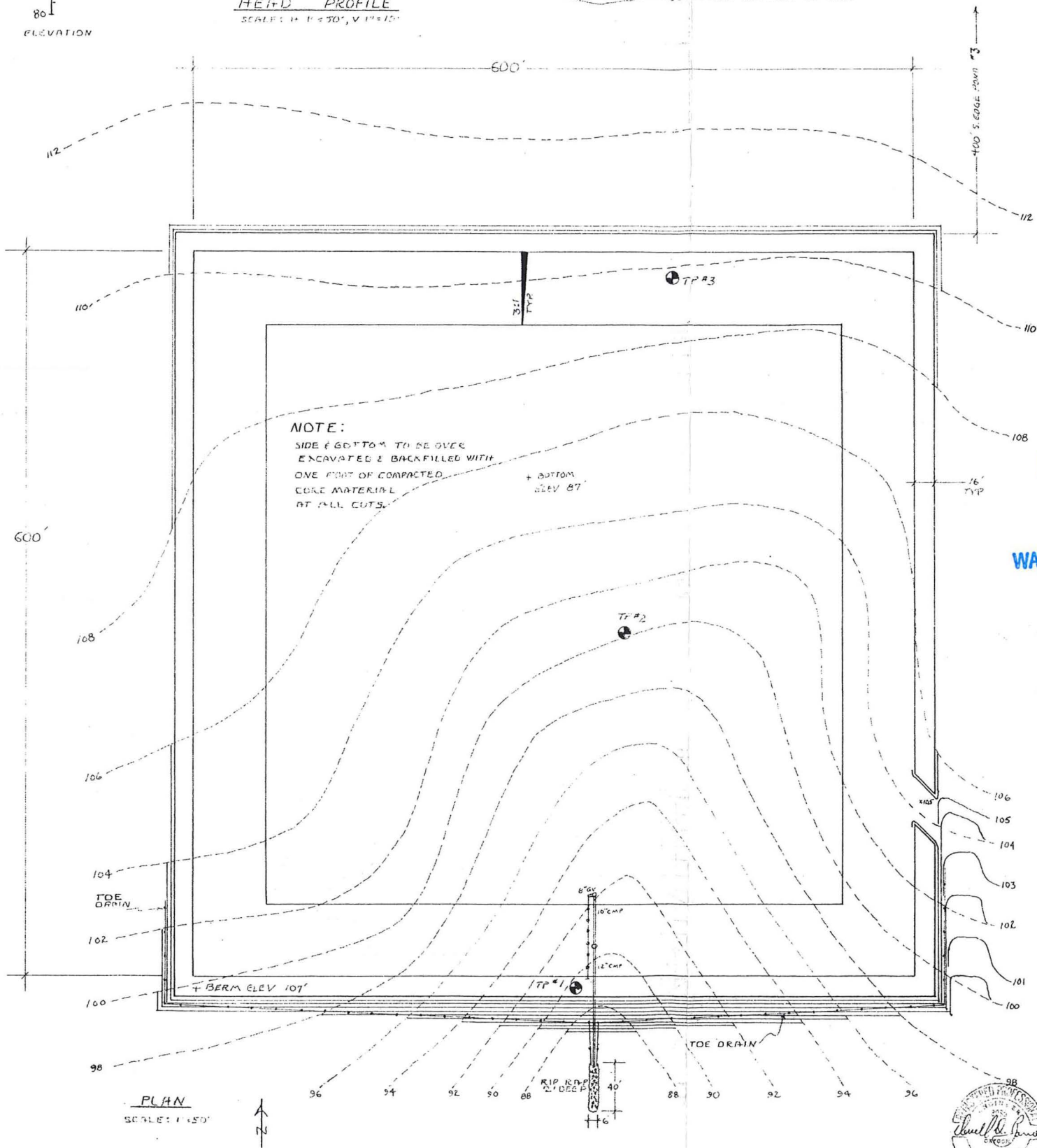
STORAGE CHART

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

DEPARTMENT OF
WATER RESOURCES
DO NOT SEND OUT



HEAD PROFILE



PLAN

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WATER RESOURCES DEPT
SALEM, OREGON

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



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 blue ink 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**

30200 304 306 308 310

901
6.00 Ac.
901WI
30250

90CWI
8.00Ac.

801WI
8.01Ac.
801AW

44-06

701
3.25Ac.
701WI

700
3.18Ac.

702
702E1
3.18 Ac.

601
4.00Ac.

502
5.16Ac.

990
14.70 Ac.

891
10.55 Ac.

791
1.39 Ac.

790
6.73 Ac.

792
1.82 Ac.

600
4.87 Ac.

RE

503
2.89 Ac.

501
2.89 Ac.

400
38.86
400W

1000
20.62 Ac.

Deed calls for 21 rods
Old map shows 20 rods
to N.E. Cor.

1100
59.09 Ac.

Application No. 65054
Permit No.

E.F.U.-20

44-02

Woods



Scale 1" = 400'

1200
49.55 Ac.

1400
19.88 Ac.

1300
106.47 Ac.

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APR 28 1983

WATER RESOURCES DEPT.
SALEM, OREGON

Superseded

1505
19.85 Ac.

Point of
Deversion

1300

S.E. KNOX ROAD

TICKLE

S.E. 312 1/2 AVENUE

4700'



Application No. 65057

Permit No.

~~#~~ 65054

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

RECEIVED
MAY 11 1983
WATER RESOURCES DEPT.
SALEM, OREGON

I, Iseli Nursery Inc.
(Name of Applicant)

of 15241 S.E. Tickle Creek Road
(Mailing Address) Boring
(City)

State of Oregon, 97009 Phone No. 663-3822 do hereby
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Tickle Creek
....., a tributary of Clackamas River

2. The point of diversion is to be located 600' ft. N and 1580' ft. E
(N. or S.) (E. or W.)
from the SW corner of Sec 8 T25 R4E W.M.
(Public Land Survey Corner)

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

..... being within the SE SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Sec. 8 Tp. 25 R. 4E, W. M., in the county of Clackamas
(N. or S.) (E. or W.)

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

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
2 S	4 E	8	SW/NE	40 ⁰
			NE/NW	11 ⁰
			NW/NW	32 ⁺
			SW/NW	32 ⁺
			SW/NW	7 ⁹
			SE/NW	9 ²
			SE/NW	30 ³
			NE/SW	16 ⁰
			NE/SW	24 ⁰
			NW/SW	28 ²
			NW/SW	11 ¹
			SW/SW	8 ⁵
SE/SW	20 ⁰			

Container Nursery operation

4. The amount of water which the applicant intends to apply to beneficial use is 5.5
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 Nursery use

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.

- (2) lakes
- (1) 2500 gpm pump "Maybe 2 smaller pump equaling 2500 gpm"
- (1) gate Valve
- (1) check Valve
- 3135 feet of 10" pipe (PVC)
- (1) 15 foot long 30" culvert

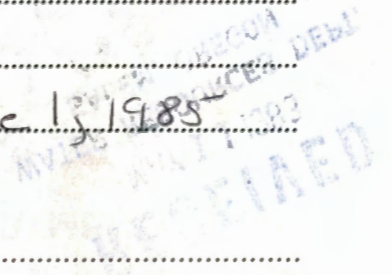
I do not wish to waive my existing rights from the well

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

- 7. Construction work will begin on or before June 1, 1983
- 8. Construction work will be completed on or before June 1, 1984
- 9. The water will be completely applied to the proposed use on or before June 1, 1985

Application No. 65054

Permit No.



Remarks: See file G2629 for primary rights on areas listed as supplemental.

Please!! Look at this soon so that we may begin construction. Thank You

OA also we need so much water because container stock takes 3 times as much water as field stock.

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

DEAN LYN Signature of Applicant

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

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before July 19 August 7, 1983

WITNESS my hand this 7th 19th day of June, May, 1983

James E. Sexson Water Resources Director

By Chris L. Hughes Chris L. Hughes

RECEIVED JUN 6 1983 WATER RESOURCES DEPT. SALEM, OREGON RECEIVED JUN 10 1983 WATER RESOURCES DEPT. SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 28th day of April, 1983, at 11:15 o'clock A.M.

Application No. 65.05.4 Permit No.

Application No. 65054

Permit No.

Permit to Appropriate 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 EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 5.5 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Tickle Creek

The use to which this water is to be applied is container nursery operation

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is April 24, 1983

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

Complete application of the water to the proposed use shall be made on or before October 1, 19

WITNESS my hand this day of, 19



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8509

October 3, 1989

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

REFERENCE: File R-68128, 65054, and 68024

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

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

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

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

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

Application No. 65054

Permit No. Superceded

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED

Application for Permit to Appropriate Surface Water APR 28 1983

WATER RESOURCES DEPT. SALEM, OREGON

I, Isel Nursery Inc.

(Name of Applicant)

of 15241 Tickle Crk RD, Boronia

(Mailing Address)

(City)

State of Oregon 97009 Phone No. 663-3222

(Zip Code)

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 Tickle Creek a tributary of Clackamas Rv.

2. The point of diversion is to be located 4700 ft S and 1300 ft W from the SW corner of S.E. 312 Avenue

(Public Land Survey Corner)

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

being within the SE SW 1/4 of the 1/4 of Sec. 8 Tp. S 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. Handwritten entry: Please see map Attached

4. The amount of water which the applicant intends to apply to beneficial use is 2.61725

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 Agriculture
(Nursery stock)

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.

The pickup point of the water will be a 30" corrugated culvert pipe approx. 8" long. The culvert will be mounted in a vertical position to one side of the creek in a natural low area. The culvert will be perforated so water can enter. The pipe will also be secured at the bottom with concrete.

The pump will be sized to the amount of water we are allowed to use, the pump will be variable for low demand periods, the motor will be Diesel, irrigation will be sprinklers and drip.

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

7. Construction work will begin on or before when permit is approved

8. Construction work will be completed on or before 8 mos. after permit

9. The water will be completely applied to the proposed use on or before within 60 days
after permit is approved

Application No. 65054

Permit No.

Remarks:

Any questions please
contact Fred Quayle at
Iseki Nursery 663-3822

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.

[Signature]
Signature of Applicant

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

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

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

Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

*28th day of April, 19 83, at 11:15 o'clock
A.M.*

Application No. 65054

Permit No.

Application No. 65054

Permit No. Superseded
5/11/83

Permit to Appropriate 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 EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from

The use to which this water is to be applied is

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated.....

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is

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.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

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



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

March 10, 1989

Iseli Nursery, Inc.
30590 SE Kelso Rd.,
Boring, OR 97009

Reference Files: 65054 and 68024

Your applications for extension of the time limit to make complete application of water under the terms of your Permits 47675 and 48577 have been received. We also have your check for \$200.

The applications indicate reasonable diligence toward completion of the proposed projects; therefore, the time limit to make complete application of water is extended to October 1, 1989.

Sincerely,

Steven P. Applegate, Manager
Survey/Mapping Section

receipt enclosed

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

I, ISELI NURSERY, INC.
Name

MAR 9 1989

30590 S.E. Kelso Road
Mailing Address

WATER RESOURCES DEPT.
SALEM, OREGON

Boring Oregon 97009
City State Zip

record owner of water permit No. 47675, do hereby request that the time in which to:

- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19___, be extended to October 1, 19___; and/or the time in which to
- accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 19___, be extended to October 1, 1989.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year increased beneficial use 22 acres, construction completed
prior year. With 750 gpm out of Tickle Creek we are able to cut
down well usage.

(2) prior to this past year increased beneficial use 28 acres, construction completed
prior year, along with reservoir #3 to hold water until we need it.

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) the permit application except 46 acres

(If additional space is required, attach separate sheet)

Greg Pilcher Vice President

(If signing for a corporation please identify your title)

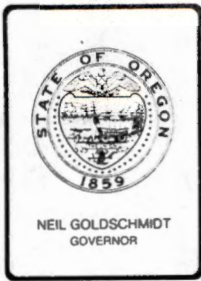
Dated September 29, 1988

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

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

10-3-88
\$100.00
56295

OK C-6
10-1-89
SM



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

February 17, 1989

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

Reference File: 65054 & 68024

Your application for extension of the time limit to complete construction on under the terms of your Permit 47675 & 48577 has been received. We also have your checks for \$200.00. Receipts are enclosed.

The information given on the application is not sufficient to demonstrate that a reasonable effort has been made to complete the project as proposed. The request for additional time can be granted only if such dilligence is shown.

Your application is returned for additional information regarding the water system and/or the use of water within the time limits currently allowed. Please give specific information relative to use of water from Tickle Creek and Reservoir 3 on the lands involved in the permits.

Further action on your request will be withheld for 30 days pending your reply.

Sincerely,

Steven P. Applegate, Manager
Survey/Mapping Section

receipt enclosed



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

September 26, 1988

Iseli Nursery, Inc.
30590 SE Kelso Rd
Sandy, OR 97009

Reference: Files 65054 and 68024

I recently received the Form B, Notice of Completion of Construction, for these two files. However, I did not receive the Form C, Notice of Complete Application of Water. In effect, what you have told us is that the construction of the water system is complete, but that you have not completely applied all of the water you intend to use. Under the terms of your permits, the date for the complete application of water was October 1, 1987.

If this is the case, you need to apply for an extension of time. A form will be supplied upon request.

If you have applied all of the water you intend to use, you need to submit the Form C, Notice of Complete Application of Water. Enclosed are forms for your use.

I will withhold action on these files for a reasonable length of time. However, if we do not hear from you, we will cancel these permits in accordance with the notices sent to you by certified mail on June 6, 1988.

Sincerely,

LARRY H. NUNN
Water Rights Specialist

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

SUPPORT RESEARCH

"NF"

NEUROFIBROMATOSIS



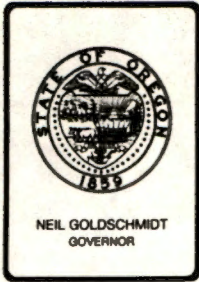
PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

WATER RESOURCES DEPT.
3850 PORTLAND ROAD N.E.
SALEM, OREGON 97310



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

June 6, 1988

Iseli Nursery Inc.
30590 SE Kelso Road
Sandy OR 97009

REFERENCE: Files 65054 & 68024

According to the terms of your Permits 47675 and 48577, complete application of water was to have been made by October 1, 1987.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 13, 1987.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit."

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact Ves Garner, Manager, Survey/Certificate Section.

CERTIFIED - RETURN RECEIPT REQUESTED

Sub

65054

Application No.

Permit No.

47675

4-28-83

Name Iseli Nursery Inc.

Address 15241 Tickle Crk. Rd., Boring, OR 97009

Assigned

Address

Beginning construction ~~OCT 1 1984~~

Completion of construction OCT 1 1985

Extended to 10-1-86 10-1-87

Complete application of water OCT 1 1986

Extended to 10-1-87 10-1-89

FORM 100 JUN 6 1988

January 16, 1987

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

Gentlemen:

REFERENCE: File 65054

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permit 47675 was received. We also have your check in the amount of \$100.

The Water Resources Director is authorized to allow an extension of the time limits only upon a showing by the holder of the permit that reasonable diligence has been exercised toward completion of the project within the time limits allowed.

From the information given in your application, it is questionable whether sufficient diligence has been shown to justify the requested extension. However, you are being given the benefit of the doubt and the time limits to COMPLETE CONSTRUCTION AND MAKE COMPLETE APPLICATION OF WATER are being extended to October 1, 1987, to allow you the opportunity to complete the appropriation.

Sincerely,

BRUCE A. ESTES
Survey/Certificate Section

BAE:jw

Enclosures

5520D

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Iseli Nursery Inc.
Name
30590 SE Kelso Road
Mailing Address
Boring City, Oregon State, 97009 Zip

record owner of water permit No. 47675, do hereby request that the time in which to:

- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1986, be extended to October 1, 1987; and/or the time in which to
- accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1986, be extended to October 1, 1987.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

- (1) within the past year gathering bids on pumps, power service and piping;
- (2) prior to this past year We have completed reservoir #3 and filled it with wells and runoff water and are using the water for keeping reservoir #2 filled for irrigation;
- (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) We are not irrigating out of tickle creek yet.

(If additional space is required, attach separate sheet)

Andre W. Iseli
Andre' W. Iseli, Chairman of the Board
(If signing for a corporation please identify your title)

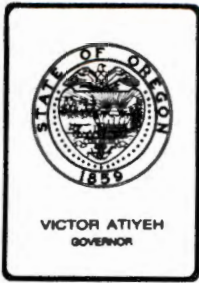
Dated November 20, 1986

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

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

BC?
10-1-87
BAE

RECEIVED
NOV 21 1986
WATER RESOURCES DEPT.
SALEM, OREGON



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-8508

September 20, 1985

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

REFERENCE: File Number 65054

Dear Mr. Iseli:

Your application for an extension of the time limit in which to complete construction under the terms of your Permit Number 47675 has been received. We also have your check in the amount of \$100.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limit for completion of construction is being extended to October 1, 1986.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

BAE/jw

Enclosure

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED
SEP 19 1985

I, ISELI NURSERY, INC. Name
30590 SE Kelso Road Mailing Address
Boring City Oregon State 97009 Zip
WATER RESOURCES DEPT
SALEM, OREGON

- record owner of water right permit No. 476.75, do hereby request that the time in which to:
- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1985 be extended to October 1, 1986; and/or the time in which to
 - accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1985, be extended to October 1, 1986.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

within the past year We have completed reservoir #3 and filled it with well and runoff water and are using the water for keeping reservoir #2 filled for irrigation
prior to this past year We were trying to get Surface water application filled out for Permit.

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) We are not irrigating out of tickle creek yet.

(If additional space is required, attach separate sheet)

Sean Iseli, President Iseli Nursery, Inc.
(If signing for a corporation please identify your title)

\$100-
9-19-85
#47533

Dated September 17, 1985

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF 100- FOR EACH PERMIT TO:

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

B
10-1-86
BAE

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

RECEIVED

SEP 19 1985

I, ISELI NURSERY, INC.
Name

WATER RESOURCES DEPT
SALEM, OREGON

30590 SE Kelso Road
Mailing Address

Boring Oregon 97009
City State Zip

record owner of water right permit No. 47675, do hereby request that the time in which to:

complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 1985 be extended to October 1, 1986; and/or the time in which to

accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1985, be extended to October 1, 1986.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

within the past year We have completed reservoir #3 and filled it with well and runoff water and are using the water for keeping reservoir #2 filled for irrigation

prior to this past year We were trying to get Surface water application filled out for Permit.

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) We are not irrigating out of tickle creek yet.

(If additional space is required, attach separate sheet)

Jean Iseli, President Iseli Nursery, Inc.
(If signing for a corporation please identify your title)

\$100-
9-19-85
#47533

Dated September 17, 1985

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF 100- FOR EACH PERMIT TO:

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

B
10-1-86
BAE

30200 304 306 308 310

S.E. T. KELSO ROAD

901
6.00 Ac.
901WI
30250

900WI
8.00 Ac.

801WI
8.01 Ac.
801AW

701
3.25 Ac.
701WI

700
3.18 Ac.

702
3.18 Ac.
702EI

601
4.00 Ac.

502
5.16 Ac.

44-06

990
14.70 Ac.

891
10.55 Ac.

791
1.39 Ac.

790
6.73 Ac.

792
1.82 Ac.

600
4.87 Ac.

RR

1000
20.62 Ac.

1100
59.09 Ac.

Application No. 65054
Permit No.

E.F.U.-20

44-02

woods

1200
49.55 Ac.

1400
19.88 Ac.

1300
106.47 Ac.

1505
19.85 Ac.

Superseded
Scale 1" = 400'

RECEIVED

APR 28 1983

WATER RESOURCES DEPT.
SALEM, OREGON

Point of
Deversion

S.E. KNOX ROAD

TICKLE

FRED J. KALBERER and CORA KALBERER, husband and wife, herein called Vendor, and DUANE A. SHERWOOD, a married man, herein called Purchaser,

WITNESSETH:

Vendor agrees to sell to Purchaser and Purchaser agrees to purchase that certain land, and all improvements thereon, situated in Clackamas County, State of Oregon, described as follows:

The West 10 acres of the Northeast quarter of the Northwest quarter and the East 10 acres of the Northwest quarter of the Northwest quarter, all in Section 8, Township 2 South, Range 4 East of the Willamette Meridian, Clackamas County, Oregon.

RESERVING, however, unto the Vendor a life estate for the life of Vendor and for the life of the survivor of them in the following described property and the house and all improvements thereon, which is a portion of the above described property, to-wit:

A portion of Lot 4 in Section 8, Township 2 South, Range 4 East, Willamette Meridian, Clackamas County, Oregon, described as follows: Beginning at the Section Corner common to Sections 5-6-7 & 8, thence easterly along the section line between Sections 5 and 8 1,196.93 feet, thence perpendicular to said section line 30.00 feet to an iron rod which marks the northwest corner of lot to be described. Continuing perpendicular to said section line 340.00 feet to an iron rod, thence easterly parallel to said section line 127.13 feet to an iron rod, thence northerly perpendicular to said section line 340.00 feet to an iron rod, thence westerly parallel to said section line 127.13 feet to an iron rod. Containing 1 acre more or less.

Application No. 65054
Permit No. 47675

William B. Bessinger
156 + 100

TE 100
100

FORM No. 92 - WARRANTY DEED.

REVISED 1933 SEE REG. 66, PORTLAND

KNOW ALL MEN BY THESE PRESENTS, That

WILLIAM BESSINGER, a single man

in consideration of Ten and No/100 Dollars, and other good and valuable consideration to him paid by WALTER G. IRELY and GEMMAINE IRELY, Husband and wife,

do hereby grant, bargain, sell and convey unto the said gemmaine, their heirs and assigns, all the following real property, with its tenements, hereditaments and appurtenances, situated in the County of Clatsop and State of Oregon, bounded and described as follows:

PARCEL 1: Being a part of Section 8, T.2.S.R.4.E. of the W.M. in the County of Clatsop and State of Oregon, bounded and described as follows:

Beginning at an iron pipe driven at the quarter section corner between sections 7 and 8, T.2.S.R.4.E. of the W.M.; running thence East tracing the quarter section line through Section 8, a distance of 39.70 chains to a point 30 links West of an iron pipe driven at the center of Section 8; thence South parallel to the quarter section line and 30 links distant therefrom 11 chains to a point 30 links West of an iron pipe driven in the quarter section line running North and South through the center of said Section 8; thence West 19.70 chains to an iron pipe; thence South 3 chains to an iron pipe; thence West 20.10 chains to an iron pipe driven in the Westerly boundary of Section 8 aforesaid; thence North tracing the section line 14 chains to the place of beginning.

PARCEL 2: Being a part of Section 8, T.2.S.R.4.E. of the W.M. in the County of Clatsop and State of Oregon, bounded and described as follows:

Beginning at a stone set at the corner of Sections 7, 8, 17 and 18 in T.2.S.R.4.E. of the W.M.; running thence North tracing the West boundary of Section 8 of said township and range 25 chains to an iron pipe; thence East 20.10 chains to an iron pipe; thence North 3 chains to an iron pipe; thence East 19.70 chains to a point 30 links West of an iron pipe driven in the quarter section line running North and South through said Section 8; thence North parallel to the aforesaid quarter section line 11 chains; thence East 30 links to an iron pipe driven at the quarter section corner at the center of said Section 8; thence South tracing the quarter section line 17.00 chains to a stone set at the quarter section corner between Sections 8 and 17; thence South 10.25 West tracing section line 40.25 chains to the place of beginning.

BOOK 500 PAGE 153

Application No. 65054
Permit No. 47675



To Have or to Hold the above described and granted premises unto the said grantee... their heirs and assigns forever.

And the grantor do covenant that I am lawfully seized in fee simple of the above granted premises free from all encumbrances, except Rights of the public in and to portions lying within limits of roads and highways; and Mortgage recorded 5/16/55 in Mortgage Book 434, page 501, which the Grantor assumes and agrees to pay;

and that I will and my heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whatsoever.

Witness my hand and seal this 19th day of February, 1962.

William Dolowitz

5125

STATE OF OREGON,

County of Multnomah

On this 19th day of February, 1962,

before me, the undersigned, a Notary Public in and for said County and State, personally appeared the **WILLIAM DOLOWITZ**, a single man



known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this day and year last above written.

Russ H. Kling
Notary Public for Oregon
My commission expires June 6, 1963

WARRANTY DEED

William Dolowitz, single

to
Walter W. Isali, et ux

AFTER RECORDING RETURN TO
Oregon Title Insurance Co.
Ballouard Branch
1040 N. E. Sandy Blvd.
Portland 12, Oregon

COPIED AS OREGON

NOTARY PUBLIC Seal for the State of Oregon, Multnomah County. Includes text: 'I, Russ H. Kling, County Clerk, do Certify that the County of Multnomah, State of Oregon, is duly organized and that the County of Multnomah is hereby certified to the State of Oregon...'. Includes a circular seal with 'NOTARY PUBLIC' and 'STATE OF OREGON' and a date stamp 'FEB 20 1962'. Includes a signature 'Walter W. Isali'.

5914 I

7 Pages the affore 40 acres located on East side of Johnson Rd.

TL 400

FORM NO. 700-001-01 (1972) 2000 (Revised 12-1-72)

SPECIAL WARRANTY DEED

18
21

KNOW ALL MEN BY THESE PRESENTS That CLIFFORD J. QUINLIN and IRIS VIOLA QUINLIN, husband and wife
for the consideration hereinafter stated, have by grant, bargain, sell and conveyance unto WERNER M. ISELI and GEMMAINE ISELI, husband and wife, and JOHN ISELI and JAN ISELI, husband and wife, and hereinafter their heirs, successors and assigns all of that certain real property with the appurtenances and appertinances thereto, including or in anywise appertaining situated in the County of Clackamas, State of Oregon, described as follows to wit:

The Southwest quarter of the Northeast quarter of Section 8, T. 2 S., R. 3 E., of the W.M., in Clackamas County, Oregon, EXCEPT the South 16 feet of the west half thereof.

Subject to the rights of the public in that portion lying within the boundaries of public roads.

This deed is in fulfillment of grantors' obligations under that certain contract of sale dated December 1, 1972, and recorded in the Deed Records of Clackamas County, Oregon, on February 1, 1973, as Document No. 715932.

RECEIVED
JUN 8 1983
WATER RESOURCES DEPT
SALEM, OREGON

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever
And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 97,150.00

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 16th day of July, 1980.
If a corporate grantor, it has caused its name to be signed and seal affixed by its officers duly authorized thereto by order of its board of directors.

X Clifford J. Quinlin
X Iris Viola Quinlin

It executed by a corporation
The records and

STATE OF OREGON,
County of Multnomah
July 16, 1980

STATE OF OREGON, County of _____
1980

Personally appeared _____ and _____ who, being duly sworn,

Personally appeared the above named
CLIFFORD J. QUINLIN and IRIS VIOLA QUINLIN

each for himself and one for the other, did say that the former is the president and that the latter is the secretary of _____ a corporation,

and acknowledged the foregoing instrument to be his voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in full of said corporation by authority of its board of directors, and each of them as herein indicated and instrument to be its voluntary act and deed.

(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires 5/26/82

(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires _____

CLIFFORD J. QUINLIN ETUX
3215 East Burnside
Portland, Oregon 97214

WERNER M. ISELI ET AL
38250 Burgs Lane
Boring, Oregon 97009

WERNER M. ISELI
38250 Burgs Lane
Boring, Oregon 97009

WERNER ISELI
38250 Burgs Lane
Boring, Oregon 97009

STATE OF OREGON, County of Clatsop
I, Cheryl D. Pender, County Clerk, do hereby certify that the foregoing instrument was filed for record in the County of Clatsop, Oregon, on this 16th day of July, 1980, at _____ o'clock _____ M., and that the same is the true and correct copy of the original instrument as recorded in the records of said county at _____

CLATSOP COUNTY 7-16-80

Margaret Pender
CLERK OF COUNTY CLERK
Boring, Oregon
(503) 291-3322

Application No. 65057
Permit No. 47675

TRACT A:

The West 30 acres of the North half of the Northwest quarter of Section 8, T.2.S.R.4. E. of W.M.

Situate in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM:

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

Beginning at the point of intersection of the south line of the Oregon City - Sandy Road with the west line of said Section 8; from which point the northwest corner of Section 8 bears N. 0 degrees 24' E. 30.00 feet; thence East along the south line of said Oregon City - Sandy Road 390.00 feet; thence S. 0 degrees 24' W., parallel to the west line of said Section 8, a distance of 670.15 feet; thence West, parallel to the north line of said Section 8, a distance of 390.00 feet to a point in the west line of Section 8; thence N. 0 degrees 24' E. along said west line 670.15 feet to the point of beginning. Containing 6.00 acres.

TRACT B:

The West one-half of the Southwest quarter of the Northwest quarter of Section 8 in T.2.S.R.4.E. of the W.M., containing 20 acres. Also a right of way for road purposes described as follows:

Beginning at the northeast corner of the west 30 acres of the north one-half of the northwest quarter of the above described section, township and range; thence south 80 rods to the south line of said subdivision; thence west along said south line 21 rods; thence north 1 rod; thence east 20 rods; thence north 79 rods to the north line of said tract and the south line of the County road; thence east along said line 1 rod to the place of beginning.

Situate in the County of Clackamas and State of Oregon.

*AGD
B.P.*

Application No. 6505A
Permit No. 47675

*44 acres
John Empick*

RECEIVED

JUN 6 1983

WATER RESOURCES DEPT.
SALEM, OREGON

November 2, 1983

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

65054

47675

378-3066

June 15, 1983

Mark Mitro
Iseli Nursery, Incorporated
15241 Southeast Tickle Creek Road
Boring, OR 97009

Dear Mr. Mitro:

REFERENCE: File 65054

Thank you for returning Application 65054 and the accompanying map.

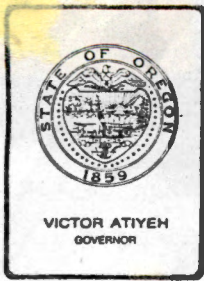
Your application is now in satisfactory form and will be considered for issuance of a permit within 60 days.

Sincerely,

CHRIS L. HUGHES
Senior Water Rights Examiner

CLH:wpc

0056/S
6991B



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE

378-3066 or
1-800-452-7813
(message line)

June 7, 1983

Mark Mitro
Iseli Nursery Inc.
15241 SE Tickle Creek Rd.
Boring, OR 97009

Dear Mr. Mitro:

REFERENCE: File 65054

Thank you for returning Application 65054 and the accompanying map and legal description.

The diversion point, as shown on your map, measures 600 feet North and 1580 feet East from the SW corner of Section 8. This does not agree with the location of the diversion point as listed in item 2 of the application or on the map. Please amend item 2 of the application and/or the map to correctly locate the diversion point.

Please outline and cross hatch all lands on the map where the water is to be used. Please state the number of acres in containerized nursery operation in each $\frac{1}{4}$ section on the map.

I am returning Application 65054 and the map for correction and completion. The application is endorsed and in order to retain its priority date, it must be received in this office on or before August 7, 1983.

Sincerely,

Chris L. Hughes
Senior Water Rights Examiner

CLH:cle

378-3066
or
1-800-452-7813
(message line)

May 19, 1983

Mark Mitro
Isell Nursery
15241 Southeast Tickle Creek Road
Boring, OR 97009

Dear Mr. Mitro:

REFERENCE: File 65054

Your Application 65054 describing the proposed use of 5.5 cubic feet per second of water from Tickle Creek for nursery use on 272.1 acres, together with the map, has been reviewed. Enclosed is Receipt 36395 for fees.

In talking with Cliff King, Watermaster for your area, he has said that your entire operation will be containerized nursery stock. Since this use of water does not fall in the category of normal irrigation, the recent policy of this office is to consider this use of water as a commercial use. There are no primary or supplemental rights when the use is commercial. Therefore, in Item 3 of the application, please delete primary and supplemental and insert container nursery operation. In Item 5, please state container nursery use.

The diversion point, as shown on the map, measures 800 feet North and 990 feet East from the SW Corner of Section 8. This does not agree with the location as listed in Item 2 of the application. Please amend Item 2 of the application to correctly locate the diversion point.

Your application now has two tentative priority dates; April 28, 1983 for 2.61 cfs and May 11, 1983 for the additional amount of 2.89 cfs.

Please put this statement in Item 6 of the application: "I do not wish to waive my existing rights from the well."

The legal description which was submitted is not adequate for our purposes. Please submit a metes and bounds legal description as would be found in your deed, title insurance policy, or sales contract.

Mark Mitro
May 19, 1983
page two

I am returning superseding Application 65054 for correction and completion and the map for reference. The application is endorsed and in order to retain its priority date, it must be received in this office on or before July 18, 1983.

Sincerely,

CHRIS L. HUGHES
Senior Water Rights Examiner

CLHwpc

enclosure
6567B

To: FILE 65054

DATE: 5/17/83

FROM: CHRIS L. HUGHES

SUBJECT: MEMO FROM POLICY & PLANNING (5/16/83)

The second paragraph of this memo appears to allow the application as an irrigation use and would not be inconsistent with the current water use program.

However, the application will be for commercial use, not irrigation.

In discussing this with Darrell Learn, he stated that this application would still be acceptable as a commercial use being so closely related to an irrigation use.

CLH



STATE OF OREGON

INTEROFFICE MEMO

TO: Larry Jebousek, Administrator
Water Rights

DATE: May 16, 1983

FROM: Darrell Learn, Administrator *DL*
Policy & Planning

SUBJECT: Application 65054

We have reviewed application number 65054 in the name of Iseli Nursery Inc., for primary irrigation of 198.1 acres of nursery stock and supplemental irrigation of 74 acres of nursery stock.

We believe acceptance of the application as an irrigation use will not be inconsistent with the intent of the current water use program for the Lower Willamette River Basin dated December 9, 1980.

6510B



15241 S.E. Tickle Creek Road
Boring, Oregon 97009
(503) 663-3822

RECEIVED
MAY 9 1983
WATER RESOURCES DEPT.
SALEM, OREGON

May 5, 1983

Water Resources Department
Mill Creek Office Park
555 13th Street N.E.
Salem, OR 97310

Re: File #65054

Gentlemen:

This is back up information for our previously submitted application #65054.

If you have any questions please feel free to contact me at the above telephone number.

Sincerely,

Mark Mitro

MM:cp

enclosures

378-3066
or
1-800-452-7813
(message line)

May 3, 1983

Iseli Nursery, Incorporated
15241 Tickle Creek Road
Boring, OR 97009

REFERENCE: File 65054

We have received your application for use of water for irrigation and nursery along with the supporting data and fees. Our Receipt 36239 is enclosed. Your application has been filed and assigned number 65054.

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 application is approved, the project described in the application will be subject to the Water Policy Review Board's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Sincerely,

RALPH H. JACKSON, Supervisor
Application/Permit Section

RHJ:wpc
enclosure

0003/X
6304B