

Application for a Permit to Use

# Groundwater



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 503-986-0900  
 www.oregon.gov/OWRD

**SECTION 1: APPLICANT INFORMATION AND SIGNATURE**

**Applicant**

NAME		PHONE (HM)	
PHONE (WK)	CELL	FAX	
MAILING ADDRESS			
CITY	STATE	ZIP	E-MAIL*

**Organization**

NAME		PHONE	FAX
SAUVIE ISLAND WHOLESALE NURSERY INC., ATTN: JULIE HOLMASON		971-645-1603	
MAILING ADDRESS			CELL
19708 NW GILLIHAN ROAD			
CITY	STATE	ZIP	E-MAIL*
PORTLAND	OR	97231	SIOTREES@YAHOO.COM

**Agent** – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
GSI WATER SOLUTIONS, INC. ATTN: LEAH COGAN		971-200-8529	
MAILING ADDRESS			CELL
1600 SW WESTERN BLVD., SUITE 240			
CITY	STATE	ZIP	E-MAIL*
CORVALLIS	OR	97333	LCOGAN@GSIWS.COM

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

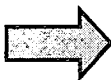
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**By my signature below I confirm that I understand:**

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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**I (we) affirm that the information contained in this application is true and accurate.**

	Julie Holmason, President	9/6/24
Applicant Signature	Print Name and Title if applicable	Date
_____	_____	_____
Applicant Signature	Print Name and Title if applicable	Date

**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access. **(See Attachment D)**
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Andrew and Terrie Karamanos, P.O. Box 725, Pacific City, OR 97135

**Legal Description:** You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map. **(See Attachment B)**

**SECTION 3: WELL DEVELOPMENT**

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	COLUMBIA RIVER	1,328 FT	13 FT

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

See attached well log for MULT 32 in Attachment E.

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**SECTION 3: WELL DEVELOPMENT, continued**

Total maximum rate requested: 0.24 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MULT 32	<input type="checkbox"/>	8"	1-226'	227-232'	0-20'	16'	GRAVEL AND SAND	232'	0.24 cfs	47.0
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.  
 \*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.  
 \*\*\* Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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For Department Use: App. Number: \_\_\_\_\_

**SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION**

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:  
[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

**Upper Columbia - OAR 690-033-0115 thru -0130**

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes  No

**If yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

**If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:**

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes  No

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified** that the Water Resources Department will determine, by reviewing

recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

**If yes, you will be required to provide the following information, if applicable.**

Yes  No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If **yes**, provide a description of the measures to be taken to assure reasonably efficient water use:  
N/A

**Statewide - OAR 690-033-0330 thru -0340**

Is the well or proposed well located in an area where the Statewide rules apply?

Yes  No

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified** that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

**SECTION 5: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery (Irrigation and Agricultural Use)	Irrigation: March 1 – October 31 Agricultural: Year-round	47.0

**For irrigation use only:**  
Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).  
Primary:        Acres                      Supplemental:        Acres                      Nursery Use: 9.4 Acres  
If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):  
  
Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 23.5 AF (irrigation use during the irrigation season at 2.5 AF/acre)

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- If the use is **municipal or quasi-municipal**, attach **Form M N/A**
- If the use is **domestic**, indicate the number of households: N/A (**Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): N/A

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): 15 hp Franklin submersible pump
- Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the well and conveyed to the place of use via 957 feet of buried 3-inch mainline and 7,790 feet of buried 2-inch lateral sections.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Water will be applied to containerized nursery stock using drip irrigation.

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

The Applicant will only irrigate when necessary to promote ideal plant production and will measure the amount of water appropriated if required by the Department. No discharge of contaminated water to surface water bodies, damage to aquatic life and riparian habitat, or adverse effects to public uses of surface water are anticipated.

**SECTION 7: PROJECT SCHEDULE**

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- a) Date construction will begin: Within 5 years of permit issuance
- b) Date construction will be completed: Within 5 years of permit issuance
- c) Date beneficial water use will begin: Within 5 years of permit issuance

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**SECTION 8: RESOURCE PROTECTION**

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: Water will only be applied to containerized nursery stock in the amount necessary for plant growth to prevent erosion and runoff.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

**Note:** If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: N/A – no excavation or clearing of banks is required for this project

Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:

List: N/A

**SECTION 9: WITHIN A DISTRICT**

Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district. The proposed POU is located within the boundaries of Sauvie Island Drainage District, but the POA is not owned by the District, and the proposed water use will not be served by the District.

Irrigation District Name Sauvie Island Drainage District	Address 29264 NW Sauvie Island Road	
City Portland	State OR	Zip 97231

**SECTION 10: REMARKS**

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

The applicant is requesting a maximum rate of 0.24 cfs and a maximum annual volume of 47.0 acre-feet for irrigation and agricultural use. This rate is equivalent to 1/40 cfs/acre, and the volume is based on a maximum of 5.0 acre-feet per acre. Water would be used to irrigate containerized nursery plants. The applicant understands that irrigation of in-ground nursery plants or any other crop would be limited to a maximum rate per acre of 1/80 cfs/acre and a maximum annual volume per acre of 2.5 acre-feet per acre.

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# **Attachment A**

## **Land Use Information Form**

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**Application for a Groundwater Permit - Sauvie Island Ornamentals LLC**

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# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

## NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

### This form is NOT required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b. The application involves a change in place of use only;
  - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d. The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or [WRD\\_DL\\_customerservice@water.oregon.gov](mailto:WRD_DL_customerservice@water.oregon.gov).

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# Land Use Information Form



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.oregon.gov/OWRD

NAME Sauvie Island Wholesale Nursery Inc., Attn: Julie Holmason				PHONE 971-645-1603	
MAILING ADDRESS 19708 NW Gillihan Road					
CITY Portland		STATE OR	ZIP 97231	EMAIL siotrees@yahoo.com	

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
2N	1W	11	NESW	200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
2N	1W	11	NWSW	200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
2N	1W	11	SWSW	200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
2N	1W	11	SESW	200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Multnomah County
------------------

**NOTE:** A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

## B. Description of Proposed Use

Type of application to be filed with the Oregon Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Exchange of Water   
  Allocation of Conserved Water

Source of water:   
 Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 0.24   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

The Applicant is applying for a permit to use groundwater to irrigate containerized plants at a nursery.
--

**Note to applicant:** For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_
- Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet. received by OWRD

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Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Governmental Entity: \_\_\_\_\_ Phone: \_\_\_\_\_

**Receipt Acknowledging Request for Land Use Information**

**Note to Local Government Representative:**  
Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: Leah Cogan

Staff Name: Marisol Cervantes Title: Planner 2

Staff Signature: <u>Mani Ceando</u>	Date: <u>09.05.2024</u>
Governmental Entity: <u>Multnomah County Land Use Planning</u>	Phone: <u>503.988.9452</u>

\* UCS-2024-0028 in review with  
Land Use Planning \*

# **Attachment B**

## **Property Legal Description**

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**Application for a Groundwater Permit – Sauvie Island Ornamentals LLC**

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THIS SPACE RESERVED FOR RECORDER'S USE	
Multnomah County Official Records E Murray, Deputy Clerk	<b>2018-015083</b>
	02/08/2018 12:23:04 PM
1R-TR DEED Pgs=5 Stn=68 NORTONJ \$25.00 \$11.00 \$6.00 \$20.00	<b>\$62.00</b>

After recording return to:  
 Andrew Devin Karamanos  
 23427 SW Richen Park Terrace  
 Sherwood, OR 97140

Date: February 8, 2018

Map/Tax Lot # **2N1W11 -00200**  
 Tax Account # **R324903**

### TRUST DEED

*(Assignment Restricted)*

THIS DEED OF TRUST, made this Eight day of February, 2018, between **Andrew B. Karamanos and Terrie J. Karamanos**, as tenants by the entirety, as GRANTOR; and **First American Title Company of Oregon**, as TRUSTEE, and **Andrew Devin Karamanos**, as BENEFICIARY.

**WITNESSETH:** Grantor irrevocably conveys to Trustee in trust, with power of sale, certain real property in **Multnomah County, Oregon**, described as:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Together with all tenements, hereditaments and appurtenances, including easements, and all other rights thereunto belonging or in any way now or hereafter appertaining, and the rents, issues, and profits thereof, together with all fixtures now or hereafter attached to or used in connection with said real estate.

FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of Grantor herein contained and payment of the sum of **Ten dollars (\$10.00)**, with interest thereon according to the terms of a promissory note of even date herewith, payable to Beneficiary or order, and made by Grantor, the final payment of principal and interest hereof, if not sooner paid, to be due and payable **February 8, 2019**.

In the event the within described property, or any part thereof, or any interest therein is sold, agreed to be sold, conveyed, assigned or alienated by the Grantor without first having obtained the written consent

**Note:** The Trust Deed Act provides that the Trustee hereunder must be either an attorney who is an active member of the Oregon State Bar, a bank, trust company or savings and loan association authorized to do business under the laws of Oregon or the United States, a title insurance company authorized to insure title to real property of the state, its subsidiaries, affiliates, agents or branches, the United States or any agency thereof, or an escrow agent licensed under ORS 896.505 to 896.585.

**\*WARNING:** 12 USC 1701/-S regulates and may prohibit exercise of this option.

300 1457 ST  
 FIRST AMERICAN  
 First American Title Accommodation  
 Recording Assumes No Liability

or approval of the Beneficiary, then, at the Beneficiary's option, all obligations secured by this instrument, irrespective of the maturity dates expressed therein, or herein, shall become immediately due and payable.

**Grantor agrees:**

1. To protect, preserve and maintain the property in good condition and repair; not to remove or demolish any building or improvement therein; not to commit or permit any waste of said property.

2. To complete or restore promptly and in good and workmanlike manner any building or improvement, which may be constructed, damaged or destroyed thereon, and pay when due all costs incurred therefore.

3. To provide and continuously maintain insurance on the buildings now or hereafter erected on the said property against loss or damage by fire and other hazards as the Beneficiary may require, in an amount not less than \$10.00, written by companies acceptable to the Beneficiary, with loss payable to Beneficiary; proof of insurance shall be delivered to the Beneficiary as soon as issued.

4. To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting said property.

5. To keep said premises free from construction liens and to pay all taxes, assessments and other charges that may be levied or assessed upon or against said property before any part of such taxes, assessments and other charges become past due or delinquent and promptly deliver receipt of payment to Beneficiary.

6. Should the Grantor fail to make payment of any taxes, assessments, insurance premiums, liens or other charges payable by Grantor, either by direct payment or by providing Beneficiary with funds with which to make such payment, Beneficiary may, at its option, make payment thereof, and the amount so paid, with interest at the rate set forth in the note secured hereby, together with the obligations of Grantor, described in paragraphs 7 and 8 of this Trust Deed section, shall be added to and become a part of the debt secured by this Trust Deed, without waiver of any rights arising from breach of any of the covenants hereof and for such payments, with interest as aforesaid, the property herein before described, as well as the Grantor, shall be bound to the same extent that they are bound for the payment of the obligation herein described and all such payments shall be immediately due and payable without notice, and the nonpayment thereof shall, at the option of the Beneficiary, render all sums secured by this Trust Deed immediately due and payable and constitute a breach of this Trust Deed.

7. To pay all costs, fees and expenses of this trust including the cost of title search, as well as the other costs and expenses of the Trustee incurred in connection with or in enforcing this obligation together with trustees' and attorneys' fees actually incurred.

8. To appear in and defend any action or proceeding purporting to affect the security rights or powers of Beneficiary or Trustee; and in any suit, action or proceeding in which the Beneficiary or Trustee may appear, including evidence of title and the Beneficiary's or Trustee's attorneys' fees. The amount of attorneys' fees mentioned in this paragraph 7 above in all cases shall be fixed by the trial court and in the event of an appeal from any judgment or decree of the trial court, Grantor further agrees to pay such sum as the appellate court shall adjudge reasonable as the Beneficiary's or Trustee's attorneys' fees on such appeal.

**The parties mutually agree:**

1. In the event that any portion of the property is taken under the right of eminent domain or condemnation, Beneficiary shall have the right, if it so elects, to require that all or any portion of the monies payable as compensation for such taking, which are in excess of the amount required to pay all reasonable costs, expenses and attorneys' fees, both in the trial and appellate courts, necessarily paid or incurred by Beneficiary in such proceedings, be applied upon the indebtedness secured hereby; and



Grantor agrees, at its own expense, to take such actions and execute such instruments as shall be necessary in obtaining such compensation promptly upon Beneficiary's request.

2. Upon any default by Grantor hereunder, Beneficiary may, at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of the property or any part thereof, in its own name, sue or otherwise collect the rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorneys' fees upon any indebtedness secured hereby, in such order as Beneficiary may determine.

3. The entering upon and taking possession of the property, the collection of such rents, issues and profits, or the proceeds of fire and other insurance policies or compensation or awards for any taking or damage of the property, and the application or release thereof as aforesaid, shall not cure or waive any default or notice of default hereunder, or invalidate any act done pursuant to such notice.

4. Upon default by Grantor in payment of any indebtedness secured hereby or in Grantor's performance of any agreement contained hereunder, time being of the essence with respect to such payment and/or performance, the Beneficiary may declare all sums secured hereby immediately due and payable. In such event Beneficiary, at its election, may proceed to foreclose this trust deed by advertisement and sale, or may direct the Trustee to pursue any other right or remedy, either at law or in equity, which the Beneficiary may have. In the event the Beneficiary elects to foreclose by advertisement and sale, the Beneficiary or the Trustee shall execute and cause to be recorded a written notice of default and election to sell the said described real property to satisfy the obligation secured hereby whereupon the Trustee shall fix the time and place of sale, give notice thereof as then required by law and proceed to foreclose this trust deed in the manner provided in ORS 86.752 to 86.809.

5. The Grantor and those persons authorized by ORS 86.778 may cure any default(s) 5 days before the date the Trustee has designated for sale. Any cure of default(s) shall require payment of or tendering performance and the payment of all costs and expenses actually incurred in enforcing the obligations of this Trust Deed, including, but not limited to, trustees' and attorneys' fees as authorized by law.

In the absence of any such cure, the Trustee will enforce the obligations of this Trust Deed in accordance with paragraph 4 herein and as authorized and required by applicable law.

6. When Trustee sells pursuant to the powers provided herein, Trustee shall apply the proceeds of sale to payment of (1) the expenses of sale, including the compensation of the Trustee and a reasonable charge by Trustee's attorney, (2) the obligation secured by the trust deed, (3) to all persons having recorded liens subsequent to the interest of the Trustee in the trust deed as their interest may appear in the order of their priority and (4) the surplus, if any, to the Grantor or to his successor in interest entitled to such surplus.

7. Beneficiary may from time to time appoint a successor or successors to any Trustee named herein or to any successor trustee appointed hereunder. Upon such an appointment, and without conveyance to the successor trustee, the latter shall be vested with all title, powers and duties conferred upon any Trustee herein named or appointed hereunder. Each such appointment and substitution shall be made by written instrument executed by Beneficiary, which, when recorded in the mortgage records of the county or counties in which the property is situated, shall be conclusive proof of proper appointment of the successor trustee.

The Grantor covenants to and agrees with the Beneficiary and the Beneficiary's successors in interest that the Grantor is lawfully seized in fee simple of the real property and has a valid, unencumbered title thereto, except as may be set forth in any addendum or exhibit attached hereto, and that the Grantor will warrant and forever defend the same against all persons whomsoever.

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Salem, OR

This deed applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, personal representatives, successors and assigns. The term Beneficiary shall mean the holder and owner, including pledgee, of the contract secured hereby, whether or not named as a Beneficiary herein. In construing this deed and whenever the context so requires the singular number includes the plural.

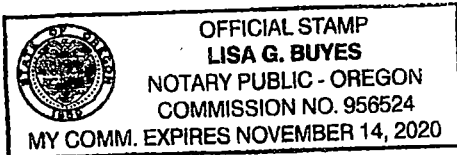
IN WITNESS WHEREOF, the Grantor has hereunto set his hand the day and year first above written.

Andrew B. Karamanos  
Andrew B. Karamanos

Terrie J. Karamanos  
Terrie J. Karamanos

STATE OF Oregon )  
County of Washington )ss.

This instrument was acknowledged before me on this 8 day of February, 2018  
by **Andrew B. Karamanos and Terrie J. Karamanos.**



[Signature]  
Notary Public for Oregon  
My commission expires: 11-14-20

**REQUEST FOR FULL RECONVEYANCE (To be used only when obligations have been paid.)**

TO: **First American Title Company of Oregon, Trustee**

The undersigned is the legal owner and holder of all indebtedness secured by the foregoing trust deed. All sums secured by the trust deed have been fully paid and satisfied. You hereby are directed, on payment to you of any sums owing to you under the terms of the trust deed or pursuant to statute, to cancel all evidences of indebtedness secured by the trust deed (which are delivered to you herewith together with the trust deed) and to reconvey, without warranty, to the parties designated by the terms of the trust deed, the estate now held by you under the same.

Mail Reconveyance to: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: \_\_\_\_\_  
By: \_\_\_\_\_  
By: \_\_\_\_\_  
Beneficiary

**Do not lose or destroy this Deed of Trust OR THE NOTE which it secures.  
Both must be delivered to the Trustee before cancellation before reconveyance is made.**

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**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Multnomah, State of Oregon, described as follows:

**A tract of land in Section 11, Township 2 North, Range 1 West of the Willamette Meridian, in Multnomah County, Oregon, described as follows:**

Beginning at the intersection of the East line of Gillihan Road (County Road No. 1159) with the North line of that certain tract conveyed to Robert A. Morgan and Lucy A. Morgan, husband and wife, by deed recorded April 15, 1948 in Book 1257 page 466, said point being North  $0^{\circ} 29' 15''$  East 1778.63 feet and East from the Southwest corner of the Evan Morgan D.L.C. and in the South line of that certain tract conveyed to Omar C. Spencer and Laura V. Spencer, husband and wife, by deed recorded February 8, 1934 in Book 239 page 160; thence East along the South line of said Spencer tract 1319.2 feet to the Northwest corner of that certain tract of land conveyed to Merchants Exchange by deed recorded April 30, 1956 in Book 1781 page 369; thence South  $7^{\circ} 42'$  West along the West line of said Merchants Exchange 74.9 feet to the Southwest corner thereof, said point being the Northwest corner of that certain tract conveyed to Frank D. Hatcher, Jr. and Betty Lou Hatcher, husband and wife, by deed recorded August 14, 1958 in Book 1912 page 277; thence South  $8^{\circ} 49'$  East along the West line of said Hatcher tract, 240.15 feet to the Southwest corner thereof, said point being the Northwest corner of that certain tract described in the option to Frank D. Hatcher, Jr. and Betty Lou Hatcher husband and wife, recorded August 28, 1958 in Book 1914 page 413, thence South  $8^{\circ} 49'$  East along the West line of the second Hatcher tract 240.15 feet to the Southwest corner thereof, said point being the Northwest corner of that certain tract conveyed to Howell T. Hall and Agnes D. Hall, husband and wife, by deed recorded June 11, 1957 in Book 1847 page 117; thence South  $8^{\circ} 30'$  East along the West line of said Hall tract 206 feet to the Southwest corner thereof, said point being the Northwest corner of that certain tract conveyed to Howell T. Hall and Agnes D. Hall, husband and wife, by deed recorded October 14, 1957, in Book 1866 page 587; thence South  $9^{\circ} 35'$  East along the West line of the second Hall tract 25.10 feet to the Southwest corner thereof, said point being the Southwest corner of a Parcel C described in that certain contract to Andrew J. Swift and Betty K. Swift, recorded October 17, 1957 in Book 1867 page 359; thence South  $9^{\circ} 35'$  East along the West line of said Swift tract 153.46 feet to the Southwest corner thereof, said point being the Northwest corner of that certain tract conveyed to John William Givens and Laura M. Givens, husband and wife, by deed recorded August 4, 1958 in Book 1910 page 444; thence South  $3^{\circ} 20' 30''$  East along the West line of said Givens tract 160.15 feet to the Southwest corner thereof, said point being in the North line of that certain tract conveyed to Tiley L. Hume and Margaret K. Hume, husband and wife, by deed recorded February 18, 1953 in Book 1585 page 24; thence North  $89^{\circ} 30'$  West along the North line of said Hume tract and the North line of that certain tract described in the contract to Margaret Louise Hiatt, recorded July 8, 1954 in Book 312 page 57, to an intersection with the East line of said Gillihan Road; thence Northwesterly along the East line of said Gillihan Road to the point of beginning.

**NOTE:** This legal description was created prior to January 1, 2008.

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# Attachment C

Permit Application Map

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Application for a Groundwater Permit – Sauvie Island Ornamentals LLC

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## **Attachment D**

Authorization Permitting Access

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Application for a Groundwater Permit – Sauvie Island Ornamentals LLC

9/4/2024

To: Sauvie Island Nursery

Julie Holmansen

I understand that you are applying for a water use permit from the Oregon Water Resources Department for nursery use on the thirteen acres you lease from us located at 19820 NW Gillihan Road Portland, Oregon 97231. The location for nursery use on the property would include a portion of the S.W. quarter of Sec 11, Township 2 North, Range 1 West.

As the property owners, we authorize you access to the property and well and to apply for water rights for the nursery operation.

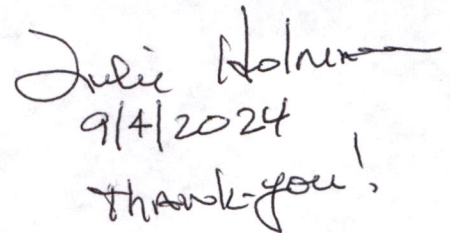
Sincerely,



Andrew Karamanos, 9/4/2024



Terrie Karamanos, 9/4/2024



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## **Attachment E**

Well Log: MULT 32

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Application for a Groundwater Permit – Sauvie Island Ornamentals LLC

STATE OF OREGON  
**WATER WELL REPORT**  
 (as required by ORS 537.765)

*MULT*  
*032*

AUG 15 1990

*2N/1W/11CC*

WATER RESOURCES DEPARTMENT (START CARD) # W-20324

(1) OWNER: Well Number: 19-90  
 Name Sauvie Island Nursery, Inc./Holmason  
 Address 19708 N. W. Gillihan Road  
 City Portland State OR Zip 97231-1509

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

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other

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

(5) BORE HOLE CONSTRUCTION:  
 Special Construction approval Yes  No  Depth of Completed Well 232 ft.  
 Explosives used  Yes  No  Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
12"	0 20	Bentonite	0 20	950#
8"	20 232			

How was seal placed: Method  A  B  C  D  E  
 Other Bentonite  
 Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
 Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8"	+1	226	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 6"	221	227	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 226 feet

(7) PERFORATIONS/SCREENS:  
 Perforations Method \_\_\_\_\_  
 Screens Type Tele Material Stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
227	232	50			8"	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
 Yield gal/min 120 Drawdown 0 Drill stem at \_\_\_\_\_ Time 1 hr.  
 Temperature of water 53° Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done?  Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
 County Multnomah Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 2-N Nor S, Range 1-W E or W, WM.  
 Section 11 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$   
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) \_\_\_\_\_

(10) STATIC WATER LEVEL:  
16 ft. below land surface. Date 7/12/90  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
 Depth at which water was first found 201 feet

From	To	Estimated Flow Rate	SWL
201	226	120	16
226	233	120	16

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
Clay; silty, brown	0	17	
Silt; gray	17	38	
Sand; fine, gray	38	201	
Gravel and sand	201	226	16
Gravel; coarse	226	232	16

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Salem, OR  
 Date started 6/25/90 Completed 7/12/90

(unbonded) Water Well Constructor Certification:  
 I certify that the work I performed on the construction, alteration, abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
 Steinman Bros. Drilling Co. WWC Number 1  
 Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
 Signed Ronald E. McConnell WWC Number 1  
 Date 8/11/90





September 10, 2024

Katie Ratcliffe  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Application for a Permit to Use Groundwater on behalf of Sauvie Island Wholesale Nursery Inc.

Dear Katie,

GSI Water Solutions, Inc. (GSI) is submitting the enclosed application on behalf of Sauvie Island Wholesale Nursery Inc. for a permit to use groundwater. The applicant is requesting a permit to appropriate up to 0.24 cfs from an existing well (MULT 32) for irrigation and agricultural use on 9.4 acres. A check for the application fee of \$2,590.00 is enclosed.

The fee was calculated as follows:

Groundwater Base Fee	\$1,570
Rate fee of \$410 per each CFS or fraction thereof (0.24 cfs)	\$410
Permit Recording Fee	\$610
<b>Total</b>	<b>\$2,590</b>

If you have any questions regarding this application, please contact me at [lcogan@gsiws.com](mailto:lcogan@gsiws.com).

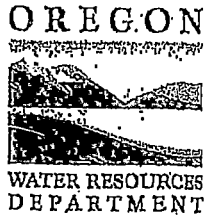
Sincerely,

A handwritten signature in black ink that reads "Leah Cogan".

Leah Cogan  
Water Resources Analyst

Enclosures: Application for a Permit to Use Groundwater and attachments  
Check in the amount of \$2,590

Received by OWRD  
SEP 10 2024  
Salem, OR



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SEP 10 2024  
Salem, OR

Date Received (Date Stamp Here)

**OWRD Over-the-Counter Submission Receipt**

Applicant Name(s) & Address: Sauvie Island Wholesale Nursery  
19708 NW Gillihan Rd, Portland OR 97231

Transaction Type: Groundwater App

Fees Received: \$ 2590.00

Cash       Check;      Check No. 16284

Name(s) on Check: Same as above

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,  
OWRD Customer Service Staff

Submission received by: Conie Lavrien  
(Name of OWRD staff)

**Instructions for OWRD staff:**

- o Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- o Date-stamp all pages. (NOTE: Do not stamp check.)
- o Give this original Submission Receipt to the applicant.
- o Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- o Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

# Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

## Include this checklist with the application

**Check that each of the following items is included.** The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

### Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt. **Attachment A**
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. **Attachment B**
- Fees - Amount enclosed: **\$2,590**  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- Map that includes the following items: **Attachment C**
  - Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference corner on map
  - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
  - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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SEP 10 2024

Salem, OR