

Application No. **G- 18849**

FEEES PAID

Date	Amount	Receipt No.
8-1-19	2,560.00	130431
	Cert. Fee	

Name G-18849
 By Zorn Farms, INC.
 Address 22133 French Prairie RD, NE
St. Paul, OR 97137

Permit No. _____
 Certificate No. _____

Date _____
DENIED _____
MISFILED _____
WITHDRAWN _____
CANCELLED _____

Volume | Page

FEEES REFUNDED

Date	Amount	Receipt No.

Priority 8-1-19
 County MARI WM# 16

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT

Date

Completion _____
 Extended to _____

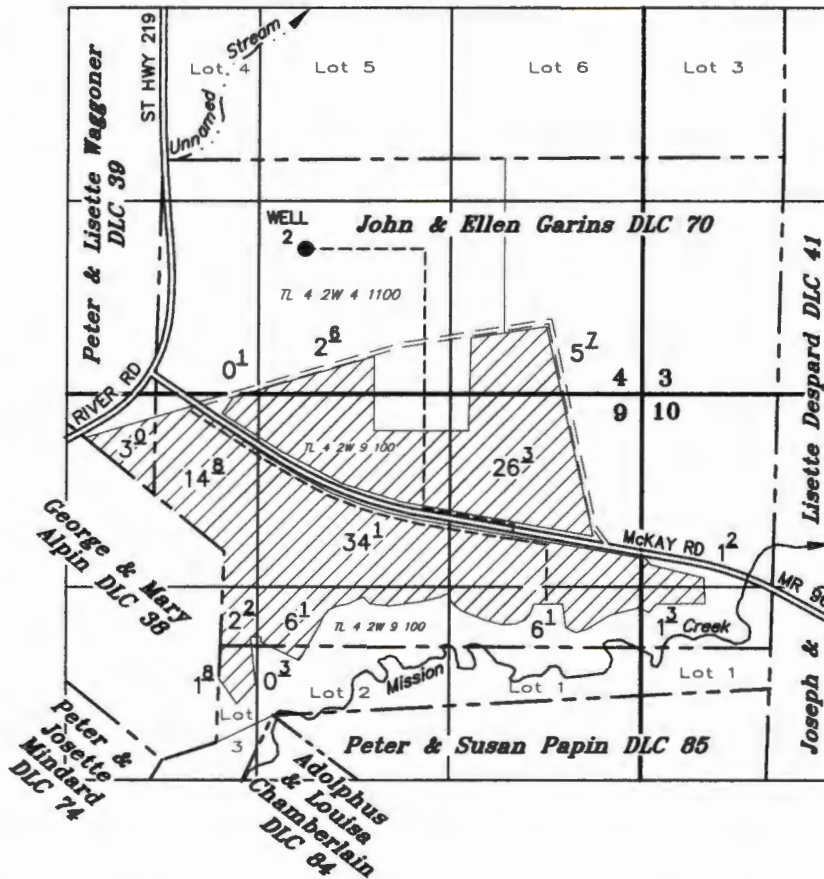
 Final Proof received _____
 Proposed Cert. Mailed _____

REMARKS

MAP LOCATION

T4S R2W, WM

MARION COUNTY



TAX LOTS:
 4 2W 04 1100
 4 2W 09 100

Pipe Line - - - - -

WELL No. 2 (MARI 51725): 605' SOUTH & 985' EAST OF THE NW CORNER OF THE JOHN & ELLEN GARINS DLC No. 70

APPLICATION FOR A PERMIT TO USE GROUNDWATER UNDER

Application No. _____

Permit No. _____

RECEIVED

AUG 01 2019

OWRD

Zorn Farms, Inc.

July 18, 2019

SCALE: 1" = 1320'



NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.

Renewal Date: December 31, 2017

G-18849

STANDARD APPLICATION CHECKLIST

PFO	FO

Application #: G-18849	Applicant: Zorn Farms INC	
Basin # 2	Priority Date: August 1, 2019	WM#: 16

INITIAL REVIEW

PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	ORS 538 prohibits use? <input type="checkbox"/> No <input type="checkbox"/> Yes (stop processing and return app and fees)
<input type="checkbox"/>	<input type="checkbox"/>	Requested Use/Rate/Season: 1R / 1.33 cfs ± 109.8 ac / 3-1-10-31 596 gpm = 1.33 cfs
<input type="checkbox"/>	<input type="checkbox"/>	Allowed Use/Rate/Season: May-Oct (2104.5 AF)
<input type="checkbox"/>	<input type="checkbox"/>	Limit: JFMAMJJASOND Duty: 30"
<input type="checkbox"/>	<input type="checkbox"/>	Limit: Jun-Oct 80% Duty:

Use

PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	Use is <input type="checkbox"/> Allowed <input type="checkbox"/> Not Allowed <input type="checkbox"/> Limited
<input type="checkbox"/>	<input type="checkbox"/>	Per <input type="checkbox"/> Compact <input type="checkbox"/> OAR:
<input type="checkbox"/>	<input type="checkbox"/>	POU Conflict? <input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	Supplemental? <input type="checkbox"/> NA <input type="checkbox"/> No <input type="checkbox"/> Yes, Limits
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conservation Methods? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes

Land Use

PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Allowed Outright <input type="checkbox"/> Not Allowed <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued <input type="checkbox"/> Decision Obtained
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Receipt Only <input type="checkbox"/> NA

Groundwater

PR	CW	<input type="checkbox"/> NA
<input type="checkbox"/>	<input type="checkbox"/>	GW Rev: <input type="checkbox"/> will likely be available <input checked="" type="checkbox"/> will likely not be available <input type="checkbox"/> will, if properly conditioned
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> No PSI <input checked="" type="checkbox"/> well Has PSI with Mission Creek
<input type="checkbox"/>	<input type="checkbox"/>	PSI caused from <input type="checkbox"/> 1/4 mile <input type="checkbox"/> > 5 CFS <input type="checkbox"/> Instream Q <input checked="" type="checkbox"/> > 1% of 80% <input type="checkbox"/> Interference > 25%
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reduce rate to avoid PSI
<input type="checkbox"/>	<input type="checkbox"/>	GW Conditions: 7n, Lrg, BZc
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Well construction meets minimum standards? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (deny) <input type="checkbox"/> NA (proposed well)

Well Name(s)

Well 2 (MAR 51725/L2410)

Print SWA @ 80%
 spec. memo
 ↙

Notes:

Surface Water Availability

PR	CW	<input type="checkbox"/> NA
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 80% <input type="checkbox"/> 50% Available: NOV- MAY WID: 30200707
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoeg Cr (including Mission Cr and Case Cr)

*

Reservoir Information

PR	CW	<input checked="" type="checkbox"/> NA			
<input type="checkbox"/>	<input type="checkbox"/>	Reservoir Name:			
<input type="checkbox"/>	<input type="checkbox"/>	Use(s) of stored water:			
<input type="checkbox"/>	<input type="checkbox"/>	Statutory?	<input type="checkbox"/> No	<input type="checkbox"/> Yes – Plans/Specs required – include DAMENG and DAMSTD in conditions	

Scenic Waterway

PR	CW					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is POD within/above a SWW?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Above	<input type="checkbox"/> Within	Name:
<input type="checkbox"/>	<input type="checkbox"/>	If GW, is there P of E?	<input type="checkbox"/> NA	<input type="checkbox"/> No	<input type="checkbox"/> Yes	If interference, check and print WARS tables
<input type="checkbox"/>	<input type="checkbox"/>	If GW, Add condition <input type="checkbox"/> 7J	<input type="checkbox"/> NA	MUST ADD 7J CONDITION IF WITHIN OR ABOVE A SWW		

Division 33

PR	CW				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subject to Division 33?	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
		<input type="checkbox"/> UPPER COLUMBIA OAR 690-033-0120 (DIV331) (not allowed 4/15 - 9/30)	<input type="checkbox"/> UPPER COLUMBIA AND STATEWIDE (DIV334) (not allowed 4/15 - 9/30)		
		<input type="checkbox"/> LOWER COLUMBIA OAR 690-033-0220 (DIV332)	<input checked="" type="checkbox"/> LOWER COLUMBIA AND STATEWIDE (DIV335)		
		<input type="checkbox"/> STATEWIDE ONLY OAR 690-033-0330 (DIV333)			

Measurement, Recording, and Reporting Conditions

PR	CW				
<input type="checkbox"/>	<input type="checkbox"/>	Small < 0.1 CFS, < 9.2 AF			
<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF			
<input type="checkbox"/>	<input type="checkbox"/>	Large > 0.25 CFS, > 100 AF			
		<ul style="list-style-type: none"> • use at least Medium for: Siltcoos Lake, stored water contract, and Sandy Basin GW. • use Large for: Tenmile Lake, NU or other temp control, and gov. entities, HC exceptions; and if GW in South Salem Hills, or 10+ acres in Stage Gulch CGWA; Large-7g, Large-7i for 7g/7i. 			

Other Information

PR	CW								
<input type="checkbox"/>	<input type="checkbox"/>	Is App within a District boundary?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	cc:				
<input type="checkbox"/>	<input type="checkbox"/>	Municipal Use?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> If yes, change construction finding to 20 years				
<input type="checkbox"/>	<input type="checkbox"/>	Form M reviewed	<input type="checkbox"/> NA	<input type="checkbox"/> Yes	Recommendations:				
<input type="checkbox"/>	<input type="checkbox"/>	Storage Contract	<input type="checkbox"/> NA	<input type="checkbox"/> BOR	<input type="checkbox"/> Doug Co	<input type="checkbox"/> CORP	<input type="checkbox"/> Needed	<input type="checkbox"/> Obtained	#
<input type="checkbox"/>	<input type="checkbox"/>	POD is within North Umpqua or Tenmile Lake for DO and spreadsheet was updated			<input type="checkbox"/> NA	<input type="checkbox"/> Yes			
<input type="checkbox"/>	<input type="checkbox"/>	Forms included	<input type="checkbox"/> NA	<input type="checkbox"/> HC Exception (receipts/well logs attached)	<input type="checkbox"/> Spring Description	<input type="checkbox"/> Form M			
<input type="checkbox"/>	<input type="checkbox"/>	App/Map meet minimum requirements		<input type="checkbox"/> Yes	<input type="checkbox"/> No	Missing?			
<input type="checkbox"/>	<input type="checkbox"/>	Letter format	<input type="checkbox"/> Good	<input type="checkbox"/> Bad	<input type="checkbox"/> Limited				
<input type="checkbox"/>	<input type="checkbox"/>	Scanned images exist for application and map							
<input type="checkbox"/>	<input type="checkbox"/>								

IR Signatures

Caseworker: Elisabeth A. Graham	Date:
Peer Reviewer signature:	Date

Application #: G-18849

Applicant: Zorn Farms INC

PROPOSED FINAL ORDER

PR	CW						
<input type="checkbox"/>	<input type="checkbox"/>	IR Date:	Noticed On:			Comment Deadline:	
<input type="checkbox"/>	<input type="checkbox"/>	Elec/Written comments?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	Add commenter to mailing list – if over 25 – newspaper notice		
<input type="checkbox"/>	<input type="checkbox"/>	Comment Evaluation:	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> NA		
<input type="checkbox"/>	<input type="checkbox"/>	IR Requested add'l info?	<input type="checkbox"/> No	<input type="checkbox"/> Yes			
<input type="checkbox"/>	<input type="checkbox"/>	Add'l info received?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	Date Rec'd:		
<input type="checkbox"/>	<input type="checkbox"/>	Changes from IR determinations:					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Surface Water	Will the use impair or be detrimental to the public interest?			<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If yes, why?	<input type="checkbox"/> Not allowed in basin program	<input type="checkbox"/> Water is not available	<input type="checkbox"/> Use will injure other rights	<input type="checkbox"/> Does not comply with other rules of the Commission	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Groundwater	Will the use ensue preservation of public welfare, safety and health?			<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If no, why?	<input type="checkbox"/> Not allowed in basin program	<input type="checkbox"/> Water is not available	<input type="checkbox"/> Use will injure other rights	<input type="checkbox"/> Does not comply with other rules of the Commission	
<input type="checkbox"/>	<input type="checkbox"/>	Is the presumption established?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	If no, is it overcome?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	Req'd before permit	<input type="checkbox"/> NA	<input type="checkbox"/> recording fee	<input type="checkbox"/> LU	<input type="checkbox"/> easement	<input type="checkbox"/> plans/specs <input type="checkbox"/> storage contract

Summary of Conditions

PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	Small < 0.1 CFS, < 9.2 AF
<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF
<input type="checkbox"/>	<input type="checkbox"/>	Large > 0.25 CFS, > 100 AF
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA GW Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA ODFW Division 33 Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA DEQ Division 33 Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA WM Division 33 Conditions:

PFO Signatures

Caseworker: Elisabeth A. Graham	Date:
Peer Reviewer signature:	Date:

Application #: G-18849

Applicant: Zorn Farms INC

FINAL ORDER

<input type="checkbox"/>	<input type="checkbox"/>	PFO Date:	Protest Period Ended:	
<input type="checkbox"/>	<input type="checkbox"/>	Name and/or address changed or assignment received?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	PFO requires modification?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If so,		
<input type="checkbox"/>	<input type="checkbox"/>	If PFO requires modification, include modified Hearing Rights	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	Was a standing paid for?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> FO w/ Permit	<input type="checkbox"/> FO w/Draft Permit; still need	<input type="checkbox"/> FO to deny:
		Permit #	<input type="checkbox"/> Recording Fees	<input type="checkbox"/> Land Use Approval
			<input type="checkbox"/> Easement	<input type="checkbox"/> Approved Dam Plans/Specs
			<input type="checkbox"/> Storage Contract	Refund \$

FO Signatures

Caseworker: Elisabeth A. Graham

Date:

Peer Reviewer signature:

Date

PERMIT ISSUED AFTER FO

<input type="checkbox"/>	<input type="checkbox"/>	Permit #
<input type="checkbox"/>	<input type="checkbox"/>	Received required information
		Date:
		<input type="checkbox"/> Recording Fees
		<input type="checkbox"/> Easement
		<input type="checkbox"/> Storage Contract
		<input type="checkbox"/> Land Use Approval
		<input type="checkbox"/> Approved Dam Plans/Specs
<input type="checkbox"/>	<input type="checkbox"/>	Prepared cover letter?

Permit Signatures

Caseworker: Elisabeth A. Graham

Date:

Peer Reviewer signature:

Date

Fees

PR	CW				
<input type="checkbox"/>	<input type="checkbox"/>	CFS	Base		
		AF	Up to 1 CFS \$350		
			Add'l CFS @ \$350/CFS		
			Up to 20 AF @ \$35/AF		
			Add'l AF @ \$1.20/AF		
		Well(s)/POD(s)	Add'l POD/POA \$350 ea		
		Use(s)	Add'l Use \$350 ea		
			Exam Fee Req'd		Rec Fee Req'd
			Exam Fee Paid		Rec Fee Paid
			Still Owed/Refund		Pay before Permit

Mailing List

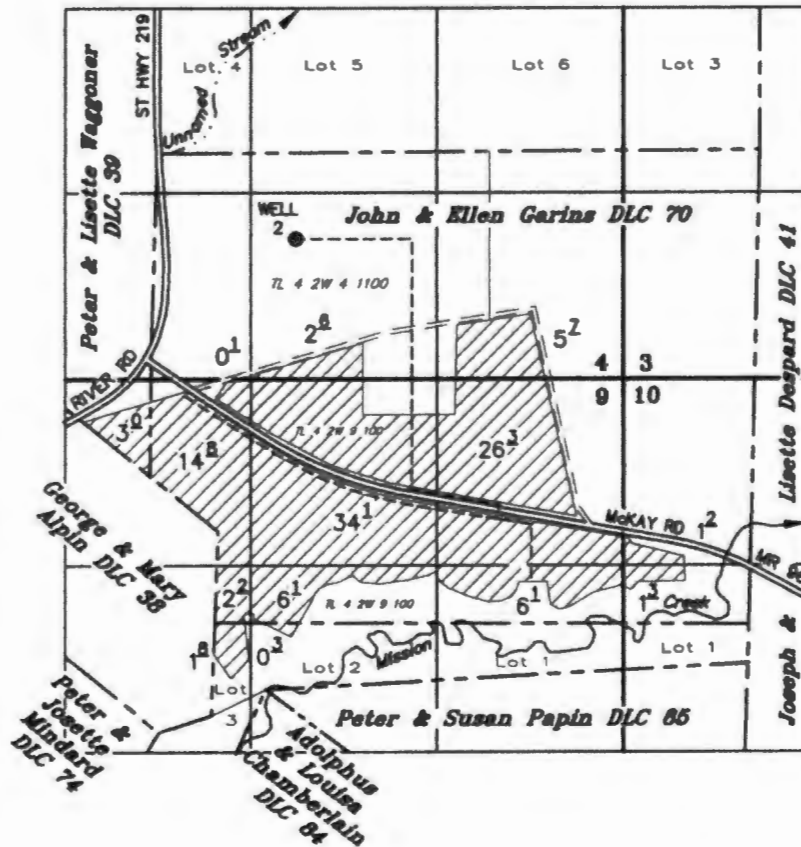
PR	CW				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Applicant -			
		<input checked="" type="checkbox"/> Authorized Agent -	jeanne@boatwrightengr.com		
		<input checked="" type="checkbox"/> Watermaster #16			
		<input type="checkbox"/> SW Section (if SW, GW with PSI, or SWW. If SWW, include copy of yellow sheet)			
		<input checked="" type="checkbox"/> ALO	Bruce W. Ernst Living Trust, Bruce W. Ernst, Trustee		
		<input checked="" type="checkbox"/> Address	4406 NE Birdhaven Loop ; Newberg OR 97128		
		<input type="checkbox"/> CWRE	bruce@ernstnursery.com		
		<input type="checkbox"/> District – if POU is within a District - Notification at IR only			
		<input type="checkbox"/> Division 33 – If Lower and/or Statewide – ODFW and DEQ only. If Upper – use DIV33MAIL autotext			
		<input type="checkbox"/> DSL (if reservoir)			
		<input type="checkbox"/> Any appropriate local government			
		<input type="checkbox"/> Commenter(s)			
		<input type="checkbox"/> Kerri Cope if WMCP required (FO ONLY)			
		<input type="checkbox"/> Ann Reece if applicant is an Irrigation District (FO ONLY)			

Notes:

Temp T-12435

T4S R2W, WM

MARION COUNTY



TAX LOTS:
4 2W 04 1100
4 2W 09 100

Pipe Line - - - - -

WELL No. 2 (MARI 51725): 605' SOUTH & 985' EAST OF THE NW CORNER OF THE JOHN & ELLEN GARINS DLC No. 70

APPLICATION FOR A PERMIT TO USE GROUNDWATER UNDER

Application No. _____

Permit No. _____

RECEIVED

AUG 01 2019

OWRD

Zorn Farms, Inc.

July 18, 2019

SCALE: 1" = 1320'



NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.

Renewal Date: December 31, 2017

G-18849

STANDARD APPLICATION CHECKLIST

PFO	FO

Application #: G-18849	Applicant: Zorn Farms INC		
Basin # 2	Priority Date: August 1, 2019	WM#: 16	

INITIAL REVIEW			
PR	CW		
<input type="checkbox"/>	<input type="checkbox"/>	ORS 538 prohibits use? <input type="checkbox"/> No <input type="checkbox"/> Yes (stop processing and return app and fees)	
<input type="checkbox"/>	<input type="checkbox"/>	Requested Use/Rate/Season: _____	
		Limit: _____	Duty: _____
<input type="checkbox"/>	<input type="checkbox"/>	Allowed Use/Rate/Season: _____	
		Limit: _____	Duty: _____

Use			
PR	CW		
<input type="checkbox"/>	<input type="checkbox"/>	Use is <input type="checkbox"/> Allowed <input type="checkbox"/> Not Allowed <input type="checkbox"/> Limited	
<input type="checkbox"/>	<input type="checkbox"/>	Per <input type="checkbox"/> Compact <input type="checkbox"/> OAR:	
<input type="checkbox"/>	<input type="checkbox"/>	POU Conflict? <input type="checkbox"/> No <input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	Supplemental? <input type="checkbox"/> NA <input type="checkbox"/> No <input type="checkbox"/> Yes, Limits	
<input type="checkbox"/>	<input type="checkbox"/>	Conservation Methods? <input type="checkbox"/> No <input type="checkbox"/> Yes	

Land Use			
PR	CW		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Allowed Outright <input type="checkbox"/> Not Allowed <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued <input type="checkbox"/> Decision Obtained	
		<input type="checkbox"/> Receipt Only <input type="checkbox"/> NA	

Groundwater			
PR	CW	<input type="checkbox"/> NA	
<input type="checkbox"/>	<input type="checkbox"/>	GW Rev: <input type="checkbox"/> will likely be available <input checked="" type="checkbox"/> will likely not be available <input type="checkbox"/> will, if properly conditioned	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> No PSI <input checked="" type="checkbox"/> well	Has PSI with <u>Mission Creek</u>
<input type="checkbox"/>	<input type="checkbox"/>	PSI caused from <input type="checkbox"/> 1/4 mile <input type="checkbox"/> > 5 CFS <input type="checkbox"/> Instream Q <input checked="" type="checkbox"/> > 1% of 80% <input type="checkbox"/> Interference > 25%	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Reduce rate to avoid PSI	
<input type="checkbox"/>	<input type="checkbox"/>	GW Conditions: <u>7n,</u>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Well construction meets minimum standards? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (deny) <input type="checkbox"/> NA (proposed well)	

Well Name(s)	

Notes: _____

Surface Water Availability			
PR	CW	<input type="checkbox"/> NA	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 80% <input type="checkbox"/> 50% Available: _____	WID: _____
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or <u>Champoeg Cr</u> (including Mission Cr and Case Cr)	

Print SWA @ 80%
spec. memo
←

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PFO	FO

Application #: G-18849	Applicant: Zorn Farms INC		
Basin # 2	Priority Date: August 1, 2019	WM#: 16	

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<input type="checkbox"/>	<input type="checkbox"/>	Requested Use/Rate/Season:	
		Limit:	Duty:
<input type="checkbox"/>	<input type="checkbox"/>	Allowed Use/Rate/Season:	
		Limit:	Duty:

Use			
PR	CW		
<input type="checkbox"/>	<input type="checkbox"/>	Use is	<input type="checkbox"/> Allowed <input type="checkbox"/> Not Allowed <input type="checkbox"/> Limited
<input type="checkbox"/>	<input type="checkbox"/>	Per	<input type="checkbox"/> Compact <input type="checkbox"/> OAR:
<input type="checkbox"/>	<input type="checkbox"/>	POU Conflict?	<input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	Supplemental?	<input type="checkbox"/> NA <input type="checkbox"/> No <input type="checkbox"/> Yes, Limits
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Land Use			
PR	CW		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Allowed Outright	<input type="checkbox"/> Not Allowed <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued <input type="checkbox"/> Decision Obtained
		<input type="checkbox"/> Receipt Only	<input type="checkbox"/> NA

Groundwater			
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Well Name(s)	

Notes:

Surface Water Availability			
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*

Reservoir Information

PR	CW	<input checked="" type="checkbox"/> NA			
<input type="checkbox"/>	<input type="checkbox"/>	Reservoir Name:			
<input type="checkbox"/>	<input type="checkbox"/>	Use(s) of stored water:			
<input type="checkbox"/>	<input type="checkbox"/>	Statutory?	<input type="checkbox"/> No	<input type="checkbox"/> Yes – Plans/Specs required – include DAMENG and DAMSTD in conditions	

Scenic Waterway

PR	CW					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is POD within/above a SWW?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Above	<input type="checkbox"/> Within	Name:
<input type="checkbox"/>	<input type="checkbox"/>	If GW, is there P of E?	<input type="checkbox"/> NA	<input type="checkbox"/> No	<input type="checkbox"/> Yes	If interference, check and print WARS tables
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Division 33

PR	CW				
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		<input type="checkbox"/> LOWER COLUMBIA OAR 690-033-0220 (DIV332)	<input checked="" type="checkbox"/> LOWER COLUMBIA AND STATEWIDE DIV335		
		<input type="checkbox"/> STATEWIDE ONLY OAR 690-033-0330 (DIV333)			

Measurement, Recording, and Reporting Conditions

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<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF			
<input type="checkbox"/>	<input type="checkbox"/>	Large > 0.25 CFS, > 100 AF			
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Other Information

PR	CW								
<input type="checkbox"/>	<input type="checkbox"/>	Is App within a District boundary?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	cc:				
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<input type="checkbox"/>	<input type="checkbox"/>	Storage Contract	<input type="checkbox"/> NA	<input type="checkbox"/> BOR	<input type="checkbox"/> Doug Co	<input type="checkbox"/> CORP	<input type="checkbox"/> Needed	<input type="checkbox"/> Obtained	#
<input type="checkbox"/>	<input type="checkbox"/>	POD is within North Umpqua or Tenmile Lake for DO and spreadsheet was updated				<input type="checkbox"/> NA	<input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	Forms included	<input type="checkbox"/> NA	<input type="checkbox"/> HC Exception (receipts/well logs attached)		<input type="checkbox"/> Spring Description	<input type="checkbox"/> Form M		
<input type="checkbox"/>	<input type="checkbox"/>	App/Map meet minimum requirements		<input type="checkbox"/> Yes	<input type="checkbox"/> No	Missing?			
<input type="checkbox"/>	<input type="checkbox"/>	Letter format	<input type="checkbox"/> Good	<input type="checkbox"/> Bad	<input type="checkbox"/> Limited				
<input type="checkbox"/>	<input type="checkbox"/>	Scanned images exist for application and map							
<input type="checkbox"/>	<input type="checkbox"/>								

IR Signatures

Caseworker: Elisabeth A. Graham	Date:
Peer Reviewer signature:	Date

PROPOSED FINAL ORDER

PR	CW			
<input type="checkbox"/>	<input type="checkbox"/>	IR Date:	Noticed On:	Comment Deadline:
<input type="checkbox"/>	<input type="checkbox"/>	Elec/Written comments?	<input type="checkbox"/> No <input type="checkbox"/> Yes	Add commenter to mailing list – if over 25 – newspaper notice
<input type="checkbox"/>	<input type="checkbox"/>	Comment Evaluation:	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> NA
<input type="checkbox"/>	<input type="checkbox"/>	IR Requested add'l info?	<input type="checkbox"/> No <input type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	Add'l info received?	<input type="checkbox"/> No <input type="checkbox"/> Yes	Date Rec'd:
<input type="checkbox"/>	<input type="checkbox"/>	Changes from IR determinations:		
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Surface Water	Will the use impair or be detrimental to the public interest?	<input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If yes, why?	<input type="checkbox"/> Not allowed in basin program <input type="checkbox"/> Water is not available <input type="checkbox"/> Use will injure other rights	<input type="checkbox"/> Does not comply with other rules of the Commission
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Groundwater	Will the use ensue preservation of public welfare, safety and health?	<input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If no, why?	<input type="checkbox"/> Not allowed in basin program <input type="checkbox"/> Water is not available <input type="checkbox"/> Use will injure other rights	<input type="checkbox"/> Does not comply with other rules of the Commission
<input type="checkbox"/>	<input type="checkbox"/>	Is the presumption established?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If no, is it overcome? <input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	Req'd before permit	<input type="checkbox"/> NA <input type="checkbox"/> recording fee	<input type="checkbox"/> LU <input type="checkbox"/> easement <input type="checkbox"/> plans/specs <input type="checkbox"/> storage contract

		Summary of Conditions
PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	Small < 0.1 CFS, < 9.2 AF
<input type="checkbox"/>	<input type="checkbox"/>	Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF
<input type="checkbox"/>	<input type="checkbox"/>	Large > 0.25 CFS, > 100 AF
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA GW Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA ODFW Division 33 Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA DEQ Division 33 Conditions:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> NA WM Division 33 Conditions:

PFO Signatures	
Caseworker: Elisabeth A. Graham	Date:
Peer Reviewer signature:	Date

Application #: G-18849

Applicant: Zorn Farms INC

FINAL ORDER

PR	CW			
<input type="checkbox"/>	<input type="checkbox"/>	PFO Date:	Protest Period Ended:	
<input type="checkbox"/>	<input type="checkbox"/>	Name and/or address changed or assignment received?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	PFO requires modification?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	If so,		
<input type="checkbox"/>	<input type="checkbox"/>	If PFO requires modification, include modified Hearing Rights	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	Was a standing paid for?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> FO w/ Permit	<input type="checkbox"/> FO w/Draft Permit; still need	<input type="checkbox"/> FO to deny:
		Permit #	<input type="checkbox"/> Recording Fees	<input type="checkbox"/> Land Use Approval
			<input type="checkbox"/> Easement	<input type="checkbox"/> Approved Dam Plans/Specs
			<input type="checkbox"/> Storage Contract	Refund \$

FO Signatures

Caseworker: Elisabeth A. Graham	Date:
Peer Reviewer signature:	Date

PERMIT ISSUED AFTER FO

PR	CW		
<input type="checkbox"/>	<input type="checkbox"/>	Permit #	
<input type="checkbox"/>	<input type="checkbox"/>	Received required information	Date:
		<input type="checkbox"/> Recording Fees	
		<input type="checkbox"/> Easement	
		<input type="checkbox"/> Storage Contract	
		<input type="checkbox"/> Land Use Approval	
		<input type="checkbox"/> Approved Dam Plans/Specs	
<input type="checkbox"/>	<input type="checkbox"/>	Prepared cover letter?	

Permit Signatures

Caseworker: Elisabeth A. Graham	Date:
Peer Reviewer signature:	Date

Fees

PR	CW					
<input type="checkbox"/>	<input type="checkbox"/>		CFS	Base		
			AF	Up to 1 CFS \$350		
				Add'l CFS @ \$350/CFS		
				Up to 20 AF @ \$35/AF		
				Add'l AF @ \$1.20/AF		
			Well(s)/POD(s)	Add'l POD/POA \$350 ea		
			Use(s)	Add'l Use \$350 ea		
				Exam Fee Req'd		Rec Fee Req'd
				Exam Fee Paid		Rec Fee Paid
				Still Owed/Refund		Pay before Permit

Mailing List

PR	CW				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Applicant -		
		<input type="checkbox"/>	Authorized Agent - jeanne@boatwrightengr.com		
		<input type="checkbox"/>	Watermaster #16		
		<input type="checkbox"/>	SW Section (if SW, GW with PSI, or SWW. If SWW, include copy of yellow sheet)		
		<input type="checkbox"/>	.ALO		
		<input type="checkbox"/>	.ALO		
		<input type="checkbox"/>	CWRE		
		<input type="checkbox"/>	District – if POU is within a District - Notification at IR only		
		<input type="checkbox"/>	Division 33 – If Lower and/or Statewide – ODFW and DEQ only. If Upper – use DIV33MAIL autotext		
		<input type="checkbox"/>	DSL (if reservoir)		
		<input type="checkbox"/>	Any appropriate local government		
		<input type="checkbox"/>	Commenter(s)		
		<input type="checkbox"/>	Kerri Cope if WMCP required (FO ONLY)		
		<input type="checkbox"/>	Ann Reece if applicant is an Irrigation District (FO ONLY)		

Notes:



Point of Diversion Characteristics

Right:	App: G 18849 *
Name:	BOATWRIGHT ENGINEERING INC. JEANNE BOATWRIGHT

TRSQQ: 04.00S-02.00W-04-SWSE

County: Marion

Basin: Willamette

WM District: 16

WM Region: NW

Withdrawn Area:

WAB: WILLAMETTE R > COLUMBIA R - AB MOLALLA R (182)

Priority WAB: WILLAMETTE R ab MOLALLA R (OWRD: Poor, ODFW: Poor) (182)

Rule 4D: Rules apply

Groundwater Restricted Area:

Scenic Water Way:

Division 33: Lower Columbia, Statewide

Water Quality Limited:



Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App: G 18849 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
CERT:34191 OR *	MICHAEL E HOPFER	G-2842	G-2649	34191	4/30/1964	NC	IR	04.00S-02.00W-04-SES		70		15.400
								04.00S-02.00W-04-SWSE		70		32.100
								04.00S-02.00W-04-SESE		70		6.0000
								04.00S-02.00W-09-NWNE		70		2.9000
INCHDATE: T 13031 CF (REG) *	THE BUCK FAMILY TRUST	G-3406	G-3195		3/3/1966	NC	IR	04.00S-02.00W-09-SWNE		85		4.8000
								04.00S-02.00W-09-SENE		85		1.7000
CERT:38363 OR *	AMIEL DESMET	G-3485	G-3285	38363	5/9/1966	NC	IR	04.00S-02.00W-09-NENE		70		3.7000
								04.00S-02.00W-04-SESE		70		13.900
								04.00S-02.00W-10-NWNW		70		13.000
CERT:40448 OR *	PETER J NIK	G-4623	G-4348	40448	10/3/1968	NC	IR	04.00S-02.00W-09-SENE		74		4.0000
CERT:42424 OR *	ZORN FARMS INC.	G-4987	G-4705	42424	9/11/1969	NC	IR	04.00S-02.00W-10-SWNW		1		0.1000
								04.00S-02.00W-10-SWNW		85		0.8000
								04.00S-02.00W-10-SWNW		41		4.4000
								04.00S-02.00W-10-NWNW		41		6.2000
								04.00S-02.00W-10-NWNW		41		1.3000
PERMIT: G 11689 *	THE DAIRY FARM LP	G-12180	G-11689		7/17/1990	NC	IR	04.00S-02.00W-09-NENW				6.2000
								04.00S-02.00W-04-SES				21.300
CERT:90946 OR *	BLUE SKY FARMS	G-14884	G-13763	90946	12/17/1998	NC	NU	04.00S-02.00W-09-SENE		85		1.7000
								04.00S-02.00W-09-SWNE		85		4.8000
PERMIT: G 18143 *	BRUCE ERNST	G-16246	G-18143		5/12/2004	NC	NU	04.00S-02.00W-09-NENE		70		0.2000
								04.00S-02.00W-09-NWNE		70		2.9000
								04.00S-02.00W-04-SESE		70		6.0000
								04.00S-02.00W-04-SWSE		70		32.100
								04.00S-02.00W-04-SES		70		15.400
CERT:17012 OR *	F WILCOX	R-20874	R-820	17012	5/25/1945	NC	ST	04.00S-02.00W-10-NWNW		41		
CERT:67535 OR *	COUNTY OF MARION; DEPARTMENT OF PUBLIC WORKS	R-69447	R-10903	67535	11/3/1987	NC	WI	04.00S-02.00W-09-SWNE		70		
								04.00S-02.00W-09-SWNE				2
								04.00S-02.00W-10-SWNW		70		
								04.00S-02.00W-09-SENE		70		
								04.00S-02.00W-09-SENE				1
CERT:17011 OR *	F WILCOX	S-20873	S-16463	17011	5/25/1945	NC	IR	04.00S-02.00W-10-SWNW		41		6.8000
								04.00S-02.00W-10-NWNW		41		1.3000
CERT:34631 OR *	VERNE V BROWN	S-37116	S-27623	34631	10/3/1961	NC	IR	04.00S-02.00W-09-SENE		4		1.8000
CERT:35384 OR *	MILDRED MAE ANDERSON	S-38907	S-29087	35384	11/27/1963	NC	LV	04.00S-02.00W-09-SENE		38		
CERT:67536 OR *	COUNTY OF MARION; DEPARTMENT OF PUBLIC WORKS	S-69448	S-50239	67536	11/3/1987	NC	PM	04.00S-02.00W-10-SWNW		70		
								04.00S-02.00W-10-SWNW				1
								04.00S-02.00W-09-SWNE				2
								04.00S-02.00W-09-SWNE		70		
								04.00S-02.00W-09-SENE				1
04.00S-02.00W-09-SENE		70										

E-2

Standard Application Completeness Checklist

Yes No

For use with Groundwater and Surface Water Applications Only

Minimum Requirements (OAR 690-310-0040) (ORS 537.400)

For use by WRD staff only

Application G-18849 County Marron Priority Date 8-1-2019

Township 4S Range 2W Section 4, 9, 10

Amount 1,326 cfs Use Irrigation 105.8 AC WM Dist. # 16

Applicant Name Zom Farms, INC.

Receipt No. 130431 Caseworker Assigned: Barbe Kim Lisa Scott

Applicant/Organization Name and Mailing Address

Signature of all applicants (include title or authority of representative if applicant is an organization or corporation). *Applicant's agent may NOT sign application.

Property Ownership: Does the applicant own all the land for the proposed project? Y N

If No:

The affected landowner's name(s) and mailing address(s) must be listed

A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

~~N/A~~ For a SW Application: Source of water must be indicated.

~~N/A~~ If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)
NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application, Exp. Secondary (E2)(ORS 537.147).

~~N/A~~ If for stored water not under contract, is the source authorized under a permit, certificate, or decree?
Permit or Certificate issued Y N Permit or Certificate # _____

For a GW Application: Well Development Tables completed and/or a well log report included (if existing)

Division 33, Public Interest Information (Sensitive, Threatened, Endangered, Fish Species)

Proposed Water Use

Amount of water from each source in GPM, CFS, or AF

Period of use indicated

~~N/A~~ If for supplemental irrigation, primary acreage or underlying permit or certificate number listed (Primary and Supplemental Irrigation counts as 2 uses)

Water Management Section (Estimates if the water system has not been designed)

Resource Protection Section

Project schedule (If system is already completed, indicate "existing.")

- Supplemental data sheets enclosed (if needed)
 - Form M (Municipal or Quasi-Municipal)
 - Spring Description Sheet (if source is a spring)

A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*

A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.

The proposed source **IS / IS NOT** (circle one) restricted or withdrawn from further appropriation. *NOTE: If it is withdrawn under ORS 538, return application and fees.*

The **map** must meet all the minimum requirements of OAR 690-310-0050.

- Township, Range, Section
- Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
- Place of use, ¼-¼'s and tax lot clearly identified
- Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
- Location of *each* diversion point or well by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
- Reference corner on map
- North Directional Symbol
- Number of acres per ¼ ¼ if for irrigation, nursery, or agriculture

Fees: Print out from Fee Calculator

Total Fees	\$ 2,560. ⁰⁰
Fee Paid	\$ 2,560. ⁰⁰
Amount Due	\$ x

Reviewed by: Cory Middleton Date: 8/2/2019
Judy Ferrell 08/2/2019
Mary Bjor E 8.5.19

Groundwater Application Review Summary Form

Application # G- 18849

GW Reviewer Travis Brown

Date Review Completed: 8/16/2019

Summary of GW Availability and Injury Review:

Groundwater for the proposed use is either over appropriated, will not likely be available in the amounts requested without injury to prior water rights, OR will not likely be available within the capacity of the groundwater resource per Section B of the attached review form.

Summary of Potential for Substantial Interference

There is the potential for substantial interference with existing groundwater uses per Section C of the attached review form.

Summary of Well Construction Assessment

The well does not appear to meet current well construction standards per Section D of the attached review form. Route through Well Construction and Compliance Section.

new
memo
(SW)

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations and for conditions that may be necessary for a permit (if one is issued).

Groundwater Application Review Summary Form

Application # G- 18849

GW Reviewer Travis Brown Date Review Completed: 8/16/2019

Summary of GW Availability and Injury Review:

Groundwater for the proposed use is either over appropriated, will not likely be available in the amounts requested without injury to prior water rights, OR will not likely be available within the capacity of the groundwater resource per Section B of the attached review form.

Summary of Potential for Substantial Interference Review:

There is the potential for substantial interference per Section C of the attached review form.

Summary of Well Construction Assessment:

The well does not appear to meet current well construction standards per Section D of the attached review form. Route through Well Construction and Compliance Section.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations and for conditions that may be necessary for a permit (if one is issued).

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date 8/16/2019
 FROM: Groundwater Section Travis Brown
Reviewer's Name
 SUBJECT: Application G- 18849 Supersedes review of _____
Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525.* Department staff review groundwater applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. **This review is based upon available information and agency policies in place at the time of evaluation.**

A. GENERAL INFORMATION: Applicant's Name: Zorn Farms, Inc. County: Marion

A1. Applicant(s) seek(s) 1.3256 cfs from 1 well(s) in the Willamette Basin,
Mainstem Willamette subbasin

A2. Proposed use Irrigation Seasonality: March 1 – October 31

A3. Well and aquifer data (**attach and number logs for existing wells; mark proposed wells as such under logid**):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	MARI 51725	2	Alluvium	1.3256	4S/2W-4 SW-SE	605' S & 985' W fr NW cor DLC 70 ^a

* Alluvium, CRB, Bedrock

NR?

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	-179	20	90, 62	3/13/2014	347	0-40	+2-298 (16")	+3-299 (12") 339-347 (12")	299-339	800	138	Pump (6 hr)

Use data from application for proposed wells.

A4. **Comments:** The proposed POA/POU is ~3 miles northeast of the city of St. Paul, Oregon. Applicant proposes to irrigate up to 105.8 acres with a maximum annual volume of 264.5 af, based on the maximum allowed duty of 2.5 af/acre. The proposed POA (MARI 51725) is also an authorized POA for Nursery Use on 101 acres at a maximum rate of 1.78 cfs and maximum annual volume of 505 af under Permit G-18143 (priority date May 12, 2004). The proposed POA will therefore be assessed at a total combined rate of 3.1056 cfs (~1,394 gpm) and maximum annual volume of 769.5 af.

^a There is a slight discrepancy (~7 ft) in the metes-and-bounds location description for the POA (MARI 51725) in this application and that in Permit G-18143.

A5. **Provisions of the** Willamette Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water **are, or** **are not,** activated by this application. (Not all basin rules contain such provisions.)

Comments: The proposed POA is greater than ¼-mile from the nearest surface water source and will develop a confined aquifer; therefore, per OAR 690-502-0240, the relevant Willamette Basin rules (OAR 690-502-0050) do not apply.

A6. **Well(s) #** _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction. Name of administrative area: N/A
 Comments: _____

B. GROUNDWATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1. **Based upon available data**, I have determined that groundwater* for the proposed use:

- a. is over appropriated, is not over appropriated, or **cannot be determined to be over appropriated** during any period of the proposed use. * This finding is limited to the groundwater portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b. **will not** or **will likely** be available in the amounts requested without injury to prior water rights. * This finding is limited to the groundwater portion of the injury determination as prescribed in OAR 690-310-130;
- c. **will not** or **will likely** to be available within the capacity of the groundwater resource; or
- d. **will, if properly conditioned**, avoid injury to existing groundwater rights or to the groundwater resource:
- i. The permit should contain condition #(s) 7n (annual measurement), Large Water Use Reporting ;
 - ii. The permit should be conditioned as indicated in item 2 below.
 - iii. The permit should contain special condition(s) as indicated in item 3 below;

- B2. a. **Condition** to allow groundwater production from no deeper than _____ ft. below land surface;
- b. **Condition** to allow groundwater production from no shallower than _____ ft. below land surface;
- c. **Condition** to allow groundwater production only from the _____ **alluvial** groundwater reservoir **between approximately** _____ **ft. and** _____ **ft. below land surface**;
- d. **Well reconstruction** is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Groundwater Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): _____

B3. **Groundwater availability remarks: Groundwater for the proposed use cannot be determined to be over-appropriated due to insufficient available data regarding rates of recharge and the current quantity of groundwater withdrawals from the aquifer system.**

The proposed POA (MARI 51725) is reportedly completed to a depth of ~347 ft below land surface (bls). MARI 51725 produces water from sands and gravels between ~297-341 ft bls. The proposed POA produces water from the Willamette Confining Unit, which – despite its name – contains sufficient sand and gravel to produce relatively high yield wells in some areas (Gannett and Caldwell, 1998). In this area, the aquifer is ~275 ft thick and is overlain by ~100 ft of fine-grained Willamette Silt Unit, which acts as a leaky confining unit (Gannett and Caldwell, 1998). The regional water table resides in the Willamette Silt, generally within ~10 ft of land surface (Woodward et al., 1998). Recharge to the aquifer is primarily through the silt unit; water level data from MARI 1065 (an adjacent well to MARI 51725 completed to 178 ft) and MARI 51725 indicate a substantial (~0.4 ft/ft) downward hydraulic gradient in this area (see attached Hydrograph). Because the Willamette Confining Unit is confined, pumping impacts will propagate rapidly to aquifer boundaries: the Willamette River to the north and west, Mission Creek to the south, and the Willamette Silt elsewhere (via diffuse downward seepage over a large area).

The nearest known water well completed to a similar depth as the proposed POA is MARI 1054, authorized POA under **Permit G-15572** (priority date August 15, 2001). MARI 1054 is ~2,020 ft north of the proposed POA and reportedly completed to a depth of ~299 ft bls. A Theis (1935) drawdown analysis was conducted to assess the potential well-to-well interference due to pumping of the proposed POA (MARI 51725) in the amounts requested. Hydraulic parameters used for the analyses were derived from regional data and studies (Pumping Test Reports; Conlon et al., 2003, 2005; Iverson, 2002; McFarland and Morgan, 1996; Woodward et al., 1998) or are within a typical range of values for the parameter within the hydrogeologic regime (Domenico and Mifflin, 1965; Freeze and Cherry, 1979). As previously discussed (see A4, above), MARI 51725 is also an authorized POA under Permit G-18143. **Permit G-18143** contains a condition stipulating that “[t]he water user shall discontinue use off, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal...[h]ydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.” It is anticipated that any permit issued pursuant to this application would contain the same or similar condition. The potential for injury to MARI 1054 was therefore evaluated based on the likelihood of well-to-well interference exceeding 25 ft in MARI 1054 due to pumping of the proposed POA. To be conservative, it was assumed that the proposed POA (MARI 1054) would

pump continuously at its maximum combined (authorized plus proposed) rate of 3.1056 cfs (~1,394 gpm) up to its maximum annual volume of 769.5 af, which should take ~125 days. Results of the Theis (1935) analysis indicate that, at the maximum combined rate, total well-to-well interference with MARI 1054 is likely to exceed ~68 ft of drawdown after 125 days of pumping and to exceed 25 ft of drawdown after only ~4 days (see Theis Drawdown Analysis, attached). **Therefore, groundwater for the proposed use will most likely not be available in the amounts requested without injury to prior water rights or exceedance of the conditions of Permit G-15572.**

Water levels from nearby wells completed in the deeper (greater than 250 ft bls) confined aquifer indicate modest (5-20 ft) declines over the past two decades (see Hydrograph, attached).

The requested rate under this application (1.3256 cfs [595 gpm]) is equal to ~74 percent of the well yield noted on the log for MARI 51725 (800 gpm [-1.78 cfs] with 138 ft of drawdown per a 6 hr pumping test). Based on the most recent static water level (90 ft bls as of 3/13/2014), there is ~250 ft of available drawdown in MARI 51725, so there would seem to be the capacity for a higher pumping rate than noted on the well log for MARI 51725. However, the combined rate of 3.1056 cfs (1.3256 proposed in this application plus 1.78 cfs authorized under Permit G-18143) is ~74 percent more than the yield reported on the log for MARI 51725. Furthermore, the combined rate is ~387 percent of the median and ~139 percent of the maximum reported yield for wells in Section 4 completed to similar depths (see Well Statistics, attached). **As such, it is unlikely that the groundwater resource can sustain the proposed use in the amounts requested.**

Due to the high requested rate and large seasonal fluctuations in groundwater level observed in nearby observation wells, the water use and reporting conditions specified in B(1)(d), above, are recommended for any permit issued pursuant to this application.

C. GROUNDWATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Alluvium (Willamette Confining Unit)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer confinement evaluation: Nearby well logs note static water levels above water-bearing zones, indicating that the aquifer is confined.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Unnamed tributary to Willamette River	~90	97-110	~3,900 ^a	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Mission Creek	~90	108-120	~2,900	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: The elevation of groundwater in the proposed POA and nearby observation wells with comparable construction is similar to the elevation of nearby surface water (see Hydrograph, attached). Groundwater surface mapping in this area indicates that groundwater is generally flowing toward and discharging into the small streams (particularly SW 2) which drain the terrace above the modern Willamette River floodplain (Gannett and Caldwell, 1998).

^a Distance to estimated point of hydraulic connection (based on surface and groundwater elevations).

Water Availability Basin the well(s) are located within: SW 1: WILLAMETTE R > COLUMBIA R – AB MOLALLA R
SW 2: CHAMPOEG CR > WILLAMETTE R – AT MOUTH

C3a. **690-09-040 (4):** Evaluation of stream impacts for each well that has been determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% *natural* flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
1	1	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	3,830	<input type="checkbox"/>	<<25%	<input type="checkbox"/>
1	2	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	1.00	<input checked="" type="checkbox"/>	<<25%	<input checked="" type="checkbox"/>

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. **Complete only if Q is distributed among wells.** Otherwise same evaluation and limitations apply as in C3a above.

	SW #		Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
			<input type="checkbox"/>			<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Comments: C3a: The combined (authorized plus proposed) rate of appropriation (3.1056 cfs) is greater than 1 percent (0.01 cfs) of the natural flow that is equaled or exceeded 80 percent of time (1.00 cfs) for the CHAMPOEG CR > WILLAMETTE R – AT MOUTH Water Availability Basin (WAB) (see Water Availability Tables, attached). Per OAR 690-09-0040(c), PSI with SW 2 is assumed.

Potential depletion of SW 1 and 2 due to pumping of the proposed POA was estimated using the Hunt 2003 analytical model. Hydraulic parameters used for the model were derived from regional data or studies of the hydrogeologic regime (Pumping Test Reports, OWRD Well Log Query Report, Conlon et al., 2003, 2005; Iverson, 2002; McFarland and Morgan, 1996; Woodward et al., 1998) or are within a typical range of values for the parameter within the hydrogeologic regime (Freeze and Cherry, 1979; Domenico and Mifflin, 1965). See attached Stream Depletion Analyses for the specific parameters used in the analyses.

Based on the preponderance of evidence, the Hunt 2003 analytical model results indicate that depletion of (interference with) SW 1 and 2 due to pumping of the proposed POA is anticipated to be much less than 25 percent of the well discharge at 30 days of continuous pumping.

C3b: Not applicable.

C4a. **690-09-040 (5):** Estimated impacts on **hydraulically connected surface water sources greater than one mile** as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Basis for impact evaluation: Although the confined aquifer system tapped by the proposed POA is in efficient hydraulic connection with the Willamette River (~7,075 ft north of the proposed POA), the requested combined rate of withdrawal (3.1056 cfs) is less than 1 percent (38.3 cfs) of the natural streamflow that is equaled or exceeded 80 percent of time (3,830 cfs) and 1 percent (15 cfs) of the applicable minimum instream flow (1,500 cfs; Application MF-182). Therefore, the proposed use is not likely to cause PSI with the Willamette River.

C4b. **690-09-040 (5) (b)** The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

- C5. If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or groundwater use under this permit can be regulated if it is found to substantially interfere with surface water:
- i. The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;

C6. **SW / GW Remarks and Conditions:** PSI with SW 2 (Mission Creek) is assumed based on the combined rate of appropriation. Permit G-18143 was not evaluated for PSI with Mission Creek based on the natural flow in CHAMPOEG CR > WILLAMETTE R - AT MOUTH WAB. Because the authorized rate of appropriation (1.78 cfs) associated with Permit G-18143 is in excess of 1 percent (0.01 cfs) of the flow that is equaled or exceeded 80 percent of time (1.00 cfs) for the CHAMPOEG CR > WILLAMETTE R - AT MOUTH WAB, any additional proposed rate of withdrawal for the proposed POA (MARI 51725) would be assumed to cause PSI with SW 2 (Mission Creek).

References Used:

Application File: G-18849, G-16246

Permit: G-18143

Pumping Test Reports: MARI 1050, 1052, 1068, 51725

Conlon, T.D., Lee, K.K., and Risley, J.R., 2003, Heat tracing in streams in the central Willamette Basin, Oregon, in Stonestrom, D.A. and Constantz, Jim, eds., Heat as a tool for studying the movement of groundwater near streams: U.S. Geological Survey Circular 1260, chapter 5, p. 29-34.

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Groundwater hydrology of the Willamette Basin, Oregon, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.

Domenico, P.A. and Mifflin, 1965, Water from low-permeability sediments and land subsidence: Water Resource Research, v. 1, no. 4, p. 563-576.

Freeze, R.A. and Cherry, J.A., 1979, Groundwater, Prentice Hall, Englewood Cliffs, New Jersey, 604 p.

Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington, Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.

Hunt, B., 2003, Unsteady stream depletion when pumping from semiconfined aquifer: Journal of Hydrologic Engineering, January/February, Vol 8, p. 12-19.

Iverson, J., 2002, Investigation of the hydraulic, physical, and chemical buffering capacity of Missoula flood deposits for water quality and supply in the Willamette Valley of Oregon: Unpublished M.S. thesis, Oregon State University, 147 p.

McFarland, W.D., and Morgan, D.S., 1996, Description of the Ground-Water Flow System in the Portland Basin, Oregon and Washington, Water Supply Paper 2470-A, 58 p: U. S. Geological Survey, Reston, VA.

United States Geological Survey, 2013, National Elevation Dataset (NED) [DEM geospatial data]. 1/9th arc-second, updated 2013.

United States Geological Survey, 2017, Saint Paul quadrangle, Oregon [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, Virginia.

United States Geological Survey, 2017, Newberg quadrangle, Oregon [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, Virginia.

Watershed Sciences, 2009, LIDAR remote sensing data collection, Department of Geology and Mineral Industries: Portland, OR, May 27.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: _____ Logid: _____

D2. **THE WELL does not appear to meet current well construction standards based upon:**

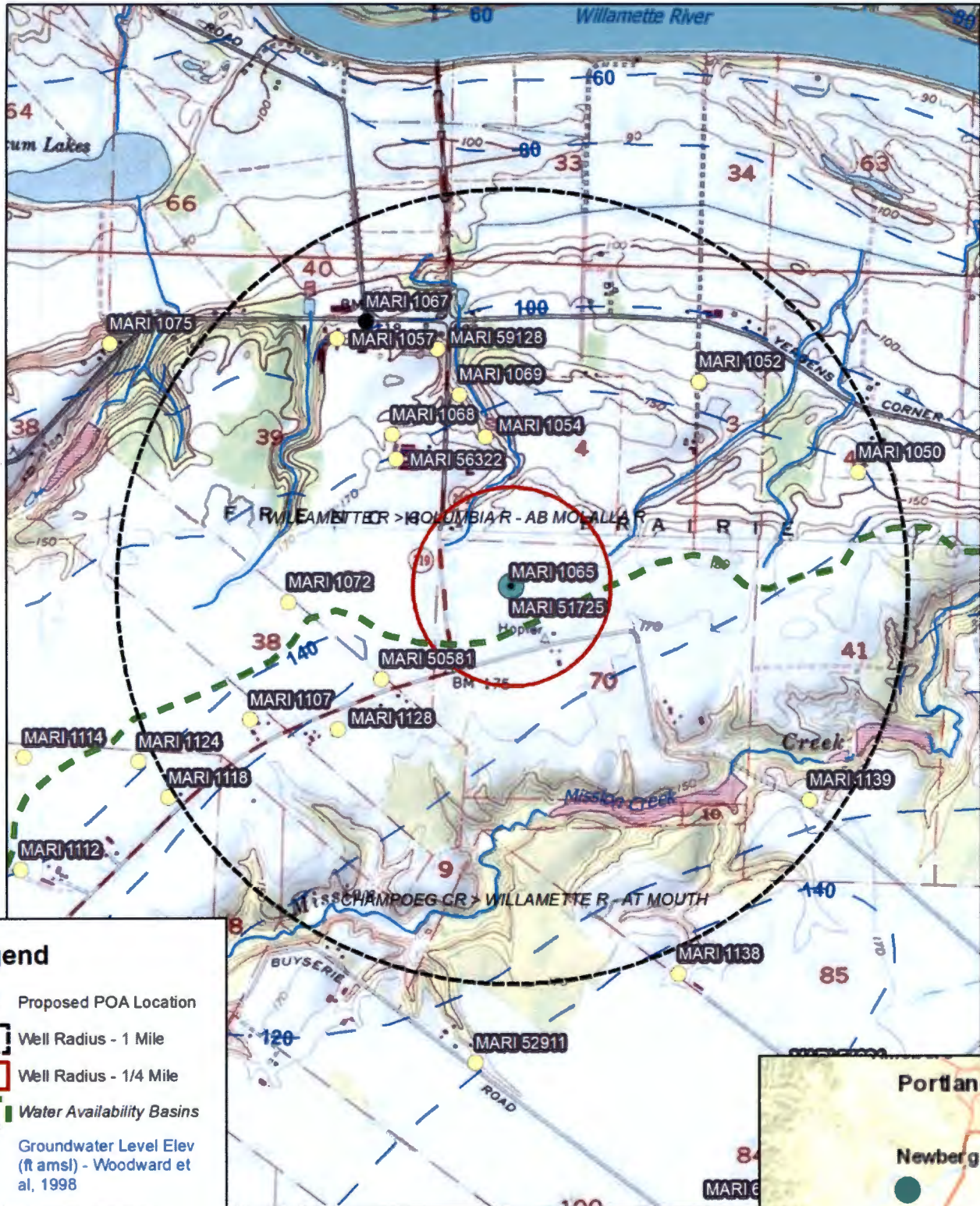
- a. review of the well log;
- b. field inspection by _____;
- c. report of CWRE _____;
- d. other: (specify) _____

D3. **THE WELL construction deficiency or other comment is described as follows:** _____

D4. **Route to the Well Construction and Compliance Section for a review of existing well construction.**

Well Location Map

G-18849 - Zorn Farms Inc.

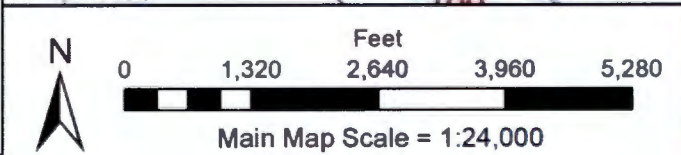


Legend

- Proposed POA Location
- Well Radius - 1 Mile
- Well Radius - 1/4 Mile
- Water Availability Basins
- Groundwater Level Elev (ft amsl) - Woodward et al, 1998

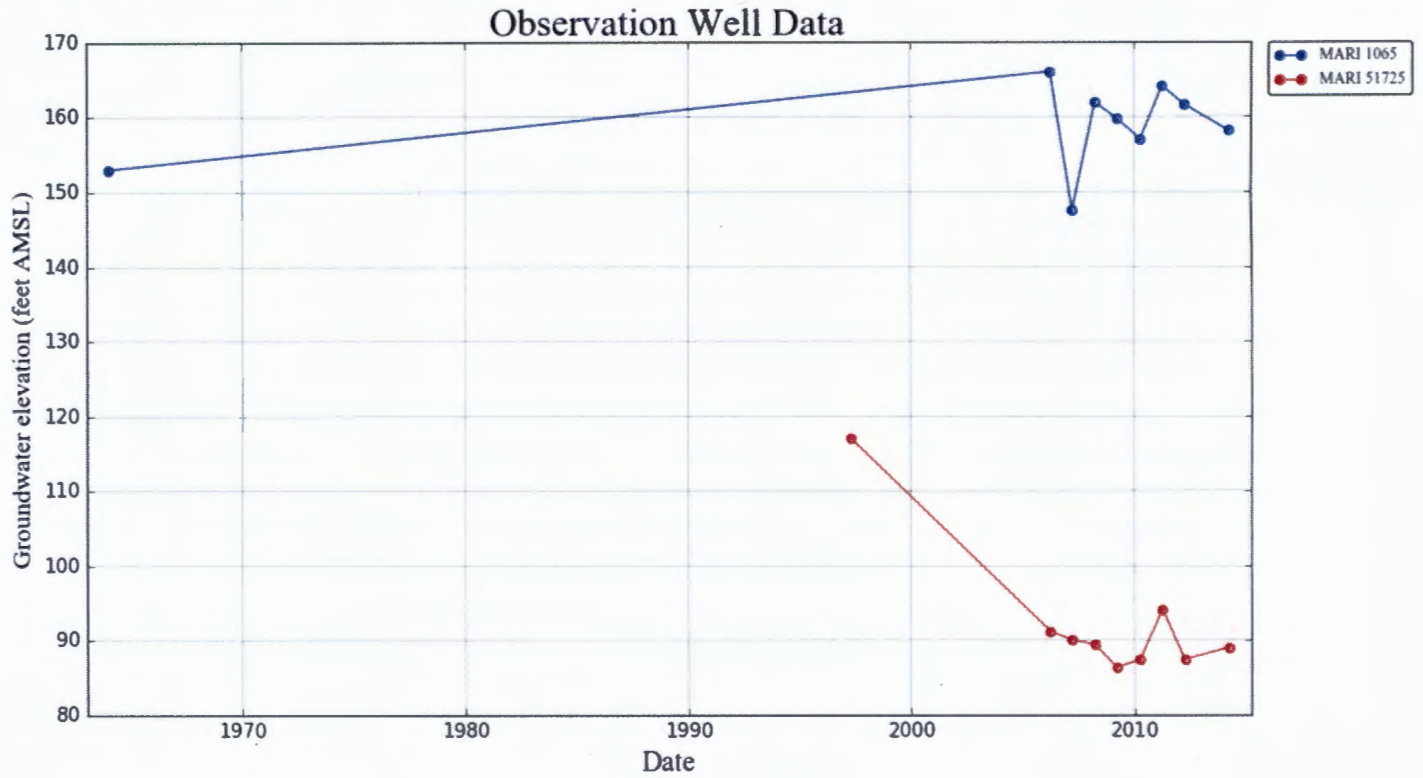
Wells by Aquifer System

- Quaternary-Late Tertiary Sediment Aquifers
- Unknown

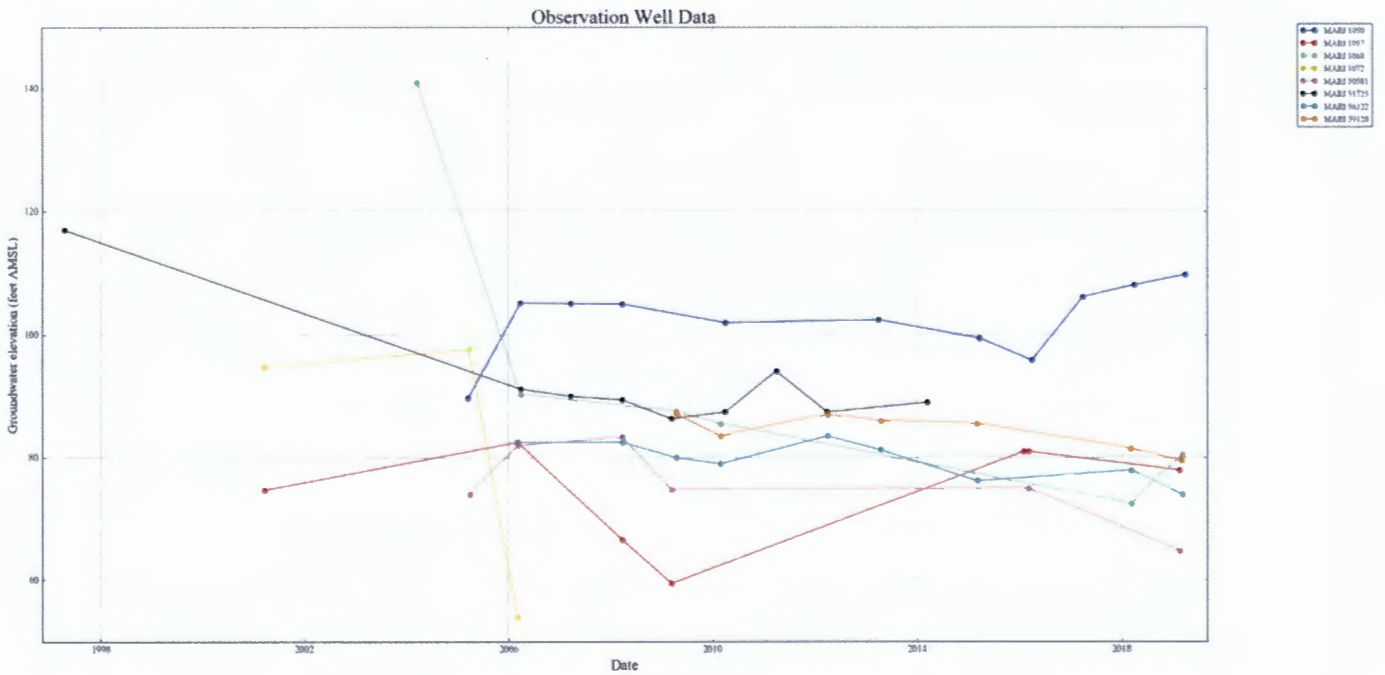


Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community
 Copyright: © 2013 National Geographic Society, i-cubed

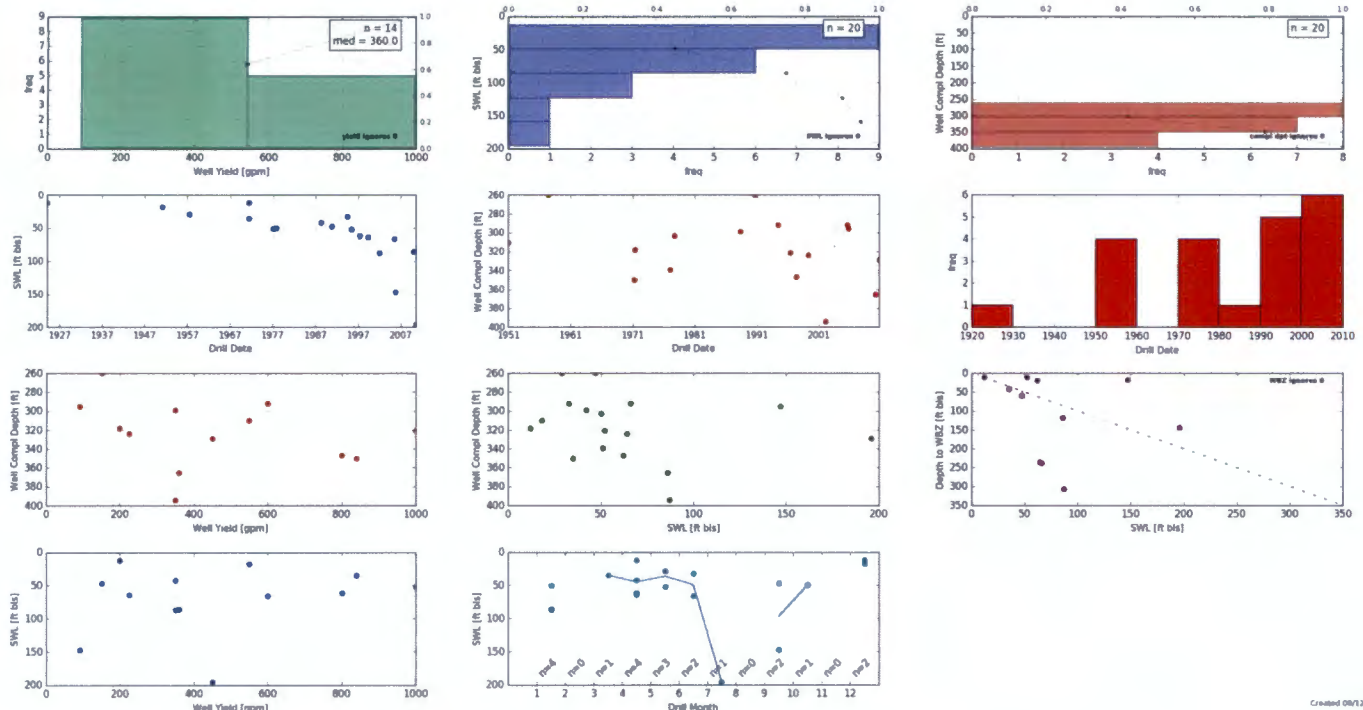
Hydrograph – MARI 1065 (TD = 178 ft) and MARI 51725 (TD = 347 ft)



Hydrograph – Spring Water Levels – Wells Greater Than 250 ft Total Depth



Well Statistics – 4S/2W-4 – Greater Than 250 ft Total Depth



Created 08/12/2019

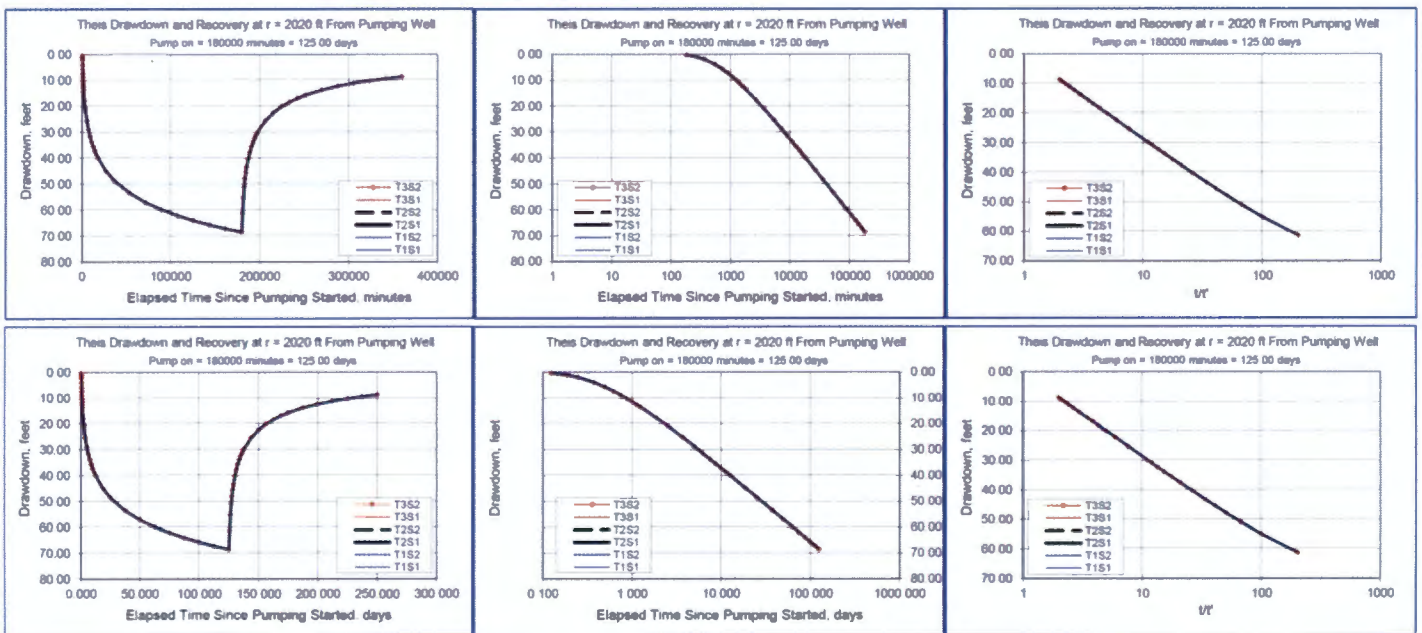
This Drawdown Analysis

This Time-Drawdown Worksheet v. 3.00

Calculates This nonequilibrium drawdown and recovery at any arbitrary radial distance, r, from a pumping well for 3 different T values and radial distance, r, from a pumping well for 3 different T values and 2 different S values
 Written by Karl C. Wozniak September 1992. Last modified December 30, 2014

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units
Total pumping time	t		125		d
Radial distance from pumped well	r		2020.00		ft
Pumping rate	Q		1394.9		gpm
Hydraulic conductivity	K	56.667	56.667	56.667	ft/day
Aquifer thickness	b		30		ft
Storativity	S-1		0.00050		268.363 64 cfd
	S-2		0.00050		6.16 afd
Transmissivity Conversions	T ft2pd	1.700	1.700	1.700	ft2/day
	T ft2pm	1.1806	1.1806	1.1806	ft2/min
	T gpd/ft	12.716	12.716	12.716	gpd/ft

Use the Recalculate button if recalculation is set to manual



Water Availability Tables

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 3/11/2005 for

CHAMPOEG CR > WILLAMETTE R - AT MOUTH

Watershed ID #: 30200708

Basin: WILLAMETTE

Exceedance Level: 80

Time: 08:37

Date: 03/11/2005

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Reserved Stream Flow	Instream Water Rights	Net Water Available
1	37.30	6.59	0.00	30.70	0.00	0.00	30.70
2	51.70	6.11	0.00	45.60	0.00	0.00	45.60
3	22.40	3.06	0.00	19.30	0.00	0.00	19.30
4	10.90	1.88	0.00	9.02	0.00	0.00	9.02
5	6.15	3.87	0.00	2.28	0.00	0.00	2.28
6	3.04	6.45	0.00	-3.41	0.00	0.00	-3.41
7	2.94	10.60	0.00	-7.65	0.00	0.00	-7.65
8	1.88	8.41	0.00	-6.53	0.00	0.00	-6.53
9	1.08	4.11	0.00	-3.03	0.00	0.00	-3.03
10	1.00	0.30	0.00	0.70	0.00	0.00	0.70
11	10.10	3.74	0.00	6.36	0.00	0.00	6.36
12	47.80	9.46	0.00	38.30	0.00	0.00	38.30
Stor	28100	3910	0	25100	0	0	25100

**Water Availability Analysis
Detailed Reports**

WILLAMETTE R > COLUMBIA R - AB MOLALLA R
WILLAMETTE BASIN

Water Availability as of 8/15/2019

Watershed ID # 182 (Map)

Exceedance Level: 80%

Date: 8/15/2019

Time: 3:51 PM

Water Availability Calculation	Consumptive Uses and Storages	Instream Flow Requirements	Reservations
Water Rights		Watershed Characteristics	

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	21,400.00	2,300.00	19,100.00	0.00	1,500.00	17,600.00
FEB	23,200.00	7,480.00	15,700.00	0.00	1,500.00	14,200.00
MAR	22,400.00	7,250.00	15,100.00	0.00	1,500.00	13,600.00
APR	19,900.00	6,910.00	13,000.00	0.00	1,500.00	11,500.00
MAY	16,600.00	4,250.00	12,300.00	0.00	1,500.00	10,800.00
JUN	8,740.00	1,980.00	6,760.00	0.00	1,500.00	5,260.00
JUL	4,980.00	1,810.00	3,170.00	0.00	1,500.00	1,670.00
AUG	3,830.00	1,650.00	2,180.00	0.00	1,500.00	677.00
SEP	3,890.00	1,400.00	2,490.00	0.00	1,500.00	992.00
OCT	4,850.00	753.00	4,100.00	0.00	1,500.00	2,600.00
NOV	10,200.00	886.00	9,310.00	0.00	1,500.00	7,810.00
DEC	19,300.00	967.00	18,300.00	0.00	1,500.00	16,800.00
ANN	15,200,000.00	2,250,000.00	13,000,000.00	0.00	1,090,000.00	11,900,000.00

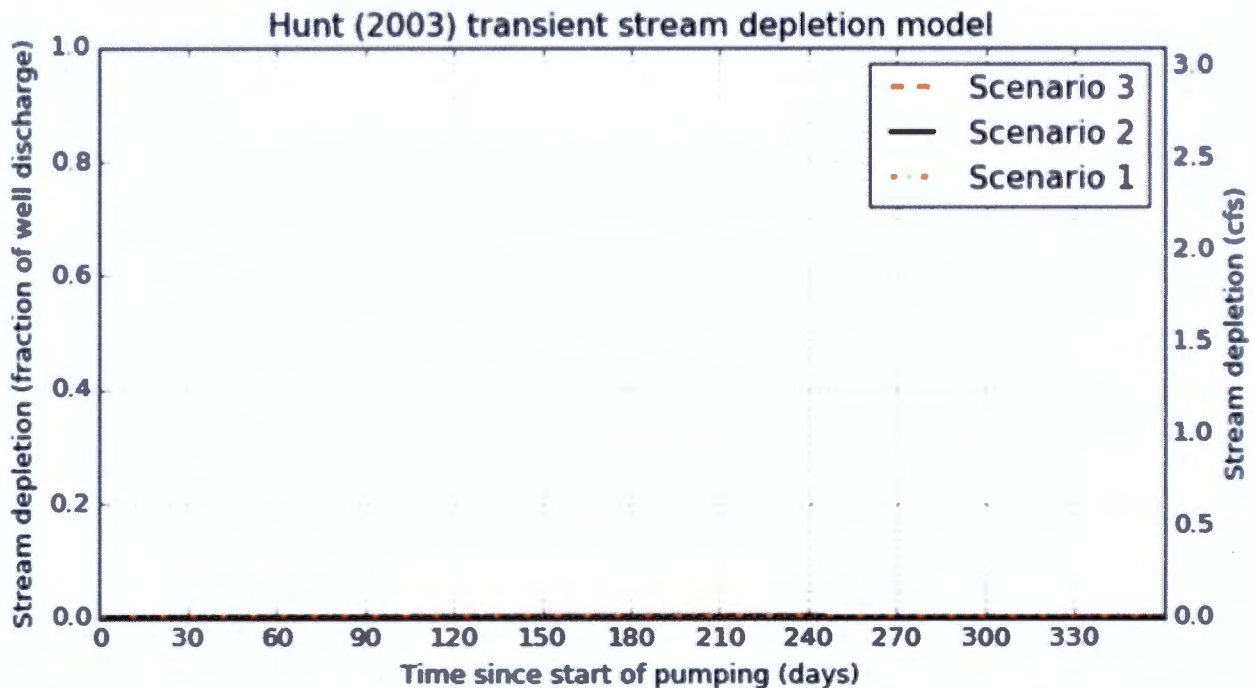
Stream Depletion Analysis – SW 1 (Unnamed Tributary to Willamette River)

Application type:	G
Application number:	18849
Well number:	1
Stream Number:	1
Pumping rate (cfs):	3.1056
Pumping duration (days):	245.0
Pumping start month number (3=March)	3.0

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	3900.0	3900.0	3900.0	ft
Aquifer transmissivity	T	840.0	1700.0	2500.0	ft ² /day
Aquifer storativity	S	0.0005	0.0005	0.0005	-
Aquitard vertical hydraulic conductivity	Kva	0.01	0.01	0.01	ft/day
Aquitard saturated thickness	ba	30.0	30.0	30.0	ft
Aquitard thickness below stream	babs	3.0	3.0	3.0	ft
Aquitard specific yield	Sya	0.2	0.2	0.2	-
Stream width	ws	5.0	5.0	5.0	ft

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	0	0	0	0	0	0	0	0	0	0	0	0	0
Depletion (cfs)	0.01	0.00	0.00	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.00



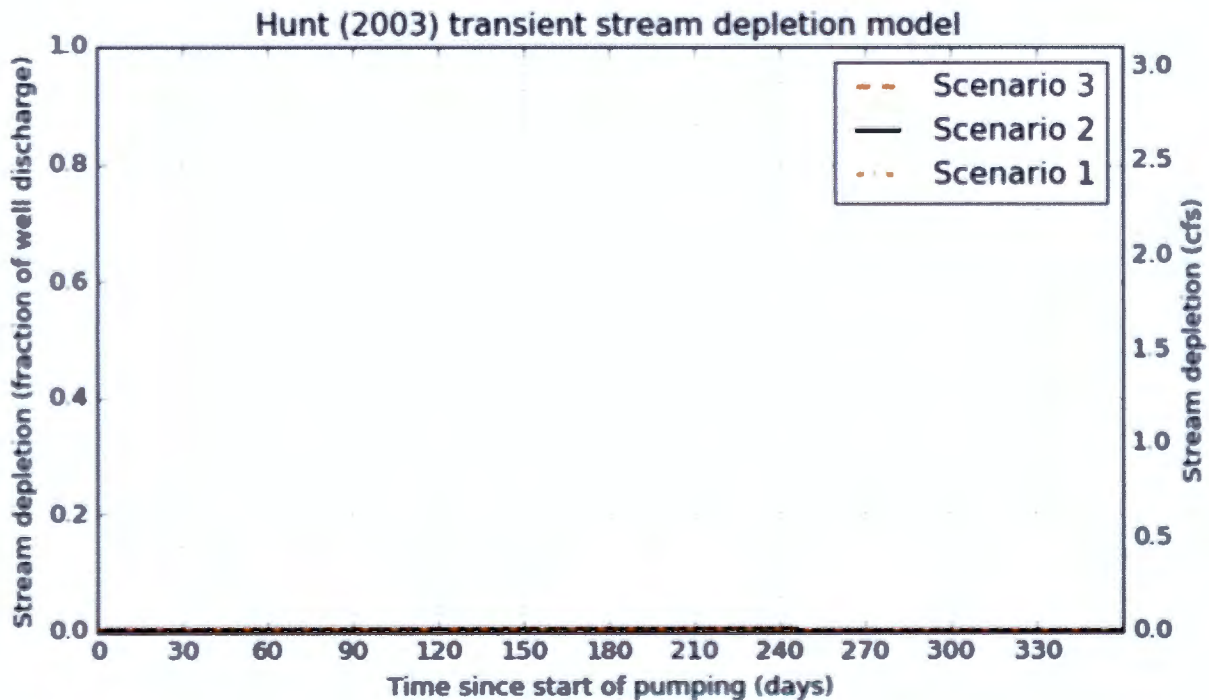
Stream Depletion Analysis – SW 2 (Mission Creek)

Application type:	G
Application number:	18849
Well number:	1
Stream Number:	2
Pumping rate (cfs):	3.1056
Pumping duration (days):	245.0
Pumping start month number (3=March)	3.0

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	2900.0	2900.0	2900.0	ft
Aquifer transmissivity	T	840.0	1700.0	2500.0	ft ² /day
Aquifer storativity	S	0.0005	0.0005	0.0005	-
Aquitard vertical hydraulic conductivity	Kva	0.01	0.01	0.01	ft/day
Aquitard saturated thickness	ba	30.0	30.0	30.0	ft
Aquitard thickness below stream	babs	3.0	3.0	3.0	ft
Aquitard specific yield	Sya	0.2	0.2	0.2	-
Stream width	ws	5.0	5.0	5.0	ft

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	0	0	0	0	0	0	0	0	0	0	0	0	0
Depletion (cfs)	0.01	0.00	0.00	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.00



MEMO



To: Kristopher Byrd, Well Construction and Compliance Section Manager
From: Joel Jeffery, Well Construction Program Coordinator
Subject: Review of Water Right Application G-18849
Date: December 10, 2019

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Travis Brown reviewed the application. Please see Travis's review and the well log.

Applicant's Well #2 (MARI 51725) Based on a review of the Well Report, Applicant's Well #2 seems to protect the groundwater resource.

The construction of Applicant's Well #2 may not satisfy hydraulic connection issues.

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

APR 25 1997

WELL I.D.#

LO2416

WATER RESOURCES DEPT.

(START CARD) # 78623

Instructions for completing this report are on the last page of this form.

(1) OWNER: Ernst Nursery & Farms
Well Number _____
Name Ernst Nursery & Farms
Address 20863 Riverside Dr. NE
City St. Paul State OR Zip 97137

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 347 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
20"	0	40'	holeplug	0	40	40 sacks
			benetonte			
16"	40	347				

How was seal placed: Method A B C D E
 Other OAR 690-210-340
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: 16"	+2'	298'	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 298'

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner	
+3	299'			12"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
299	319	.070		12"	screen	<input type="checkbox"/>	<input type="checkbox"/>	
319	339	.080		12"	screen	<input type="checkbox"/>	<input type="checkbox"/>	
339	347'			12"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
347	Bottom plate & lift bail							<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Artesian Time
800	138		6 hr. S

Temperature of water 54 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 Marion Latitude _____ Longitude _____
Township 4 S N or S Range 2W E or W. WM.
Section 4 SW 1/4 NE 1/4
Tax Lot 0110 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 6177 Gearin Rd.
St. Paul, OR 97137

(10) STATIC WATER LEVEL:
62' ft. below land surface. Date 4/17/97
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 20'

From	To	Estimated Flow Rate	SWL
20	32	200gpm	8'
297'	341'	800 gpm	62'

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Topsoil	0	1	
Clay brown	1	36	
Clay gray brown	36	46	
Clay silty gray	46	75	
Sand-silt	75	87	
Clay gray	87	115	
Sand & clay gray	115	126	
Clay gray	126	144	
Clay with sand & gravel	144	175	
Clay gray	175	212	
Clay w/sand	212	224	
Clay gray, part sticky	224	276	
Clay w/sand, gravel gray	276	281	
Clay sandy, brown-gray	281	292	
Clay silty brown	292	297	
Sand brown	297	304	62'
Sand black	304	315	62'
Gravel & sand, black	315	341	62'
Clay gray	341	347	

Date started 12/24/96 Completed 4/17/97

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Kermit Martin WWC Number 1391 Date 4/23/97

(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. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Ivan Gossen WWC Number 783 Date 4/21/97



Water Right Application Initial Review

May 15, 2020

ZORN FARMS INC.
22133 FRENCH PRAIRIE ROAD NE
SAINT PAUL OR 97137

Reference: Application G-18849

This document is to inform you of the preliminary analysis of the water-use permit application and to describe your options. In determining whether an application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information supplied, the Water Resources Department has made the following preliminary determinations:

Preliminary Determinations under Oregon Administrative Rule (OAR) 690-310-0080:

1. Application G-18849 proposes the appropriation of 1.33 cubic feet per second (CFS) of water from Well 2 (MARI 51725/L2416) in Mission Creek Basin for irrigation of 105.6 acres March 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Irrigation is allowed under the Willamette Basin Program. (OAR 690-502-0160(2))
4. Groundwater will **not** likely be available within the capacity of the resource or without injury to existing groundwater rights.
5. The Department has determined, based upon OAR 690-009, that the proposed groundwater use will have the potential for substantial interference with Mission Creek. Therefore, in accordance with OAR 690-400-0010(11)(a)(B), surface water availability must also be considered. Surface water is **not** available June 1 through October 31.
6. The proposed use is not located within or above any state or federal scenic waterway.
7. The point of appropriation is not located within a critical, limited, or withdrawn groundwater area.
8. Because this application will have an impact on surface water flows where sensitive, threatened, or endangered (STE) fish species may be present, this application will be reviewed by the Oregon Department of Fish and Wildlife and the Oregon Department of Environmental Quality.

9. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates the proposed use is allowed outright.

Summary of Preliminary Determinations

The appropriation of 1.33 CFS of water from Well 2 (MARI 51725/L2416) in Mission Creek Basin for irrigation of 105.6 acres is not allowable.

Not all determinations herein are favorable; therefore **it is unlikely that Application G-18849 will be approved.**

Public Comment & Further Review:

Public interest issues and/or public comments will be addressed as the Department prepares a Proposed Final Order. If significant public interest issues are identified, they could have an impact on the eventual outcome of the application.

Division 33 Review – The Department’s Division 33 administrative rules (OAR 690-033) establish additional procedures and standards to aid the Department in determining whether a proposed use will impair or be detrimental to the public interest with regard to STE fish species. This Initial Review does not address the potential impact that your proposed use may have on these species.

Your application will now undergo an additional review from numerous federal, state, local, and tribal governmental entities. This review may cause your application to be limited, conditioned, or denied. Depending on the proposed use, you may be required to mitigate for potential impacts identified in the review.

Mitigation for impacts to STE Species – Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water within the impacted reach through purchasing or transferring an existing water right. Following the Initial Review, you will be notified if mitigation is required, due to impacts to STE fish species.

If you choose to pursue mitigation, you will likely need to place your application on administrative hold in order to explore options. There will be an additional fee of \$670 required with any mitigation proposal submitted.

At this time, you must decide whether to proceed or to withdraw the application.

- To Proceed - If you choose to proceed with the application you do not have to notify the Department. The application will be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.
- To Withdraw - You may withdraw the application and receive a refund (minus a \$260 examination fee per application). You must notify the Department **in writing** by **May 29, 2020**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If a permit is issued, it will likely include the following conditions:

1. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.
3. **Water Use Measurement, Recording, and Reporting Condition:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

4. Static Water Level Condition:

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

- 5. **Groundwater production shall be only from the alluvial groundwater reservoir.**
- 6. **Well Identification Tag Condition:**

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

The water source identified in the application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's website at <https://www.oregon.gov/ODA/programs/NaturalResources/AgWQ/Pages/AgWQPlans.aspx> to learn more about the plans and how they may affect the proposed water use.

For Further Information:

Feel free to contact me at Elisabeth.A.Graham@oregon.gov or 503-986-0808 if you have any questions regarding the contents of this letter or the application. Please include the application number in all correspondence. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0900. When corresponding by mail, please use this address: Lisa Graham, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

Lisa Graham

Lisa Graham
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description and Stop Processing Request Form

G-18849
WAB: 30200707

APPLICATION FACT SHEET

Application File Number: G-18849

Applicant: ZION FARMS INC

County: MARION

Watermaster: JOEL M. PLAHN, 16, NWR

Priority Date: AUGUST 1, 2019

Source: WELL 2 (MARI 51725/L2416) IN MISSION CREEK BASIN

Use: IRRIGATION OF 105.6 ACRES

Quantity: 1.33 CUBIC FEET PER SECOND

Basin Name & Number: WILLAMETTE, #2

WAB: WILLAMETTE R > COLUMBIA R - AB MOLALLA R

Well Location:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	2 W	WM	4	SW SE	605 FEET SOUTH AND 985 FEET EAST FROM NW CORNER, GARINS DLC 70

Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	2 W	WM	4	SE SW	0.1
4 S	2 W	WM	4	SW SE	2.6
4 S	2 W	WM	4	SE SE	5.7
4 S	2 W	WM	9	NE NE	26.3
4 S	2 W	WM	9	NW NE	34.1
4 S	2 W	WM	9	SW NE	6.4
4 S	2 W	WM	9	SE NE	6.1
4 S	2 W	WM	9	NE NW	17.8
4 S	2 W	WM	9	SE NW	4.0
4 S	2 W	WM	10	NW NW	1.2
4 S	2 W	WM	10	SW NW	1.3

PUBLIC NOTICE DATE: May 19, 2020

14 DAY STOP PROCESSING DEADLINE DATE: May 29, 2020

30 DAY COMMENT DEADLINE DATE: June 18, 2020

APPLICATION PROCESS DESCRIPTION FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

In order to use the waters of Oregon, an application must be submitted and a permit obtained from the Water Resources Department. The water must be used for beneficial purpose without waste. For more information about water right topics, weekly public notice, forms and fees please visit our web site at www.oregon.gov/OWRD

1. Pre-application considerations

- Follow instructions in the application packet.
- If you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Customer Service Group at (503) 986-0900.

2. Application filing

- Application with fee is received by the Department.
- Department determines completeness of application.
- If use is not allowed by statute (ORS 538), the application and fees are returned to the applicant.
- An incomplete application and fees are returned to the applicant.
- Only a complete application receives a tentative priority date, is assigned a caseworker, and moves forward for processing.

3. Initial Review (IR)

- Caseworker reviews application by considering basin plans, water availability, statutory restrictions, and all other appropriate factors.
- Caseworker sends IR report to Applicant.
- Contact the Caseworker if you have questions about the IR.
- Four days after date of the IR, it is included in Department's weekly Public Notice.
- Public comments must be submitted within 30 days after the Public Notice.
- **An administrative hold** may be requested in writing by Applicant.

4. Proposed Final Order (PFO)

- Caseworker evaluates application against required criteria and develops draft permit, if appropriate.
- PFO includes instructions for filing of protests.
- Caseworker considers public comments and mails PFO to Applicant.
- The PFO is included in Department's weekly Public Notice.
- Public protests to the PFO must be submitted within 45 days after the Public Notice.

5. Final Order (FO)

- If no protest is filed, Final Order is issued.

The protest process

If one or more protests are filed, the process consists of:

- settlement discussion;
- contested case hearing;
- proposed Order;
- period of time to file exceptions; or
- Possible hearing by Water Resources Commission.
- Final Order is issued.

Permit holder responsibilities

- Comply with all water use conditions of the permit.
- Advise Department of address change or assignment to new permit holder.
- If need arises, request extension of time or authorize cancellation of permit.
- Submit timely claim of beneficial use (COBU) to the Department.
- Most permits require COBU to be prepared by a Certified Water Right Examiner.
- Permits may be canceled by the permit holder or by the Department for failure to comply with or one or more permit conditions.

STOP PROCESSING REQUEST FORM
FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR
APPLICATIONS

- Stop processing deadline is within 14 days of Initial Review.

Applicant notification to withdraw Water Right Application **G-18849**.

After reviewing the Initial Review for my application, I request that processing be stopped and fees be refunded (minus a \$260 examination fee). I understand that without a valid permit I may not legally use the water as requested in my application.

Signature _____ Date _____

Signature _____ Date _____

- Under ORS 537.150 (5) and 537.620 (5), timely submission of this request authorizes that the water right application process be stopped and all filing fees (except \$260 examination fee) be returned.
- This notice must be received by the Water Resources Department no later than:

May 29, 2020

- Return the notice to:

OWRD, Water Right Services Division
STOP PROCESSING
725 Summer Street, NE - Suite A
Salem, OR 97301-1271

Mailing List for IR Copies

Application G-18849

IR Date: May 15, 2020

Original and map mailed to applicant:

ZORN FARMS INC.
22133 FRENCH PRAIRIE ROAD NE
SAINT PAUL OR 97137

Copies Mailed
By: <u>TM</u> (SUPPORT STAFF)
On: <u>5/18/2020</u> (DATE)

Sent via auto email:

1. Applicant - zornacctg@gmail.com
2. Agent - Jeanne Boatwright- jeanne@boatwrightengr.com
3. WRD - Watermaster #16, Joel M. Plahn
4. WRD - Mike McCord NWR
5. ODFW
6. DEQ

Copies sent to:

1. WRD - File G-18849
2. WRD - SW Section
3. A.I.O. - Bruce W. Ernst Trust/Bruce W. Ernst, Trustee: bruce@ernstnursery.com

Application Specialist: Lisa Graham

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

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

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Organization

NAME ZORN FARMS, INC.			PHONE	FAX
ADDRESS 22133 FRENCH PRAIRIE ROAD, NE			CELL	
CITY ST. PAUL	STATE OREGON	ZIP 97137	E-MAIL*	

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


AGENT / BUSINESS NAME JEANNE BOATWRIGHT BOATWRIGHT ENGINEERING, INC.			PHONE 503.363.9225	FAX
ADDRESS 2613 12TH STREET SE			CELL	
CITY SALEM	STATE OREGON	ZIP 97302	E-MAIL* JEANNE@BOATWRIGHTENGR.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.)

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.

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


Applicant Signature

Joseph E. Sharp
Print Name and Title if applicable

7-29-2019
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.

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- 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.
- 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).*

The well and portions of the transmission pipeline are on Tax Lot 4 2W 9 1100, which property is owned by:

Bruce W. Ernst Living Trust, Bruce W. Ernst, Trustee
4406 NE Birdhaven Loop
Newberg, Oregon 97128
503.633.8366
bruce@ernstnursery.com

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.

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
Well 2 MARI 51725	Intermittent Unnamed Tributary of Willamette River - NW of Well	1465'	-10' (178'-168')
	Mission Creek - SE of Well	2850'	-63' (178'-115')

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).*

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: **595 gpm** (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)
2	<input type="checkbox"/>	<input type="checkbox"/>	MARI 51725 L-2416	<input type="checkbox"/>	16"	+2' to 298'	299-339	0-40	90' 3-13-2014	Sand & Gravel	347'	800	264.5 per allowed 30" duty
	<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"/>									
	<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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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/

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

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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.

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:
Efficient use of water will be accomplished by close monitoring of soil, crop and weather conditions to determine the best timing and the amount of water necessary to keep the crop healthy while only providing the amount that the plants can efficiently uptake.

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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)
Irrigation	March 1- October 31	Not to exceed 264.5 AF per allowed duty of 30"

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 105.8 Acres Supplemental: 0 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: 264.5

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____ (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*): _____

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): **100 hp Turbine**
 Other means (describe): _____

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **The pump and transmission pipelines are already in place**

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*)

Hand lines and impact sprinklers.

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 amount of water requested is in keeping with the allowed duty for this area and will not constrain the variety of crops available for planting on this property. Waste will be prevented by close monitoring of soil, crop and weather conditions to determine the amount of water to be applied to keep the crop healthy. The well already has a flow meter, which will be maintained. Runoff will be prevented by not over-applying water, as described above, and maintaining the existing riparian area along Mission Creek which ranges from 135 to 450 feet in width. No adverse impact to surface waters is anticipated.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: **Well and transmission pipeline is already in place.**
- Date construction will be completed: **Permit date plus 2 years**
- Date beneficial water use will begin: **Permit date plus 1 years**

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: **No waste products will be generated. Any chemical products needed will be applied only per best management practices.**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

This is a groundwater permit request. No excavation or clearing of stream banks will take place.

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: **None**

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: **None**

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.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

A portion of the proposed irrigation area has been irrigated under Temporary Transfer T-12435.

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July 23, 2019

Oregon Water Resources Department
725 Summer Street Ne, Suite A
Salem, Oregon 97301-1266

To Whom it May Concern,

I am the owner of Tax Lot 4 2W 9 1100 in Marion County, Oregon which is located at 6177 Gearin Road NE, St Paul, Oregon.

I am aware that Zorn Farms, Inc. is submitting an application for a Permit to Use Groundwater and that the proposed source of appropriation is a well on my property. The well is identified as Well No. 2. The OWRD well log record is MARI 51725, L-02416.

Zorn Farms, Inc.'s application is for irrigation of 105.8 acres of land adjacent to my ownership and also south, across McKay Rd (MR 96).

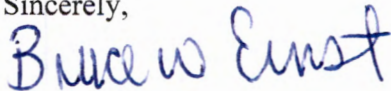
Zorn Farms, Inc. has my permission to use this well should the OWRD grant them the water right permit they are requesting.

My contact information is:

Bruce W. Ernst Living Trust
Bruce W. Ernst, Trustee
4406 NE Birdhaven Loop
Newberg, Oregon 97128
503.633.8366
bruce@ernstnursery.com

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Sincerely,



Bruce W. Ernst, Trustee
Bruce W. Ernst Living Trust

A-18849

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

Applicant

NAME ZORN FARMS, INC. % JOE SHARP			PHONE (HM)		
PHONE (WK) 503.793.5775		CELL		FAX	
ADDRESS 22133 FRENCH PRAIRIE ROAD NE					
CITY ST. PAUL		STATE OREGON	ZIP 97137	E-MAIL* JOESHARP@ZORNFARMS.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:
			SEE	ATTACHED	LIST	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

MARION COUNTY

AUG 01 2019

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B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: **1.32** 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:

IRRIGATION OF 105.8 ACRES OF FARM LAND



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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 uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **17.136.020(A)**.
- Land uses to be served by the proposed water uses (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"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

NAME <i>Joe Fennimore</i>	TITLE: <i>PLANNING DIRECTOR</i>
SIGNATURE <i>[Signature]</i>	PHONE: 503.588.5038
GOVERNMENT ENTITY MARION COUNTY PLANNING DIVISION	DATE: <i>7/23/2019</i>

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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

APR 25 1997

WELL ID.#

LO2416

WATER RESOURCES DEPT.

(START CARD) # 78623

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____
Name Ernst Nursery & Farms
Address 20863 Riverside Dr. NE
City St. Paul State OR Zip 97137

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 347 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
20"	0	40'	holeplug	0	40	40 sacks
			bentonite			
16"	40	347				

How was seal placed: Method A B C D E
 Other OAR 690-210-340

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: 16"	+2'	298	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 298'

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
+3	299'			12"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
299	319	.070		12"	screen	<input type="checkbox"/>	<input type="checkbox"/>
319	339	.080		12"	screen	<input type="checkbox"/>	<input type="checkbox"/>
339	347'			12"	pipe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
347	Bottom				plate & lift bail	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
800	138		6X hr. S

Flowing Artesian

Temperature of water 54 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 Marion Latitude _____ Longitude _____
Township 4 S N or S Range 2W E or W. WM. _____
Section 4 SW 1/4 NE 1/4
Tax Lot 0110 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 6177 Gearin Rd.
St. Paul, OR 97137

(10) STATIC WATER LEVEL:
62' ft. below land surface. Date 4/17/97
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 20'

From	To	Estimated Flow Rate	SWL
20	32	20 gpm	8'
297'	341'	800 gpm	62'

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
Topsoil	0	1	
Clay brown	1	36	
Clay gray brown	36	46	
Clay silty gray	46	75	
Sand-silt	75	87	
Clay gray	87	115	
Sand & clay gray	115	126	
Clay gray	126	144	
Clay with sand & gravel	144	175	
Clay gray	175	212	
Clay w/sand	212	224	
Clay gray, part sticky	224	276	
Clay w/sand, gravel gray	276	281	
Clay sandy, brown-gray	281	292	
Clay silty brown	292	297	
Sand brown	297	304	62'
Sand black	304	315	62'
Gravel & sand, black	315	341	62'
Clay gray	341	347	

Date started 12/24/96 Completed 4/17/97

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed Kermit Martin WWC Number 1391 Date 4/23/97

(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. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Ivan G. Rosen WWC Number 783 Date 4/21/97

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT SECOND COPY-CONSTRUCTOR THIRD COPY-CUSTOMER

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G-18849

88C10503

STATE OF OREGON
MARION COUNTY COURTS
TRIAL COURT ADMINISTRATOR

1990 JAN -5 PM 2: 23

ENTERED _____
DOCKETED _____
NOTICE _____

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

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MARION COUNTY, a municipal corporation and a political subdivision of the State of Oregon,

Plaintiff,

vs.

FRANK T. and AMELIA R. WILCOX,
ZORN FARMS, INC., and ANN ZORN,

Defendants.

NO. 88C-10503

SATISFACTION OF JUDGMENT


Defendants, through Asa L. Lewelling, their attorney of record, hereby acknowledge receipt of the sum of \$66,831 in full payment and satisfaction of that certain judgment made and entered on or about _____ whereby defendants recovered a condemnation award in the amount of \$95,000, less \$28,169 previously paid, to-wit: a net judgment of \$66,831.00

The clerk of the court is hereby authorized to note and enter satisfaction in full of said judgment.

RECEIVED

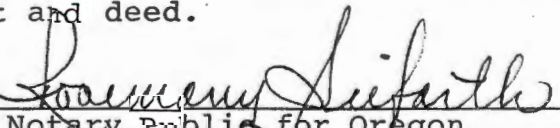
AUG 01 2019

OWRD


Asa L. Lewelling, OSB 39029
Attorney for Defendants

STATE OF OREGON
County of Marion

On this 5th day of January, 1990, personally appeared the above-named Asa L. Lewelling and acknowledged the foregoing instrument to be his voluntary act and deed.


Notary Public for Oregon
My commission expires: 1-30-92

G-18849

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

MARION COUNTY CLERK
APR 6 3 09 PM '89
BY [Signature]
FRIAL COURT ADMINISTRATOR

MARION COUNTY, a
political subdivision
of the State of Oregon,
Plaintiff,

vs.

No. 88C-10503

FRANK T. and AMELIA R. WILCOX,
ZORN FARMS, INC., and ANN ZORN,

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Defendants.

ORDER

AUG 01 2019

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This matter came before the Court for hearing and argu-
ment on January 31, 1989, to determine whether plaintiff Marion County
must compensate defendants for the loss of the irrigation dam south of
McKay Road in this eminent domain proceeding. The Honorable Greg West
presided at the hearing. After considering the evidence and arguments
of counsel, the Court finds that the dam was a functional, tangible
asset of value for which plaintiff must compensate defendant. When
the dam was removed by Marion County to make way for improvements to
McKay Road, valid applications for permits to operate the dam were
filed and pending before the State Water Resources Department. Defen-
dants could have obtained permits for the dam, with some modifications
to the structure and design, but for this eminent domain proceeding.
NOW THEREFORE,

IT IS ORDERED that plaintiff Marion County must compensate
defendants for removal of the dam in question in this eminent domain
proceeding.

DATED this 6 day of April, 1989.

APPROVED:

[Signature]
Of Attorneys for Plaintiff

[Signature]
Circuit Judge

ASA L. LEWELLING, LAWYER
388 State Street
11th Floor Capitol Center
Salem, Oregon 97301
Telephone 503-581-2401

1990 JAN -5 PM 2: 22

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON

2 FOR THE COUNTY OF MARION

3 MARION COUNTY, a municipal)
4 corporation, and a political)
5 subdivision of the State of)
6 Oregon,)

No. 88C-10503

7 Plaintiff,)

8 vs.)

9 FRANK T. and AMELIA R. WILCOX,)
10 ZORN FARMS, INC., and ANN ZORN,)

STIPULATED JUDGMENT
MONEY JUDGMENT

11 Defendants.)

RECEIVED
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12 This matter having come before the court upon the stipula-
13 tion of the parties to entry of judgment herein; and it appearing
14 to the court that plaintiff is a municipal corporation and politi-
15 cal subdivision of the State of Oregon having the power and
16 authority to appropriate lands by eminent domain for public
17 purposes; that defendants own certain land which plaintiff seeks
18 to appropriate, subject only to an easement for road right-of-
19 way, recorded July 7, 1934, Volume 219, Page 189, Marion County
20 Deed Records; that there is a public necessity for plaintiff to
21 appropriate certain land and rights therein owned by defendants for
22 the public purpose of constructing, operating and maintaining a
23 public road and wetland area; that said land and rights therein are
24 described in Exhibits A and B, attached hereto and by this refer-
25 ence incorporated herein; that plaintiff has already paid into
26 court the sum of \$28,169.00 as full and just compensation to defen-
dants; that defendants have waived their rights of repurchase under
ORS 35.385; and that the parties agree to entry of judgment herein

ROBERT C. CANNON
Marion County Legal Counsel
Marion County Courthouse
Salem, Oregon 97301
Telephone 588-5220

Page

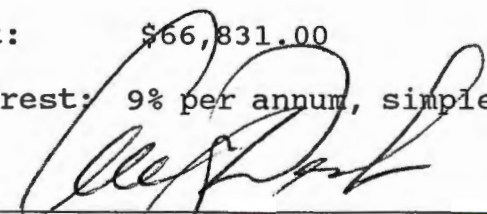
G-18849

1 for the total, full and just compensation in the sum of \$95,000.00;
2 now, therefore,

3 IT IS ADJUDGED that the lands and rights therein, described
4 in Exhibits A and B, are hereby appropriated unto plaintiff free
5 and clear of any liens or encumbrances, except the easement for
6 road right-of-way, recorded July 7, 1934, Volume 219, Page 189,
7 Marion County Deed Records; that defendants are entitled to the sum
8 of \$95,000.00; that plaintiff immediately pay to defendant the sum
9 of \$66,831.00; and that costs, disbursements and attorney fees
10 shall be awarded to neither party.

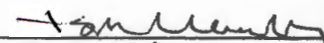
11 MONEY JUDGMENT


- 12 1. Judgment Creditor: Zorn Farms, Inc.
13 2. Creditor's Attorney: Asa L. Lewelling
14 3. Judgment Debtor: Marion County
15 4. Amount of Judgment: \$66,831.00
16 5. Post-judgment interest: 9% per annum, simple interest

17
18 
GREG WEST
CIRCUIT JUDGE

19 DATED this 5 day of January, 1990.

20 IT IS SO STIPULATED

21
22 
Asa L. Lewelling OSB 39029
23 Attorney for Defendants

24
25 
Michael J. Hansen OSB 77209
26 Marion County Asst. Legal Counsel
Attorney for Plaintiff

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EXHIBIT "A"

Road Right-of-Way Description

A parcel of land lying in Section 9 and 10, Township 4 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, and being a portion of that property described in that certain document to Zorn Farms, Inc., and in that agreement of sale to Joseph Zorn et.al., recorded on Volume 646, Pages 375 through 377 and Volume 606, Page 598 of the Marion County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width lying on both sides and at right angles to the centerline of the relocated McKay Road NE, County Road No. 405, which centerline is described as follows:

Beginning at Engineer's centerline Station 0+00, said station being 1684.92 feet S and 67.09 feet E of the NW corner of John Gearin DLC No. 70, said station being in Section 9, Township 4 South, Range 2 West, Willamette Meridian, Marion County, Oregon, said station also being the same point as Oregon State Highway Engineer's centerline Station "R" 226+23.85 of the relocated Hillsboro-Silverton Highway as described in Reel 283, Page 898 of Marion County Record of Deeds; thence S 56° 38' 19" E 698.10 feet to centerline station PC 6+98.10; thence on a 2864.79 foot radius curve left (the long chord of which bears S 68° 18' 34" E 1159.02 feet) 1167.07 feet to centerline station PT 18+65.17; thence S 79° 58' 48" E 1826.94 feet to centerline station PC 36+92.11; thence on a 1909.86 foot radius curve right (the long chord of which bears S 71° 25' 24" E 568.36 feet) 570.48 feet to centerline station PT 42+62.58; thence S 62° 51' 57" E 817.86 feet to centerline station PC 50+80.44; thence on a 2864.79 foot radius curve right (the long chord of which bears S 56° 37' 26" E 622.97 feet) 624.20 feet to centerline station PT 57+04.65; thence S 50° 22' 54" E 2358.17 feet to centerline station PC 80+62.82; thence on a 1432.40 foot radius curve left (the long chord of which bears S 63° 29' 57" E 650.16 feet) 655.88 feet to centerline station PT 87+18.70; thence S 76° 37' 00" E 293.31 feet to centerline station PC 90+12.01; thence on a 1432.40 foot radius curve left (the long chord of which bears S 83° 27' 40" E 341.41 feet) 342.22 feet to centerline station PT 93+54.23, said point being 1158.91 feet S and 261.85 feet E of the NE corner of the Peter Papin DLC No. 85 and the NW corner of J. B. Goodell DLC No. 91 in Section 10, Township 4 South, Range 2 West said point being the terminus of the 1987 location of McKay Road.

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**Table of Right-of-Way Widths
Right and Left of said 1987 Centerline**

From Station	To Station	Left	Right
0+00	1+16.85	To exist. R/W of C.R. 405 & M.R. 13	To exist. R/W of M.R. 13
1+16.85	3+00	To exist. R/W of C.R. 405 & M.R. 13	40 feet
3+00		178.29 feet on exist. S. R/W of C.R. 405 to 45.00 feet	40 feet
3+00	14+00	45 feet	40 feet
14+00		45 feet	40 to 45 feet
14+00	15+00	45 feet	45 feet
15+00		45 feet	45 to 55 feet
15+00	17+50	45 feet	55 feet
17+50		45 feet	55 to 45 feet
17+50	19+00	45 feet	45 feet
19+00		45 feet	45 to 40 feet
19+00	24+00	45 feet	40 feet
24+00		45 to 55 feet	40 feet
24+00	25+00	55 feet	40 feet
25+00		55 to 70 feet	40 to 60 feet
25+00	26+00	70 feet	60 feet
26+00		70 feet	60 to 90 feet
26+00	27+00	70 feet	90 feet
27+00		70 to 45 feet	90 feet
27+00	27+50	45 feet	90 feet
27+50		45 feet	90 to 45 feet
27+50	29+50	45 feet	45 feet
29+50		45 feet	45 to 55 feet
29+50	29+83.40	45 feet	55 feet

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A-18849

**Table of Right-of-Way Widths
Right and Left of said 1987 Centerline**

From Station	To Station	Left	Right
29+83.40		45 to 324.93 feet on the exist. N.E. R/W of C.R. 405	55 feet
29+83.40	31+67.91	Along Exist. N.E. R/W of C.R. 405	55 feet
31+67.91	32+00	45 feet	55 feet
32+00		45 to 55 feet	55 feet
32+00	33+50	55 feet	55 feet
33+50		55 feet	55 to 75 feet
33+50	34+50	55 feet	75 feet
34+50		55 to 50 feet	75 feet
34+50	35+00	50 feet	75 feet
35+00		50 feet	75 to 85 feet
35+00	35+32.10	50 feet	85 feet
35+32.10	37+71.98	50 to 108.99 feet along exist. N. R/W of C.R. 405	85 feet
37+71.98	39+50	108.99 to 121.49 ft. along exist. N. R/W of C.R. 405	85 feet
39+50		121.49 feet to the exist. N. R/W of C.R. 405	85 to 110 feet
39+50	39+97.51	121.49 to 127.85 ft. along exist. N. R/W of C.R. 405	110 feet
39+97.51	41+00	127.85 to 150.00 ft.	110 feet
41+00	45+50	150 feet	110 feet
45+50		150 to 55 feet	110 to 70 feet
45+50	49+00	55 feet	70 feet
49+00		55 feet	70 to 60 feet
49+00	51+00	55 feet	60 feet

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**Table of Right-of-Way Widths
Right and Left of said 1987 Centerline**

From Station	To Station	Left	Right
51+00		55 to 50 feet	60 to 55 feet
51+00	53+00	50 feet	55 feet
53+00		50 feet	55 to 50 feet
53+00	53+50	50 feet	50 feet
53+50		50 to 80 feet	50 feet
53+50	55+00	80 feet	50 feet
55+00		80 to 55 feet	50 to 45 feet
55+00	56+00	55 feet	45 feet
56+00		55 to 40 feet	45 feet
56+00	68+25	40 feet	45 feet
68+25		40 to 75 feet	45 to 60 feet
68+25	69+50	75 feet	60 feet
69+50		75 to 40 feet	60 to 45 feet
69+50	84+50	40 feet	45 feet
84+50		40 feet	45 to 50 feet
84+50	85+50	40 feet	50 feet
85+50		40 feet	50 to 60 feet
85+50	86+00	40 feet	60 feet
86+00		40 to 50 feet	60 feet
86+00	86+50	50 feet	60 feet
86+50		50 feet	60 to 50 feet
86+50	87+00	50 feet	50 feet
87+00		50 to 40 feet	50 feet
87+00	87+50	40 feet	50 feet
87+50		40 feet	50 to 45 feet
87+50	90+65	40 feet	45 feet

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Table of Right-of-Way Widths
Right and Left of said 1987 Centerline

From Station	To Station	Left	Right
90+65		40 feet	45 to 134.52 feet on W. R/W of M.R. 8
90+65	93+54.23	40 feet	To exist. R/W

The parcel of land to which this description applies contains 8.93, acres more or less, outside of the existing right-of-way.

FOR PUBLIC ROADWAY PURPOSES

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OWRD

mckayexhibit-A.fms

G-18849

EXHIBIT "B"

Easement to Store Surface Water

All of that property in Sections 9 and 10 in Township 4 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, lying along and adjacent to both sides of Mission Creek, bounded by the contour at elevation 109.00 (United States Geodetic Survey datum, 1947 correction) and lying southerly of the following described McKay Road right-of-way:

Beginning at Engineer's centerline Station 0+00, said station being 1684.92 feet South and 67.09 feet East of the NW corner of John Gearin DLC No. 70, said station being in Section 9, Township 4 South, Range 2 West, Willamette Meridian, Marion County, Oregon, said station also being the same point as Oregon State Highway Engineer's centerline Station "R" 226+23.85 of the relocated Hillsboro-Silverton Highway as described in Reel 283, Page 898 of Marion County Record of Deeds; thence S 56° 38' 19" E 698.10 feet to centerline station PC 6+98.10; thence on a 2864.79 foot radius curve left (the long chord of which bears S 68° 18' 34" E 1159.02 feet) 1167.07 feet to centerline station PT 18+65.17; thence S 79° 58' 48" E 1826.94 feet to centerline station PC 36+92.11; thence on a 1909.86 foot radius curve right (the long chord of which bears S 71° 25' 24" E 568.36 feet) 570.48 feet to centerline station PT 42+62.58; thence S 62° 51' 57" E 817.86 feet to centerline station PC 50+80.44; thence on a 2864.79 foot radius curve right (the long chord of which bears S 56° 37' 26" E 622.97 feet) 624.20 feet to centerline station PT 57+04.65; thence S 50° 22' 54" E 2358.17 feet to centerline station PC 80+62.82; thence on a 1432.40 foot radius curve left (the long chord of which bears S 63° 29' 57" E 650.16 feet) 655.88 feet to centerline station PT 87+18.70; thence S 76° 37' 00" E 293.31 feet to centerline station PC 90+12.01; thence on a 1432.40 foot radius curve left (the long chord of which bears S 83° 27' 40" E 341.41 feet) 342.22 feet to centerline station PT 93+54.23, said point being 1158.91 feet South and 261.85 feet East of the NE corner of the Peter Papin DLC No. 85 and the NW corner of J. B. Goodell DLC No. 91 in Section 10, Township 4 South, Range 2 West, said point being the terminus of the 1987 location of McKay Road.

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Table of Right-of-Way Widths
Right and Left of said 1987 Centerline

From Station	To Station	Left	Right
39+97.51	41+00	127.85 to 150.00 feet	110 feet
41+00	45+50	150 feet	110 feet

The parcel to which this permanent easement applies contains 5.4 acres of land, more or less.

In accordance with the following conditions:

- (1) The permanent easement shall include the right, privilege, and authority to store surface water for the purpose of maintaining wetlands.
- (2) No building or other structure, including a dam, shall be constructed or placed over this permanent easement by the Grantor, its successors, heirs and assigns without the specific written approval of the Grantee.

[typing.fms]mckaywatereasement.fms

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BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That Carol Lea Wilcox

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Zorn Farms, Inc., a corporation hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Marion, State of Oregon, described as follows, to-wit:

That real property described in Contract of Sale from Frank T. Wilcox and Amelia R. Wilcox to Henry Zorn, et al., dated 9/13/65 and recorded 9/14/65 in Volume 606 at page 598 of Deed Records of Marion County, Oregon, the vendee's interest in which was assigned to Zorn Farms, Inc. by instrument recorded 4/30/68 in Volume 646 at page 375 of Deed Records of Marion County, the vendor's interest having been transferred to the Grantor by deed from Mary Mildred Byers, as Personal Representative of the estate of Amelia Wilcox, dated 8/16/89 and recorded in Reel 717 at page 213 of Deed Records of Marion County, Oregon, which property is included in Sections 3, 9, 10 and 15, T4S, R2W of Willamette Meridian, less the real property acquired by Marion County in that certain proceeding brought in the Circuit Court of the State of Oregon for the County of Marion vs. Frank T. Wilcox, et al., #88C-10503. INCORRECT REEL 711

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$250,000.00

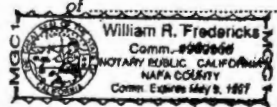
However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.) In construing this deed and where the context 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 27 day of August, 1995; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Carol Lea Wilcox

STATE OF OREGON County of Marion) ss.
This instrument was acknowledged before me on August 27, 1995
by Carol Lea Wilcox
This instrument was acknowledged before me on _____, 19____,
by _____
as _____
of _____



William R. Fredericks
Notary Public for Oregon
My commission expires May 9, 1997

Carol Lea Wilcox
c/o Walter H. Pendergrass
Bullivant, Houser et al.
888 SW 5th Blvd, Portland OR 97204
Zorn Farms, Inc.
23000 River Road
St. Paul, OR 97137
Grantee's Name and Address
After recording return to (Name, Address, Zip):
Zorn Farms, Inc.
23000 River Road
St. Paul, OR 97137
Until requested otherwise send all tax statements to (Name, Address, Zip):
Zorn Farms, Inc.
23000 River Road
St. Paul, OR 97137

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,) ss.
County of _____
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said County.
Witness my hand and seal of County affixed.
NAME TITLE
By _____ Deputy

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REEL:1281

PAGE: 357

December 28, 1995 , 03:39P

CONTROL #: 1281357

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$35.00

ALAN H DAVIDSON
COUNTY CLERK

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PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this 16th day of August, 1989, by and between Mary Mildred Byers the duly appointed, qualified and acting personal representative of the estate of Amelia Wilcox deceased, hereinafter called the first party, and Carol Lee Wilcox hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situate in the County of Marion, State of Oregon, described as follows, to-wit:

Vol. 606, Page 598 Marion County Deed Records: Sections 3, 9, 10, 15, T4S, R 2W, and 170 acres in Section 9, and 10 of T 4S, R 2W, of Willamette Meridian, County of Marion, Oregon

Subject to a contract receivable from Henry Zorn, Joseph Zorn, Marie Zimmerman, Catherine Zorn and Christine Owens to Frank T. Wilcox and Amelia F. Wilcox dated September 13, 1965, recorded September 14, 1965, in Vol. 606, page 598, Marion County Deed Records.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the same unto the said second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

IN WITNESS WHEREOF, the said first party has executed this instrument; if first party is a corporation, it has caused its corporate name to be signed hereto and its corporate seal affixed by its officers duly authorized thereunto by order of its Board of Directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Mary Mildred Byers
Mary Mildred Byers
Personal Representative
of the Estate of Amelia Wilcox Deceased.

NOTE—The sentence between the symbols (C), if not applicable, should be deleted. See ORS 93.030.

STATE OF OREGON,
County of Multnomah
August 16, 1989
Personally appeared the above named
Mary Mildred Byers

STATE OF OREGON, County of
Personally appeared
and
who, being duly sworn,
each for himself and not one for the other, did say that the former is the
president and that the latter is the
secretary of

and he/they executed the foregoing instrument to be his/her/their voluntary act and deed.

a corporation,
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 behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires 8-4-90

Notary Public for Oregon
My commission expires:
(OFFICIAL SEAL)
(If executed by a corporation, affix corporate seal)

Mary Mildred Byers, personal representative
of Estate of Amelia Wilcox, 22685 NE 11a
Fern Lane, Dundee, Oregon 97115
GRANTOR'S NAME AND ADDRESS

STATE OF OREGON,
County of

Carol Lee Wilcox
3131 C. Monticello Road
Napa, CA 94588
GRANTEE'S NAME AND ADDRESS

STATE OF OREGON
REEL 711 PAGE 213

After recording return to:
Walter H. Pendergrass, Esq.
Bullivant, Houser, Pendergrass, et al.
1211 SW FIFTH AVENUE, 1400 Pacwest Center
Portland, OR 97204 ADDRESS, ZIP
Until a change is requested all tax statements shall be sent to the following address.
No change

County of Marion
I hereby certify that the within was received and duly recorded by me in Marion County records:
Fee \$ 15
Hand Returned
ALAN H. DAVIDSON
MARION COUNTY CLERK
BY CAP DEPUTY

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ASSIGNMENT OF CONTRACT

IN CONSIDERATION of the sum of One (\$1.00) Dollar and other valuable consideration, JOSEPH ZORN, a single man, does hereby grant and assign to ZORN FARMS, INC., all my right title and interest in and under that certain AGREEMENT, dated September 13, 1965, and recorded in Book 606, pages 598 to 607, inclusive, entered into by him as a purchaser with Frank T. Wilcox and Amelia R. Wilcox, husband and wife, as sellers, and in the real property therein described agreed to be purchased, subject to the terms and conditions provided in said AGREEMENT, it being understood that the rights of Frank T. Wilcox and Amelia R. Wilcox, as sellers, provided in said agreement, shall be retained by them against the purchasers named in said agreement and against the assignee herein.

DATED this 9th day of November, 1967.

Joseph Zorn
Joseph Zorn

STATE OF OREGON)
County of Marion) ss.

On this 9th day of November, 1967, personally appeared the above-named JOSEPH ZORN and acknowledged the foregoing instrument to be his voluntary act. Before me:

[Signature]
Notary Public for Oregon

My commission expires: *11/1/68*

832909

agt 606-598

Edith... 207. 209... City

STATE OF OREGON } I hereby certify that the within was received at *10:50 am* o'clock, M. on the APR 30 1968 day of APR 30 1968 and duly recorded by me in
County of Marion } ss. Marion County Records Book of DEEDS Records Volume 646 Page 375

William W. Spade
COUNTY RECORDER

ASSIGNMENT

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AGREEMENT

THIS MEMORANDUM OF AGREEMENT, made and entered into this 13th day of September, 1965, by and between FRANK T. WILCOX and AMELIA R. WILCOX, husband and wife, as Sellers, and parties of the first part, and HENRY ZORN, JOSEPH EORN, MARIE ZIMMERMAN, CATHERINE ZORN, ANN ZORN, and CHRISTINE OWEN, as Buyers, and parties of the second part.

W I T N E S S E T H :

That the parties of the first part for and in consideration hereinafter mentioned, covenant and agree to and with the parties of the second part to sell and convey unto the parties of the second part, and the parties of the second part covenant and agree to and with the parties of the first part to purchase of and from the parties of the first part all of the following described real premises, situated, lying and being in the County of Marion, State of Oregon, being 527.97 acres in Sections 3, 9, 10, and 15, T 4S, R 2W, and 170 acres in Sections 9 and 10 of T 4S, R 2W, of Willamette Meridian, and more particularly described as follows, to wit:

BEGINNING at the most Westerly corner of the Peter Papin Donation Land Claim #85, Township 4, South, Range 2, West of the Willamette Meridian in Marion County, State of Oregon; thence South 72° 55' West 6.195 chains to a stone corner; thence North 2° 28' East 18.82 chains to a corner on the Western boundary of the John Gearin Donation Land Claim #70, in said Township and Range; thence North 51° 02' West 18.755 chains along the Northern boundary of the George Aplin Donation Land Claim to the center of the County Road leading from St. Paul to Champoeg; thence North 73° 46' East along the middle of said County Road 31.34 chains; thence South 8.05 chains; thence East 9.847 chains; thence North 1° 13' East 10.03 chains to the middle of the County Road; thence North 81° 02' East 8.347 chains to the terminus of Marion County Road Survey No. 496; thence Southerly and Easterly along the center line of

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said County Road survey a distance of 42.60 chains, more or less, to the Easterly boundary line of said John Gearin Donation Land Claim; thence South 1° 13' West along said East line and along the West line of the Joseph Despard Donation Land Claim No. 41, a distance of 10.54 chains, more or less, to the most Northerly corner of the Peter Papin Donation Land Claim; thence South 86° 57' West 51.967 chains to the place of beginning, being situated in Section 9, 10, in the John Gearin and George Aplin and Peter Waggoner Donation Land Claim, in Township 4 South, Range 2 West of the Willamette Meridian in Marion County, State of Oregon.

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ALSO: Beginning at a point 18.50 chains East and 2.10 chains North of the quarter section corner between Sections 10 and 15 in Township 4 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; and from thence running North 55° West 42.50 chains to an iron pipe; thence North 65° 12' West 47.76 chains to the North boundary of the Donation Land Claim of Peter Papin and wife, being Claim No. 85 in said Township and Range at a point 19.75 chains North 86° East from the Northwest corner of said Claim No. 85; thence North 86° East 32.20 chains along the North boundary of said Claim No. 85 to an iron pipe set at the most Northerly Northeast corner of said Claim No. 85; thence North 1° East along the West boundary of the Donation Land Claim of Joseph Despard and wife, 72.39 chains to a point 83.63 chains South 1° West from the Northwest corner of said Despard Donation Land Claim, said point being the Northwest corner of the South one-half of said Despard Donation Land Claim; thence East 38.70 chains to the Northeast corner of the South half of said Despard Donation Land Claim; thence South 0° 45' West 83.64 chains to the Southeast corner of said Joseph Despard Donation Land Claim; thence East 21.75 chains to the most Easterly Northeast corner of said Claim No. 85; thence South 47.75 chains to an iron pipe set at the most Easterly Southeast corner of said Claim No. 85; thence South 3.52 chains to an iron pipe; thence West 9.04 chains to an iron pipe, set on the East boundary of said Claim No. 85 at a point 11.345 chains North 22° East from the most Southerly Southeast corner of said Claim No. 85; thence South 22° West 11.345 chains to an iron pipe at the most Southerly Southeast corner of said Claim No. 85; thence North 55° West 18.70 chains along the southerly boundary of said Claim No. 85; thence North 43° East 22.00 chains to the place of beginning.

EXCEPT rights of the public in and to all roads and roadways.
EXCEPT perpetual right of way for road purposes given to

-2- AGREEMENT

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Stanley J. McKay dated July 19, 1934, and recorded July 27, 1934, in Volume 219, Page 123, Deed Records, Marion County, Oregon.

plus the personal property described as follows:

- 60 - Pcs 4" x 40' Aluminum pipe
- 53 - Pcs 6" x 30' Aluminum pipe main line
- 1 - 6" End Plug
- 1 - 4" End Plug
- 2 - 4" Take off elbows
- 48 - Pcs 3" x 20' with couplers and outlets
- 2 - Pcs 3" x 20' with couplers and outlets
- 2 - Pcs 3" x 30' with couplers inline supply and plugged
- 56 - Pcs 6" x 30' with couplers and valves @120'
- 1 - extra 6" valve and stub pipe
- 1 - 6" End Plug
- 2 - 3" end plugs
- 34 - 6 x 30' Alum pipe
- 4 - VE 44 Take offs
- 1 - 6" end plug
- 7 - 20' 4" Blanks
- 10 - 20' 4" Sprinklers
- 15 - 20' 3" Blanks
- 17 - 20' 3" Sprinklers
- 39 - 30' 6" steel blanks
- 1 - Berkley pump Ser #3631195 - 25 HP
- 1 - Fairbanks Horse Motor #539999
- 1 - Pump size 35813 ME

Parties of the second part do hereby agree to pay for the above described real premises and personal property the sum of TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00), and agreed to pay the said sum of TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00) at the time and in the manner following, to wit:

\$60,000.00 upon the execution and delivery of this agreement, (said sum being represented by \$10,000.00 earnest money paid and \$50,000.00 in cash) and the balance of \$190,000.00 payable as follows:

\$11,083.00 or more, on the first day of October, 1966, and the sum of \$11,083.00 or more, on the first day of October each year thereafter, until October 1, 1996, when the entire balance, if any, is to be fully paid. The unpaid balance shall draw interest from the date hereof at the rate of five per cent (5%) per annum and said interest shall be included in the above specified annual payments.

IT IS UNDERSTOOD AND AGREED that the parties of the first part

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WE HEREBY WARRANT

will make, execute and deliver, at the time of execution of this agreement, to the Escrow Agent a good and sufficient Warranty Deed, conveying said premises to the parties of the second part, free and clear of all encumbrances save and except any liens or encumbrances filed or permitted to be filed against said premises by the parties of the second part after the date of the execution and delivery of this agreement.

Further, five (5) years after the date of the execution of this agreement, and if the parties of the second part are not in default, the parties of the first part shall deliver to the parties of the second part, a Bill of Sale conveying said personal property to the parties of the second part free and clear of all encumbrances. Prior to receiving a Bill of Sale, the parties of the second part may sell or trade said personal property provided it is replaced with personal property of like kind and quality.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties of the first part, at the time of execution of this agreement, will furnish to the parties of the second part a purchasers policy of title insurance in the amount of TWO HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$275,000.00) showing said premises to be free and clear of all encumbrances save and except as above stated.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties of the second part shall be entitled to possession of said premises on October 1, 1965, with the exception of those lands upon which the 1965 crops have not been removed, and that the parties of the second part shall be entitled to full possession of all the above described real premises not later than December 1, 1965.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties hereto will prorate all taxes which are due for the year 1965-66, as of the date of possession, and the parties of the second part shall pay all taxes which are levied or assessed against said

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premises, promptly and before the same become delinquent.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties of the second part shall make no unlawful, improper, or wasteful use of said premises, but shall at all times keep said premises in a good state of repair and shall not permit or allow any liens for work, labor, or material furnished to said premises accrue, but shall at all times keep said premises free and clear of all mechanics' and/or materialmen's liens.

IT IS FURTHER UNDERSTOOD AND AGREED that time is of the essence of this agreement.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties of the second part shall not sell, set over or assign this Agreement, or any part thereof, or any interest in the same, without the written consent of the parties of the first part had and obtained thereto, except that any member of the parties of the second part may acquire the interest of any other member of the parties of the second part without the prior approval of the parties of the first part.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties of the second part shall keep said premises insured in a reliable insurance agency in an amount equal to the full insurable value, said policy of insurance to be made payable to the parties of the first part as their interest shall appear and said policy of insurance to be placed with and held by the parties of the first part. The parties hereto will prorate any and all insurance now carried upon said premises as of the date of possession.

IT IS FURTHER UNDERSTOOD AND AGREED that if the parties of the second part fail to comply with the terms of this agreement, and if

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necessary for the parties of the first part to commence any suit or action in connection therewith, parties of the second part agree to pay such additional sum as the Court may adjudge reasonable as attorney's fees in such suit or action.

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties hereto that in the event the second parties shall fail to perform any of the terms of this agreement, time of payment, and performance being of the essence, the first parties shall, at their option, subject to the requirements of notice as herein provided, have the following rights:

- (a) To foreclose this contract by a strict foreclosure in equity.
- (b) To declare the full unpaid balance of the purchase price immediately due and payable.
- (c) To specifically enforce the terms of this agreement by suit in equity.

Parties of the second part shall not be deemed in default for failure to perform any covenant or condition of this contract other than the failure to make payments as provided for herein, until notice of said default has been given by the parties of the first part to the parties of the second part and the parties of the second part shall have failed to remedy said default within sixty (60) days after giving of the notice. Notice for this purpose shall be deemed to have been given by the deposit in the mails of a certified letter containing said notice and addressed to JOSEPH ZORN, Route 1, Aurora, Oregon. If the second parties shall fail to make payment as herein provided and said failure shall continue for more than sixty (60) days after the payment becomes due, the second parties shall be deemed in default and the first parties shall not be obligated to give notice to the second parties of a declaration of said default.

The parties of the second part agree to pay before delinquency

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all taxes, and assessments that may hereinafter become a lien on said premises.

The parties of the second part assume all hazards of damage to or destruction of any improvements now on said land or hereinafter placed thereon, and of the taking of said premises or any part thereof for public use.

In the case the parties of the second part shall fail to pay before delinquency any taxes or assessments or to insure the premises as above provided, the parties of the first part may pay such taxes and assessments, make such payments and effect such insurance, and the amount paid therefore by the parties of the first part shall be deemed a part of the purchase price and become payable forthwith with interest at the rate of ten per cent (10%) per annum until paid, without waiver of other rights, by reason of such failure.

IT IS FURTHER UNDERSTOOD AND AGREED that the real premises herein described are presently subject to a mortgage held by the United States National Bank of Oregon, Portland, Oregon, as recorded in Volume 536, Page 365, Mortgage Records, Marion County, Oregon, and that the parties of the first part agree to continue to make payments on said mortgage according to the terms and conditions thereof, but in the event the parties of the first part shall fail to make any such payments on the mortgage as they become due and owing, then the parties of the second part herein shall have the right to make such payments and deduct any such payments so made from the amount of the unpaid balance and deduct such from the annual payments hereinabove stated. The parties of the first part shall direct the mortgagee to notify the parties of the second part promptly of any default so that payment can be made as herein provided. The parties of the first part and of the second part agree that further advancements may be made to the parties of the first part by the mortgagee under said mortgage, however, said mortgage balance shall not at anytime exceed the unpaid

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balance due and owing by the parties of the second part under the terms and conditions of this contract.

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties that the parties of the first part reserve unto themselves the existing lease concerning the 1965 crops and rental agreements and that such shall be validly terminated on or before December 1, 1965; and the parties of the first part agree to hold harmless and indemnify the parties of the second part of any claim of any third party on any existing lease agreement or agreement for rental, possession, cropping, management, or operation of the premises by the parties of the first part.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties of the first part agree to release and deed unto the parties of the second part at their request and upon payment unto the parties of the first part in full of the sum not less than \$400.00 per acre upon the parties of the second part's sale to third parties, parcels of not less than fifty (50) acres each of the above described real premises at \$400.00 per acre, excepting that portion of the above described real premises that is planted in filbert orchard and any sale of the filbert orchard shall be in the minimum of thirty (30) acres and the parties of the first part to receive the sum of not less than \$800.00 per acre for any such thirty (30) acres of the filbert orchard. Further, the parties of the first part agree to assist in the procuring from the mortgagee of the release of the above noted parcels of real property and shall, if required pay unto the mortgagee all of said sums received from the parties of the second part for the release of said property as set forth in this paragraph. It is understood and agreed that any such sums received by the parties of the first part from the parties of the second part shall be

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credited to the unpaid balance due and owing under the terms and conditions of this contract.

IT IS FURTHER UNDERSTOOD AND AGREED that the parties of the second part have inspected the above described real premises and the buildings located thereon, and they accept such in the present "as is" condition, and that the parties of the second part shall have the right to improve or remove any buildings located on said premises.

IT IS FURTHER UNDERSTOOD AND AGREED that the description of the real premises hereinabove set forth is subject to a survey or further investigation, and if the quantity of land is greater or less than as above set forth, then an adjustment in the purchase price shall be made.

IT IS FURTHER UNDERSTOOD AND AGREED by the parties hereto that the contract shall be held in escrow along with a Warranty Deed executed by the parties of the first part herein to the parties of the second part herein, and that the parties of the second part shall make all payments under the terms and conditions of this contract to the said Escrow Agent; and it is further understood and agreed that each party shall pay one-half of the escrow fee. Further, that said Contract of Sale shall be recorded in Marion County, Oregon, at the date of execution of this Agreement.

IT IS FURTHER UNDERSTOOD AND AGREED by and between the parties that the parties of the second part as a part of this purchase, shall acquire all water rights held by the parties of the first part appurtenant to the premises.

IT IS FURTHER UNDERSTOOD AND AGREED that in the event of the assignment of the Contract by the parties of the first part, the parties of the second part shall be entitled to all personal covenants

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A-18849

of the parties of the first part.

The covenants, conditions, and terms of this agreement shall extend to and be binding upon and inure to the benefit of the heirs, administrators, executors, and assignees of the parties hereto. Provided, however, that nothing contained in this paragraph shall alter the restrictions herein contained relating to assignment.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the day and year first above written.

Frank P. Wilder
Frank P. Wilder

Amelia R. Wilder
Amelia R. Wilder

PARTIES OF THE FIRST PART

Henry Zorn
Henry Zorn

Joseph Zorn
Joseph Zorn

Marie Zimmern
Marie Zimmern

Catherine Zorn
Catherine Zorn

Ann Zorn
Ann Zorn

Christine Owen
Christine Owen

PARTIES OF THE SECOND PART

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STATE OF OREGON)

County of Marion) ss.

Be It Remembered, that on this 13th day of September, 1965, before me, the undersigned, a notary public in and for said county and State, personally appeared the within named FRANK T. WILCOX and ANNEA K. WILCOX, known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

In Testimony Whereof, I have hereunto set my hand and affixed my seal the day and year last above written.

[Signature]
Notary Public for Oregon
My Commission Expires: 7/17/66

STATE OF OREGON)

County of Marion) ss.

Be It Remembered, that on this 4th day of September, 1965, before me, the undersigned, a notary public in and for said county and State, personally appeared the within named HENRY ZORN, JOSEPH ZORN, MARIE ZIMMERMAN, ANN ZORN and CHRISTINE OWENS, known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

In Testimony Whereof, I have hereunto set my hand and affixed my seal the day and year last above written.

[Signature]
Notary Public for Oregon
My Commission Expires: 7/17/66

STATE OF OREGON)

County of Marion) ss.

Be It Remembered, that on this 2 day of September, 1965, before me, the undersigned, a notary public in and for said county and State, personally appeared the within named CATHERINE ZORN, known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

In Testimony Whereof, I have hereunto set my hand and affixed my seal the day and year last above written.

[Signature]
Notary Public for Oregon
My Commission Expires: September 11, 1965

761835

STATE OF OREGON) I hereby certify that the within was received at 10:55 a.m. on the 14 day of SEP 1965 and duly recorded by me in
County of Marion) Marion County Record Book of 10-10-65 Records Volume 598 Wilson's 1000 Spade

County Recorder 16

-11- AGREEMENT

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REEL 3780 PAGE 379
MARION COUNTY
BILL BURGESS, COUNTY CLERK
02-04-2016 03:17 pm.
Control Number 402680 \$ 58.00
Instrument 2016 00004297

MAIL TAX STATEMENTS TO:
Trustee of the Bruce W. Ernst Living Trust
4406 NE Birdhaven Loop
Newberg, OR 97128

AFTER RECORDING RETURN TO:
Robert J. Saalfeld, Attorney
Saalfeld Griggs PC ✓
PO Box 470
Salem, OR 97308

WARRANTY DEED

Bruce W. Ernst, Grantor, conveys to Bruce W. Ernst, Trustee of the Bruce W. Ernst Living Trust dated February 2, 2016, and any amendments thereto, Grantee, the following described real property situated in the County of Marion, State of Oregon:

See Attached Exhibit "A"

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

This deed is executed to partially fund a trust of Grantor's, and the true and actual consideration stated in terms of dollars is ZERO.

The following is the notice as required by Oregon law: "BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS

WARRANTY DEED (80.88 Acres 6177 Gearin Rd Ne Saint Paul, OR 97137)
PAGE 1 OF 3

(RJSsk)

4848-7338-2189, v. 1

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2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

WITNESS Grantor's hand this 2nd day of February, 2016.

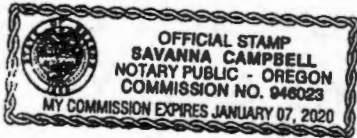
Bruce W Ernst
Bruce W. Ernst

STATE OF OREGON)
) ss.
COUNTY OF MARION)

On this 2nd day of February, 2016, personally appeared the above named Bruce W. Ernst and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Savanna Campbell
Notary Public for Oregon
My Commission Expires: 1-7-2020



WARRANTY DEED (80.88 ACRES 6177 Gearin Rd Ne Saint Paul, OR 97137)

PAGE 2 OF 3

(USub)

4848-7338-2189, v. 1

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G-18849

EXHIBIT "A"

Beginning at the Northwest corner of the Donation Land Claim of John Gearing in Township 4 South, Range 2 West of the Willamette Meridian, Marion County, State of Oregon; thence North 0 degrees 41' East 1.17 chains along the East line of the Donation Land Claim of Peter Waggoner; thence West 29.872 chains to the West line of Section 4; thence South 0 degrees 28' West 13.634 chains along the West line of Section 4 to the North line of the Donation Land Claim of George Aplin; thence South 51 degrees 02' East 27.557 chains along the North line of the George Aplin Claim to the middle of the County Road leading from St. Paul to Champoeg; thence North 73 degrees 46' East 31.43 chains along the middle of the County Road; then South 8.05 chains; thence East 9.847 chains; thence North 1 degree 13' East 10.03 chains to the middle of the County Road; thence North 81 degrees 02' East 3.53 chains along the middle of the County Road; thence North 1 degree 13' East 17.872 chains to the North line of the Donation Land Claim of John Gearin; thence North 89 degrees West 35.547 chains along the North line of the John Gearin Claim to the place of beginning and being a part of the John Gearin Donation Land Claim No. 70 in Township 4 South, Range 2 West, and Peter Waggoner Donation Land Claim No. 66 in Township 3 South, Range 2 West of the Willamette Meridian in Marion County, Oregon.

EXCEPTING THEREFROM all that portion of the above described premises lying West of Highway 219, Film Records for Marion County, Oregon.

ALSO SAVED AND EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation by deed recorded December 16, 1994 in Reel 1211, Page 290 and Reel 1211, Page 291.

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G-18849

REEL: 3780

PAGE: 379

February 04, 2016, 03:17 pm.

CONTROL #: 402680

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 56.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

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G-18849

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.
- 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.
- Fees - Amount enclosed: **\$ 2560.00**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - 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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Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Zorn Farms

22133 French Prairie Road, NE, St. Paul, OR 97302

Transaction Type: GW App for new permit

Fees Received: \$ 2560.00

Cash

Check:

Check No. 4097

Name(s) on Check: Zorn Farms Inc

Address on Check: 22133 French Prairie Rd NE
St. Paul, OR 97302

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:

Jula Davis
(Name of OWRD staff)

Instructions for OWRD staff:

- 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).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

August 2, 2019

Dear Applicant:

The Oregon Water Resources Department has received your groundwater application for a water use permit. Your application has been assigned file number **G-18849**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

Lisa Graham, Water Rights Specialist	Phone: 503-986-0808
	Email: elisabeth.a.graham@oregon.gov

A description of the steps that are used for processing a water right application are shown on the reverse side of this letter.

The first step in the water rights process is the completion of a groundwater review by the Department. This review can take approximately 6-9 months to complete, sometimes longer. Once the groundwater review is completed, you will receive a copy of an Initial Review that summarizes the Department's preliminary determinations. Copies of the Proposed Final Order and Final Order will also be mailed to you.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Cory Middleton
Customer Service Representative
Oregon Water Resources Department

cc:
File

COPY

Water-Use Permit Application Processing Steps

Oregon Water Resources Department

1. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

2. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

3. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the Initial Review, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

4. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

5. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit will specify the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.



**Oregon Water Resources Department
Ground Water Application**

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Friday, August 2, 2019

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1.326	\$700.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,560.00

OWRD Fee Schedule

Fee Calculator Version B20170117

WATER RESOURCES DEPARTMENT

RECEIPT #

130431

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

RECEIVED FROM:

Zorn Farms Inc

APPLICATION

C-18849

BY:

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

409

TOTAL REC'D

\$ 2,560.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

46111

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

0202

RECORD FEE

0203 GROUND WATER

\$ 2,040.00

0204

\$ 520.00

0205 TRANSFER

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

0219

LICENSE FEE

LANDOWNER'S PERMIT

\$

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDY

FUND

TITLE

RECEIVED

OBJ. CODE

VENUE

OVER THE COUNTER

DESCRIPTION

\$

RECEIPT:

130431

DATED:

8-1-19

BY:

C. W. Wetherick