

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated February 2, 2016.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

CONDITIONS

1. **Last Extension Condition**
This is to be the last extension of time granted for Permit G-15779. Any future extensions of time requests will be denied.
2. **Permit Amendment Condition**
By October 1, 2017 the permit holder must submit to the Department, an application for a Permit Amendment under ORS 537.211, for approval to authorize a change in the point of appropriation from the permitted Well 1 (CLAC 61407) described in Permit G-15779.
3. **Well Construction Condition**
The permit holder shall complete construction of Well 1, and submit to the Department a completed well log by October 1, 2020. This deadline shall not be extended.

Well Conditions

1. **Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.**
4. **Checkpoint Condition**
The permit holder must submit a completed Progress Report Form to the Department by October 1, 2020, 2025, 2030, and 2034. *A form will be enclosed with your Final Order.*
 - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15779, Water Right Application G-16050,) FINAL ORDER
in the name of Barry and Lee Ann Cook)

Permit Information

Application:	G-16050
Permit:	G-15779
Basin:	3 – Sandy / Watermaster District 20
Date of Priority:	July 17, 2003
Source of Water:	Well 1 and Well 2 in Bear Creek Basin
Purpose of Use:	Nursery use on 19.0 Acres
Maximum Rate:	0.67 cubic foot per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-15779 was issued by the Department on November 24, 2004. The permit called for complete application of water to beneficial use by October 1, 2009. On December 21, 2015, Barry Cook submitted to the Department an Application for Extension of Time for Permit G-15779. In accordance with OAR 690-315-0050(2), on February 2, 2016, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2035. The protest period closed March 18, 2016, in accordance with OAR 690-315-0060(1). No protest was filed.

FITZGERALD Kate M

11/16/15

From: COURCHANE Corey A
Sent: Thursday, December 17, 2015 2:49 PM
To: FITZGERALD Kate M
Subject: Barry Cook, Permit G-15779

fill: 3/17/16

December 17, 2015

Ref: Application G-16050 Permit G-15779

Barry Cook called in reference to a compliance letter he received in regards to the described permit. Barry informed me that he will be filing an Application for Extension of Time, as development is not complete.

HOLD FOR 60 DAYS

Thank you,

Corey

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503 986-0825 | Fax: 503 986-0901

Email: corey.a.courchane@wrdd.state.or.us | Web: <http://www.wrdd.state.or.us>

BACK OFF MAN, I'M A SCIENTIST.

COURCHANE Corey A

From: WOZNIAK Karl C
Sent: Monday, January 11, 2016 2:37 PM
To: COURCHANE Corey A
Cc: BOUCHIER Aurora C
Subject: RE: Barry and Lee Ann Cook, Permit G-15779

Hello Corey,

Dry means different things to different folks. A driller or an owner might consider a well to be dry if the well yield was very low. I've visited wells that drillers have declared as dry only to find water in the well bore. Therefore, I have a different definition of dry. In any case, the driller of this well noted on the abandonment log, CLAC 61409, that he considered it highly unlikely that groundwater could be found at this site. He's entitled to his opinion but wells have been drilled nearby, some to the specified aquifer on the permit, that list yields from 25-300 gpm.

We do not guarantee that an owner will be able to drill a well that meets their stated needs when we issue a new groundwater permit. We do, however, sometimes limit the aquifer that they can produce water from in order to protect existing groundwater users or hydraulically connected streams. I'm not sure what the particular logic was in this particular case but the person who reviewed the application specified that production was to be limited to the Troutdale Sandstone GW reservoir at depth. This language was included on permit G-15779 so it is binding regarding any well drilled for use on the permit. If the permittee decides to drill in a different location he is still bound by the intent of the language. A change in location would also necessitate a permit amendment. The owner should be aware that if he drills a well in a different location and it is not completed in the Troutdale Sandstone Aquifer, an amendment might not be approved after the fact.

It's not clear why we would give such a long extension for such a permit but I'm not sure how the Water Rights section determines what is reasonable in these cases. The two proposed well locations on the permit are only separated by a few hundreds of feet and the permit condition should have been sufficient to inform the owner that he needed to drill a well to a depth of somewhere between 250-420 feet. For whatever reason, he chose not to drill deep enough to penetrate the Troutdale Sandstone GW reservoir. I doubt that any other location on his property would present better prospects for attaining water at that depth. Since he did not even attempt to drill deep enough to penetrate the specified aquifer, it's not clear why we should give him an extension. Has he exercised due diligence by drilling a well that was not deep enough to penetrate the specified aquifer?

Let Aurora Bouchier know if you need more information from us as she is now responsible for this area. However, feel free to cc me in any correspondence.

Karl C. Wozniak | Hydrogeologist – Groundwater Section

Water Resources Department | Ph: 503.986.0843
725 Summer ST. NE., Suite A Salem OR 97301

From: COURCHANE Corey A
Sent: Tuesday, December 29, 2015 4:06 PM
To: WOZNIAK Karl C
Subject: Barry and Lee Ann Cook, Permit G-15779

Good afternoon Karl,

I received an extension request from this permit holder, in which they are requesting an extension from October 1, 2009 to October 1, 2035. The permit authorizes the use of water from Well 1 and Well 2 in Bear Creek Basin for nursery use on 19.0 acres, 0.67 cfs. One permit condition suggests that GW production shall only be from the Troutdale Sandstone gw reservoir, between approx. 250 ft. and 420 ft. below land surface. According to the well log for CLAC 61407, the well was abandoned after drilling to only 120 feet. They state on their application Well 1 was a dry hole, no further drilling was attempted. A question I have, is how can a permit holder state their well came up dry if they didn't even drill to the permitted depth? Is that possible?

After reviewing their application, I automatically determined their request was asking for too much time. I am planning on limiting their request to October 1, 2025 with a Last Extension condition. Would you have any input to add, or any specific limitations or conditions to be carried forward that isn't already on the permit?

As always, I appreciate your time and input.

Thank you,

Corey

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503 986-0825 | Fax: 503 986-0901

Email: corey.a.courchane@ wrd.state.or.us | Web: <http://www.wrd.state.or.us>

BACK OFF MAN, I'M A SCIENTIST.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **118368**

INVOICE # _____

RECEIVED FROM: B Cook; L Cook
 BY: _____

APPLICATION	G-16050
PERMIT	
TRANSFER	

CASH: CHECK.# 4010 OTHER: (IDENTIFY)

TOTAL REC'D \$ 575.00

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 \$ 575.00

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$	0202	RECORD FEE \$
0203 GROUND WATER	\$	0204	\$
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 (FWWRD) \$
 0231 HYDRO LICENSE FEE (FWWRD) \$
 HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **118368** DATED: 12/21/15 BY: Maninder

Application # G-16050 Permit # G-15779

Public Notice Route Slip ... New Application Extension of Time
per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**

Money Received on: 12/21/15

◆ **Extension Specialist...**

Added to tracking spreadsheet

After fee is receipted and app is added to spreadsheet, route to...

◆ **Kate Fitzgerald...**

Publish on Public Notice (initial 30-day comment): Date of notice 12/29/15

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No: Return file to Extension Specialist after PN _____

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits
(OAR 690-315-0010 through OAR 690-315-0060)

Application: G 16050 Permit: 6-15779 Permit Amendment? No Yes T- not yet pending approved

Permit Holder's Name: Barry and LeeAnn Cook 37621 SE Bear Creek Lane

Permit Holder's Mailing Address: _____ email _____

Phone Number: _____

POD Location: Township _____ Range _____ Section _____ 1/4 _____

Drainage Basin: 3 County: Clatsop Watermaster District: 20 Watermaster: Amy Lim

Date Permit was issued: 11-24-2004 Priority Date: 7-17-2003 Date of PN: 12-29-15

Source: Well 1 and Well 2 in Bear Creek Basin

Use: Nursery use on 19.0 A

"Q": 0.67 cfs

Orig "A" Date: _____

Orig "B" Date: 10/1/ _____

Orig "C" Date: 10/1/2009

Extension request rec'd: 12-21-2015 Last Authorized "B" Date: 10/1/ _____

Last Authorized "C" Date: 10/1/20

Request Number (1, 2, 3...): 1st Proposed "B" Date: 10/1/ _____

Proposed C Date: 10/1/2035 ?

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Meter needs Permit Amendment
<input type="checkbox"/>	<input checked="" type="checkbox"/>	water usage well 1 (Clack 61407) 8-5-2005
<input type="checkbox"/>	<input checked="" type="checkbox"/>	well conditions Abandoned (Clack 61401) 8-5-2005
<input type="checkbox"/>	<input checked="" type="checkbox"/>	SWL Initial and Annual March 15 - April 15
<input type="checkbox"/>	<input type="checkbox"/>	Began Construction:

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.

• Amount Invested to date: \$ 15,850 Estimated Remaining Cost: \$ 75,000

- Beneficial use made of the water during the permit or previous extension time limits

• Permit holder has beneficially used 0 cfs gpm af of the total permitted quantity of water on 0 acres

GW REVIEW: Y N

MITIGATION REVIEW: Y N

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes No

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Name Sandy River scenic waterway Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
- within a critical or limited Ground Water Area? Name of area limited sandy-Boring
- within a Withdrawn Area? Name of area Sandy River
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list
- within an area ranking low / moderate / high / highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. Approval of Extension Request

No ... "Good Cause" cannot be found. Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints (Years: _____)

Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987

"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."

COBU Requirement - Surface Water - post July 9, 1987

"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

COBU Requirement - Ground Water - post July 9, 1987

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline

Date: _____

Reviewer's Name: M Bamberg cr Date: 12-21-2015



Oregon
Kate Brown, Governor

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

December 23, 2015

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-16050 (Permit G-15779)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Corey Courchane at (503) 986-0825. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

- This completed Application for Extension of Time.
- Statutory fee of \$575.
- Signature page (Second page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION
along with the Supporting documents and/ or evidence

RECEIVED BY OWRD

\$575 STATUTORY FEE TO:

DEC 21 2015

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

SALEM, OR



GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS, available at the following link:
http://www.oregon.gov/owrd/PUBS/docs/forms/fillable_muni_quasi_ext_app_form_2014.doc
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- An instruction sheet, INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR EXTENSION OF TIME FOR A WATER RIGHT PERMIT (Attachment A), provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at:
http://arcweb.sos.state.or.us/pages/rules/oars_600/oar_690/690_315.html
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

- An Application for an Extension of Time will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://apps.wrd.state.or.us/apps/wr/wrinfo/> (using the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time

Please see the instruction sheet to help you answer these questions.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)
For Groundwater Permits

Has construction of the well begun? Yes No

Date construction began Month: 08 Day: 05 Year: 2005

Details of construction and attach documentation:

Water Right Information & Permit Condition Water Level Reporting Form
 Water Resources Well Log ID: CLAC 61407
 Well ID: 68345

For Surface/Reservoir Permit

Has construction of the water system begun? Yes No

Date construction began Month: Day: Year:

Details of construction and attach documentation:

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2. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2035
<input checked="" type="checkbox"/>	Submittal of annual water usage report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2035
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2035
<input type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter/ in-line meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation a staff gauge	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

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If you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

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[OAR 690-315-0020(3)(e)]

SALEM, OR

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use *chronological order*. (this does NOT include planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops)

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
11/24/2004	Date the permit was signed - find date above signature on last page of permit.	
06/10/2005	Installation of underground PVC pipe to various planting blocks	\$4,500.00
06/30/2005	Terminal ends at planting blocks for drip irrigation distribution	\$850.00
08/05/2005	Drill well at well site location #1 – dry hole – no further drilling attempted	\$10,500.00
10/1/2009	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water <u>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME:</u> <i>List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	No additional work has been completed on any well sites associated with this permit	
Total Cost for Chart-B		\$15,850.00

* If exact cost is not known, you must provide your best estimate.

4. If this is not your 1st Application for Extension of Time request, fill out CHART-C below in addition to CHART-B above. Use *chronological order*.

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. Cost of project to date: _____
 (The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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[OAR 690-315-0020(3)(e)(B)]
 Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.
 TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

6. **For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):**

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = 0 cfs (cubic feet per second) or,

Maximum rate used to date = 0 gpm (gallons per minute) or,

Acre-feet stored to date = 0 AF

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7. **For Ground Water Permit Extensions (e.g. G-XXXX):**

TIP: Include information from ALL wells that pertain to this permit, including drilled wells not currently used.

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 8 below)	Maximum instantaneous rate used to date from this well -- under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
WELL #1	#1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	CLAC 61407	68345	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	0	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
		Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	- -
Total instantaneous rate from all wells utilized under this permit								

8. If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location.

Has or will a Permit Amendment Application been/be filed? Yes No

If a Permit Amendment Application has been filed: Transfer No. T-_____

Well #1 Actual location:

SE quarter of the SW quarter of Section 26, township1.00S, Range 4.00E, 1040 feet North & 1450 feet East from SW corner, Section 26

[OAR 690-315-0020(3)(e)(C)]

9. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: 0

Ground Water Permits: Please specify which wells are being utilized for this irrigation.

RECEIVED BY OWRD

Well #1 Acres: 19 Well # _____ Acres _____

DEC 21 2015

Well # _____ Acres _____ Well # _____ Acres _____

SALEM, OR

[OAR 690-315-0020(3)(i)(j)]

10. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2017 – 2035	Complete drilling of well	\$75,000.00
Year: 2035	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		75,000.00

[OAR 690-315-0020(3)(g)]

11. Estimated remaining cost to complete the project: \$60,000 - \$75,000

(The total cost from CHART-E)

[OAR 690-315-0020(3)(h)]

12. Describe the reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances. Include any additional unforeseen events and/or other governmental regulation or requirements.

Financially, we were unable to complete the well drilling and irrigation system after the failed 1st attempt. In 2009, the nursery market crashed and we moved our operation into a holding / maintenance mode to survive.

[OAR 690-315-0020(3)(k)]

13. **Justify the time requested to complete the project and/or apply the water to full beneficial use.** Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

2014 recorded our 1st significant rebound in nursery stock sales since 2008. Historical markets still haven't fully returned to levels prior to 2008.

With the need to develop non-traditional markets, I am implementing a two plant cycle term period (approx. 10 years) for market development. That phase in process is scheduled to begin by 2017. Adjustment for changes in the industry, market development, and introduction of new species and varieties account for the conservative time horizon.

[OAR 690-315-0020(3)(m)(n)]

14. **Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.**

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DEC 21 2015
SALEM, OR

Attach permit, and documentation to the application.

Water Right Information Query Results

Contact Information

▼ **Current contact information**

OWNER:
 BARRY COOK
 37621 SE BEAR CREEK LANE
 BORING, OR 97009

OWNER:
 LEE ANN COOK
 37621 SE BEAR CREEK LANE
 BORING, OR 97009

Documents [View all scanned documents](#)

▶ **Application: G 16050**

▼ **Permit: G 15779** [document](#) , [paper map](#)

▶ Signature: 11/24/2004

Permit Workflow			
Action	Date	Result	Completed By
Completion Date [C Date]	10/1/2009		JERRY GAINFY

- ▶ [View right with Web Mapping](#)
- ▶ [View Places of Use from Water Rights in the Same Area](#)
- ▶ [View Reported Water Use](#)

Water Right Information

Status: Non-Cancelled
 County: Clackamas
 File Folder Location: Salem
[Watermaster District: 20](#)

Point(s) of Diversion

▼ **POD 1 - A WELL > BEAR CREEK**

▼ **Description**

- ▶ Name: WELL 1
- ▶ T-R-S-QQ: 1.00S-4.00E-26-SE SW
- ▶ Location Description: 1040 FEET NORTH AND 1450 FEET EAST FROM SW CORNER, SECTION 26

▼ **POD Rate**

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
0.67	0.335(est)		

▼ **NURSERY USES (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/17/2003	0.67	0.1116(est)			1/40	5.00000	1/1	12/31	CONTAINERIZED
7/17/2003	0.67	0.1116(est)			1/80	2.50000	1/1	12/31	IN GROUND
7/17/2003	0.67	0.1116(est)			1/80	2.50000	1/1	12/31	ANY OTHER CROP

RECEIVED BY OWRD

DEC 21 2015

SALEM, OR

▼ **POD 2 - A WELL > BEAR CREEK**

▼ **Description**

- ▶ Name: WELL 2
- ▶ T-R-S-QQ: 1.00S-4.00E-26-SE SW
- ▶ Location Description: 700 FEET NORTH AND 1720 FEET EAST FROM SW CORNER, SECTION 26

▼ **POD Rate**

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
0.67	0.335(est)		

▼ **NURSERY USES (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
7/17/2003	0.67	0.1116(est)			1/40	5.00000	1/1	12/31	CONTAINERIZED
7/17/2003	0.67	0.1116(est)			1/80	2.50000	1/1	12/31	IN GROUND
7/17/2003	0.67	0.1116(est)			1/80	2.50000	1/1	12/31	ANY OTHER CROP

Place(s) of Use [Add TRS grouping](#)

▼ **Use - NURSERY USES (Primary) - 19.0 acres; Priority Date: 7/17/2003**

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Linked PODs	Inchoate Info	Remarks
1.00S-4.00E-26	SW SW				6.5	NC			
1.00S-4.00E-26	SE SW				12.5	NC			
Sum of Acres: 19.0									

Water Right Genealogy

App: G 16050

Permit: G 15779 *

[View Water Rights in same Family](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

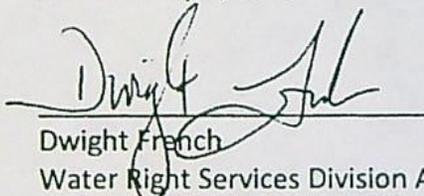
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-16050, Permit G-15779, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2009 to October 1, 2035.

DATED: May 6, 2016



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15779, Water Right Application G-16050,) PROPOSED FINAL ORDER
in the name of Barry and Lee Ann Cook)

Permit Information

Application: G-16050
Permit: G-15779
Basin: 3 – Sandy / Watermaster District 20
Date of Priority: July 17, 2003
Source of Water: Well 1 and Well 2 in Bear Creek Basin
Purpose of Use: Nursery use on 19.0 Acres
Maximum Rate: 0.67 cubic foot per second (cfs)

Please read this Proposed Final Order in its entirety as it contains additional conditions not included in the original permit.

In Summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2009 to October 1, 2035¹.
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

¹Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order
cfs – cubic feet per second
gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provides in pertinent part that the Oregon Water Resources Department may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0050(5) states that extension orders may include, but are not limited to, any condition or provision needed to: ensure future diligence; mitigate the effects of the subsequent development on competing demands on the resource; and periodically document the continued need for the permit.

OAR 690-315-0050(6) requires the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit G-15779 was issued by the Department on November 24, 2004. The permit authorizes the use of up to 0.67 cfs of water from Well 1 and Well 2 in Bear Creek Basin for nursery use on 19.0 acres. The permit specified complete application of water was to be made on or before October 1, 2009.
2. On November 16, 2015, the Department issued a letter by certified mail, requesting either a Claim of Beneficial Use or an extension of time be submitted, or cancellation proceedings for Permit G-15779 would begin.
3. The permit holder, Barry Cook, submitted an "Application for Extension of Time" to the Department on December 21, 2015, requesting the time to complete construction of the water system be extended from October 1, 2009 to October 1, 2035. However, the permit does not contain a specific deadline for completing construction, the Department needs to only consider an extension of the time to apply water to full beneficial use. The Department, therefore, determined that the permit holder's intent was to request the time in which to accomplish beneficial use of water to the full extent under the terms of Permit G-15779 be extended from October 1, 2009 to October 1, 2035.
4. Notification of the Application for Extension of Time for Permit G-15779 was published in the Department's Public Notice dated December 29, 2015. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230², 537.248³, 537.630⁴ and/or 539.010(5)⁵.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

5. On December 21, 2015, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

6. Construction of the well began prior to the complete application of water date specified in the permit, being October 1, 2009. The application states, construction of Well 1

²ORS 537.230 applies to surface water permits only.

³ORS 537.248 applies to reservoir permits only.

⁴ORS 537.630 applies to ground water permits only.

⁵ORS 539.010(5) applies to surface water and ground water permits.

(CLAC 61407) began August 5, 2005.

According to the well log received by the Department on August 15, 2005, Well 1 (CLAC 61407) construction began July 5, 2005. The Department has determined that the prosecution of the construction of the well began prior to October 1, 2009.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

7. As of December 21, 2015, the permit holder states the remaining work to be completed consists of submitting and gaining approval for a Permit Amendment to change the point of appropriation; drilling Well 1 and Well 2; meeting all permit conditions; and applying water to full beneficial use.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2035, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15779 is excessive, and is not reasonable or necessary. The Department has determined that an extension of 10 years to October 1, 2035, is more appropriate, reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

8. The application states, work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of Well 1 (CLAC 61407) began July 5, 2005 and was abandoned on August 5, 2005. Well 1 (CLAC 61407) was developed to 120 feet below ground surface, and the decision was made to abandon the well. The permit holder installed underground PVC pipe to various planting blocks, and terminal ends at planting blocks for drip irrigation system.

- b. No additional work was accomplished since 2005.

The Department has determined that minimal work has been accomplished within the time allowed in the permit, which provides evidence of marginal good cause and lack of diligence towards the complete application of water to a beneficial use.

The Department has determined a lack of due diligence by drilling a well that was not deep enough to penetrate the specified aquifer stated in the permit.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

9. The application states no water has been appropriated from the wells for nursery use on 19.0 acres.
10. Beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied, and no application of the water to a beneficial use was made by October 1, 2009.
11. According to the permit holder, delay of full beneficial use of water under Permit G-15779 was due, in part, to Well 1 (CLAC 61407) not producing any water, and the permit holder was financially unable to complete the well drilling and irrigation system. The application states the nursery market crashed in 2009, and the permit holder moved the operation into a holding/maintenance mode to survive. The permit holder needs more time in which to obtain the full quantity of water allowed under the permit.

The Department has determined that this extension will allow the permit holder time to complete development of the water delivery system, and satisfy compliance of all permit conditions in an effort to make proof of beneficial use of the water as required by Permit G-15779.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

12. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the record does not show that a meter or other suitable measuring device has been installed, (2) the required March 15 through April 15 static water level measurements have not been received by the Department, (3) annual reports of the amount of water used each month have not been received by the Department, and (4) the record does not show that ground water production was made only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.

Therefore, the Department has determined the permit holder did not comply with conditions of the permit, as required by Permit G-15779.

Beneficial use of water under this permit, therefore, has not yet been demonstrated. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b),(3)(d),(4)(d)]

13. The application states the permit holder has invested about \$15,850, which is approximately 17.4 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$75,000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

14. The Department has found marginal good faith of the appropriator under Permit G-15779.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

15. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-15779; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The points of appropriation for Permit G-15779, located within the Sandy River Basin, are located within the Sandy-Boring Limited or critical ground water area. Sandy River is above the Sandy River Scenic Waterway, and, it is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

16. None have been identified.

Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

17. None have been identified.

18. OAR 690-315-0050(5) provides for extension orders to include, but are not limited to, any condition or provision needed to ensure future diligence, and/or mitigate the effects of the subsequent development on competing demands on the resource. The Department determined the need to place a "Last Extension Condition" on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. This condition, specified under Item 1 of the "Conditions" section of this PFO, was determined to be necessary due to no additional work having been accomplished since August 5, 2005.

19. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 2 of the "Conditions" section of this PFO to meet this condition.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

20. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

21. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

22. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. Based on Finding of Facts 6 through 15, full application of water to beneficial use can be accomplished by October 1, 2035, as required by OAR 690-315-0040(1)(c).

4. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that marginal good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
5. As required by OAR 690-315-0050(6) and as described in Finding 19 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 2), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-15779.
6. As authorized in OAR 690-315-0050(5) and as described in Finding 18 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), a "Last Extension Condition" in order to ensure future diligence is exercised in the development and perfection of Permit G-15779.

Continued on the following page

PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit G-15779 from October 1, 2009 to October 1, 2035.

Subject to the following conditions:

CONDITIONS

1. **Last Extension Condition**
This is to be the last extension of time granted for Permit G-15779. Any future extensions of time requests will be denied.
2. **Permit Amendment Condition**
By October 1, 2017 the permit holder must submit to the Department, an application for a Permit Amendment under ORS 537.211, for approval to authorize a change in the point of appropriation from the permitted Well 1 (CLAC 61407) described in Permit G-15779.
3. **Well Construction Condition**
The permit holder shall complete construction of Well 1, and submit to the Department a completed well log by October 1, 2020. This deadline shall not be extended.

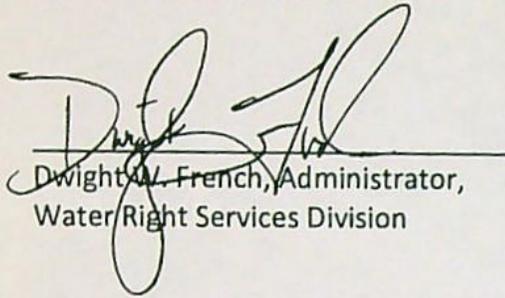
Well Conditions

1. **Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.**
4. **Checkpoint Condition**
The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020, 2025, 2030, and 2034. A form will be enclosed with your Final Order.**
 - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260

or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

DATED: February 2, 2016


Dwight W. French, Administrator,
Water Right Services Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **March 18, 2016**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:

Mailing List for Extension PFO Copies

PFO Date: February 2, 2016

Copies Mailed

Application: G-16050

By: KF

Permit: G-15779

On: 2/2/16

Original mailed to Applicant:

Barry and Lee Ann Cook
37621 SE Bear Creek Lane
Boring, OR 97009

Copies sent to:

1. WRD - App. File G-16050/ Permit G-15779

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 20, Amy Kim

CASEWORKER: CAC

Oregon Water Resources Department
Water Right Services Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-15779, Water Right Application G-16050,)
in the name of Barry and Lee Ann Cook) **FINAL ORDER**

Permit Information

Application:	G-16050
Permit:	G-15779
Basin:	3 – Sandy / Watermaster District 20
Date of Priority:	July 17, 2003
Source of Water:	Well 1 and Well 2 in Bear Creek Basin
Purpose of Use:	Nursery use on 19.0 Acres
Maximum Rate:	0.67 cubic foot per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either file for judicial review, or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-15779 was issued by the Department on November 24, 2004. The permit called for complete application of water to beneficial use by October 1, 2009. On December 21, 2015, Barry Cook submitted to the Department an Application for Extension of Time for Permit G-15779. In accordance with OAR 690-315-0050(2), on February 2, 2016, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2035. The protest period closed March 18, 2016, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated February 2, 2016.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

CONDITIONS

1. **Last Extension Condition**
This is to be the last extension of time granted for Permit G-15779. Any future extensions of time requests will be denied.
2. **Permit Amendment Condition**
By October 1, 2017 the permit holder must submit to the Department, an application for a Permit Amendment under ORS 537.211, for approval to authorize a change in the point of appropriation from the permitted Well 1 (CLAC 61407) described in Permit G-15779.
3. **Well Construction Condition**
The permit holder shall complete construction of Well 1, and submit to the Department a completed well log by October 1, 2020. This deadline shall not be extended.

Well Conditions

1. **Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.**
4. **Checkpoint Condition**
The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020, 2025, 2030, and 2034. A form will be enclosed with your Final Order.**
 - (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation

proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

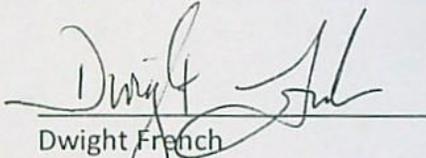
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-16050, Permit G-15779, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2009 to October 1, 2035.

DATED: May 6, 2016



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0825.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

FO Date: May 6, 2016

Copies Mailed

Application: G-16050

By: CC

Permit: G-15779

On: 5-6-16

Original mailed to permit holder

Barry and Lee Ann Cook
37621 SE Bear Creek Lane
Boring, OR 97009

Copies sent to:

1. WRD - App. File G-16050/ Permit G-15779

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail - FO available in WRIS for review

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 20, Amy Kim

If Progress Reports are included:

(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by JDP Date 27-Apr-16

CASEWORKER: CAC

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BARRY AND LEE ANN COOK
37621 SE BEAR CREEK LANE
BORING, OR 97009

(503) 668-8349

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16050

SOURCE OF WATER: WELL 1 AND WELL 2 IN BEAR CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 19.0 ACRES

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 17, 2003

WELL LOCATIONS:

WELL 1: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 1040 FEET NORTH & 1450 FEET EAST FROM SW CORNER, SECTION 26

WELL 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 700 FEET NORTH & 1720 FEET EAST FROM SW CORNER, SECTION 26

The amount of water used for irrigation use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for irrigation other than irrigation of an in-ground crop may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.5 ACRES
SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a 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 water user to report general water use information, including the place and nature of use of water under the permit.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

WELL CONDITIONS

1. Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.
2. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.
3. A. Use of water from the wells, as allowed herein, shall be regulated if the well displays:
 - 1) An average water level decline of three or more feet per year for five consecutive years; or
 - 2) A total water level decline of fifteen or more feet; or

- 3) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- B. The water user shall install a meter or other measuring device suitable to the Director, and shall keep a complete record of water uses.
- C. The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
- 1) Use of water from a new well shall not begin until the initial water level in the well has been measured. A measurement of initial water level shall be made at the time a pump is installed, but before pumping begins.
 - 2) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year at the time of spring high water during the period March 15 through April 15.
 - 3) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, licensed water well drillers, registered geologists, registered professional engineers, registered land surveyors, licensed well constructor, pump installer licensed by the Construction Contractors Board, or the water user.
 - 4) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - 5) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be received not later than 30 days from the date of measurement. The Department shall determine when any of the declines cited in section 3(A) are evidenced by the well measurement required in section 3(C).

STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

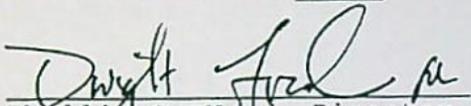
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the water user shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued November 24, 2004


Phillip C. Ward, Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the water user named hereon, if the land the permit is associated with changes ownership, or if the water user is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the water user named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the water user's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Water users involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

(1) OWNER: Well No. L68345
Name BARRY COOK
Address 37621 SE BEAR CREEK LANE
City BORING St OR Zip 97009

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO _____ Depth of Compl. Well 120 ft
Explosives used NO _____ Type _____ Amount _____
HOLE SEAL
Diam. From To Material From To Amount
8 0 120 _____
Seal placement method _____
Backfill: from _____ ft to _____ ft Material _____
Gravel: from _____ ft to _____ ft Size _____

(6) CASING/LINER:
Diam. From To Gauge Material Connection
Casing 6 1 120 .250 STEEL WELDED
Liner _____
Final Location of shoe(s) 120'

(7) PERFORATIONS/SCREENS:
 Perf. Method _____
 Screens Type _____ Material _____
Slot Tele/pipe
From To Size Number Diam. Size Casing/liner

(8) WELL TESTS: Minimum testing time is 1 hour
Test type _____
Yield GPM Draw-down Drill stem at Time 1 hr.
Temperature of water _____ Depth Artesian Flow Found _____
Was water analysis done? NO By whom _____
Reason for water not suitable for use _____
Depth of strata _____

(9) LOCATION OF WELL by legal description:
County CLACK Lat. ° ' " Long. ° ' "
Township 1 S Range 4 E WM.
Section 26 SE 1/4 SW 1/4
Tax Lot 6501 Lot Block Subdivision
Street Address of Well (or nearest Address)
37708 SE BLUFF ROAD BORING, OR 97009

(10) STATIC WATER LEVEL:
_____ ft. below land surface. Date _____
Artesian pressure _____ lb per square in. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found _____
From To Est Flow Rate SWL

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 1
RED CLAY 1 4
BROWN CLAY 4 6
HARD BADLY BROKEN & FRACTURED GRAY 6
BASALTS 120

DECISION WAS MADE TO ABANDON WELL.

*SEE WELL LOG #L68346

RECEIVED

AUG 15 2005

TED PULLIAM WELL DRILLING WATER RESOURCES DEPT
9480 S.E. 172nd SALEM, OREGON
Boring, Oregon 97009
503-666-3353

Date started 07/05/05 Completed 08/05/05

(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 my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. 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 *Ted Pulliam* WWC Number 616
Date 08/11/05

(1) OWNER: Well No. L68346
Name BARRY COOK
Address 37621 SE BEAR CREEK LANE
City BORING St OR Zip 97009

(2) TYPE OF WORK: ABANDON

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO _____ Depth of Compl. Well _____ ft
Explosives used NO _____ Type _____ Amount _____
HOLE SEAL
Diam. From To Material From To Amount

Seal placement method _____
Backfill: from _____ ft to _____ ft Material _____
Gravel: from _____ ft to _____ ft Size _____

(6) CASING/LINER:
Diam. From To Gauge Material Connection
Casing _____

Liner _____

Final Location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perf. Method _____
 Screens Type _____ Material _____
Slot Tele/pipe
From To Size Number Diam. Size Casing/liner

(8) WELL TESTS: Minimum testing time is 1 hour
Test type _____
Yield GPM Draw-down Drill stem at Time 1 hr.

Temperature of water _____ Depth Artesian Flow Found _____
Was water analysis done? NO By whom _____
Reason for water not suitable for use _____
Depth of strata _____

(9) LOCATION OF WELL by legal description:
County CLACK Lat. ° ' " Long. ° ' "
Township 1 S Range 4 E WM.
Section 26 SE 1/4 SW 1/4
Tax Lot 6501 Lot Block Subdivision
Street Address of Well (or nearest Address)
37708 SE BLUFF ROAD BORING, OR 97009

(10) STATIC WATER LEVEL:
_____ ft. below land surface. Date _____
Artesian pressure _____ lb per square in. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found _____
From To Est Flow Rate SWL

(12) WELL LOG:
Material Ground elevation _____
From To SWL

DECISION WAS MADE TO ABANDON THIS WELL
DUE TO THE HIGHLY UNLIKELYHOOD OF
HITTING WATER IN THIS TYPE OF FORMATION
IN THIS PATICULAR AREA.

PULLED 120' OF 6" CASING OUT OF 8" HOLE.
GROUTED HOLE FULL FROM 120' TO SURFACE
USING 49 SACKS OF CEMENT.
LEFT CEMENT & HOLE 3 FEET BELOW SURFACE.

RECEIVED

AUG 15 2005

WATER RESOURCES DEPT
SALEM, OREGON

TED PULLIAM WELL DRILLING
9480 S.E. 172nd
Boring, Oregon 97009
503-665-9359

Date started 08/05/05 Completed 08/05/05

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

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification: I accept respon-
sibility 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 *Ted Pulliam* WWC Number 616
Date 08/11/05

(1) OWNER: Well No. L68345
Name BARRY COOK
Address 37621 SE BEAR CREEK LANE
City BORING St OR Zip 97009

(2) TYPE OF WORK: NEW WELL

(3) DRILL METHOD: ROTARY AIR

(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO _____ Depth of Compl. Well 120 ft
Explosives used NO _____ Type _____ Amount _____
HOLE SEAL
Diam. From To Material From To Amount
8 0 120 _____
Seal placement method _____
Backfill: from _____ ft to _____ ft Material _____
Gravel: from _____ ft to _____ ft Size _____

(6) CASING/LINER:
Casing Diam. From To Gauge Material Connection
6 1 120 .250 STEEL WELDED
Liner _____
Final Location of shoe(s) 120'

(7) PERFORATIONS/SCREENS:
[] Perf. Method _____
[] Screens Type _____ Material _____
From To Slot Size Number Diam. Tele/pipe Size Casing/liner

(8) WELL TESTS: Minimum testing time is 1 hour
Test type _____
Yield GPM Draw-down Drill stem at Time 1 hr.
Temperature of water _____ Depth Artesian Flow Found _____
Was water analysis done? NO By whom _____
Reason for water not suitable for use _____
Depth of strata _____

(9) LOCATION OF WELL by legal description:
County CLACK Lat. ° ' " Long. ° ' "
Township 1 S Range 4 E WM.
Section 26 SE 1/4 SW 1/4
Tax Lot 6501 Lot Block Subdivision
Street Address of Well (or nearest Address)
37708 SE BLUFF ROAD BORING, OR 97009

(10) STATIC WATER LEVEL:
_____ ft. below land surface. Date _____
Artesian pressure _____ lb per square in. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found _____
From To Est Flow Rate SWL

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 1
RED CLAY 1 4
BROWN CLAY 4 6
HARD BADLY BROKEN & FRACTURED GRAY 6
BASALTS 120

DECISION WAS MADE TO ABANDON WELL.

*SEE WELL LOG #L68346

RECEIVED

AUG 15 2005

TED PULLIAM WELL DRILLING WATER RESOURCES DEPT
9480 S.E. 172nd SALEM, OREGON
Boring, Oregon 97009
503-665-3353

Date started 07/05/05 Completed 08/05/05

(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 my best knowledge and belief.

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. 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 *Ted Pulliam* WWC Number 616
Date 08/11/05

December 17, 2015

Ref: Application G-16050 Permit G-15779

Barry Cook called in reference to a compliance letter he received in regards to the described permit. Barry informed me that he will be filing an Application for Extension of Time, as development is not complete.

HOLD FOR 60 DAYS

A handwritten signature in black ink, appearing to read "Corey Courchane". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Corey A Courchane



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

NOTE: For water rights information and useful forms, please see our web site at www.oregon.gov/OWRD

November 16, 2015

Certified mail number 7015 0640 0006 1641 2023

Return receipt requested

BARRY COOK
LEE ANN COOK
37621 SE BEAR CREEK LANE
BORING, OR 97009

Reference: Application G-16050, Permit G-15779

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2009.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2009. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (January 15, 2016) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Machelie Bamberger by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)

cc: File G-16050

OWRD Watermaster District 20



Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16050

Superseding Final Order

Appeal Rights

This is a final order in other than contested case. Pursuant to ORS 537.173, ORS 183.484, and OAR 137-004-080, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. Any petition for judicial review of the order must be filed within the 60 day time period specified by ORS 183.484(2).

Application History

On July 15, 2004, a FINAL ORDER was issued approving application G-16050 upon the submission of written authorization or easement for land not owned by the applicant, Barry and Lee Ann Cook.

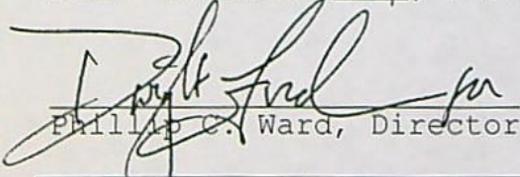
Subsequently, on October 26, 2004, Barry Cook submitted documentation to delete Well 3 and the lands not owned by the applicants from the application and draft permit.

The Department finds that the final order for application G-16050 requires modification to reflect the changes requested by the applicant.

Order

Application G-16050 therefore is approved as modified above, and Permit G-15779 is issued as limited by the conditions proposed by the Final Order and the above modifications.

DATED November 24, 2004


Phillip C. Ward, Director

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the person to answer your questions. You can reach me at 503-986-0812. If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at 503-986-0824. If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BARRY AND LEE ANN COOK
37621 SE BEAR CREEK LANE
BORING, OR 97009

(503) 668-8349

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16050

SOURCE OF WATER: WELL 1 AND WELL 2 IN BEAR CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 19.0 ACRES

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 17, 2003

WELL LOCATIONS:

WELL 1: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 1040 FEET NORTH & 1450 FEET EAST FROM SW CORNER, SECTION 26

WELL 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 700 FEET NORTH & 1720 FEET EAST FROM SW CORNER, SECTION 26

The amount of water used for irrigation use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for irrigation other than irrigation of an in-ground crop may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.5 ACRES
SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a 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 water user to report general water use information, including the place and nature of use of water under the permit.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

WELL CONDITIONS

1. Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.
2. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.
3. A. Use of water from the wells, as allowed herein, shall be regulated if the well displays:
 - 1) An average water level decline of three or more feet per year for five consecutive years; or
 - 2) A total water level decline of fifteen or more feet; or

- 3) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- B. The water user shall install a meter or other measuring device suitable to the Director, and shall keep a complete record of water uses.
- C. The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
- 1) Use of water from a new well shall not begin until the initial water level in the well has been measured. A measurement of initial water level shall be made at the time a pump is installed, but before pumping begins.
 - 2) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year at the time of spring high water during the period March 15 through April 15.
 - 3) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, licensed water well drillers, registered geologists, registered professional engineers, registered land surveyors, licensed well constructor, pump installer licensed by the Construction Contractors Board, or the water user.
 - 4) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - 5) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be received not later than 30 days from the date of measurement. The Department shall determine when any of the declines cited in section 3(A) are evidenced by the well measurement required in section 3(C).

STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

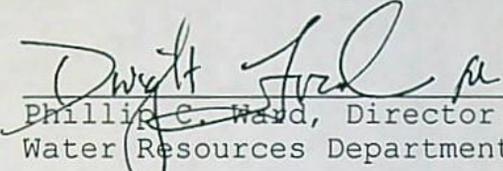
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Complete application of the water to the use shall be made on or before October 1, 2009. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the water user shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued November 24, 2004


Phillip C. Ward, Director
Water Resources Department

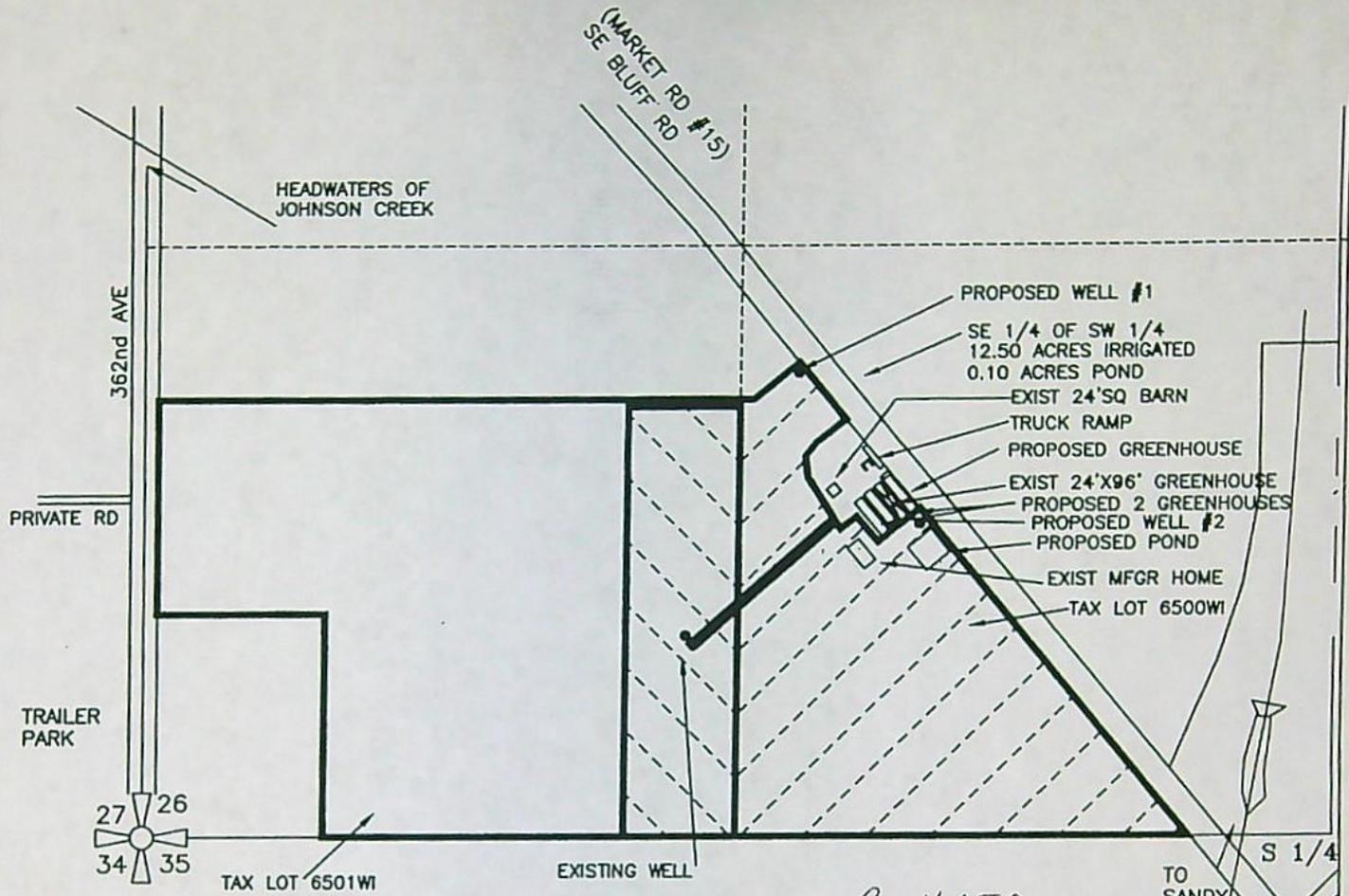
ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the water user named hereon, if the land the permit is associated with changes ownership, or if the water user is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the water user named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the water user's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

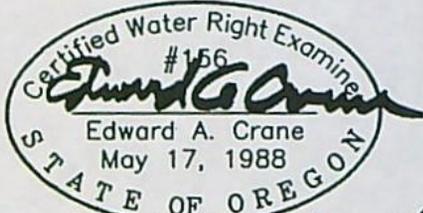
REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Water users involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

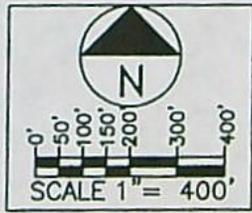
SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



app # G-16050
 Permit # G 15779



Signed 11.04.2004
 Renewal 12/31/2005
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A
 GROUNDWATER PERMIT G-16050

DATE NOV. 2004 SEPT. 2001		CRANE ENGINEERING & SURVEYING, INC. 13755 SE 119TH DRIVE CLACKAMAS, OREGON 97015 OFFICE: 503-698-3890 FAX NO: 503-698-3861 CELL: 503-679-3253 E-MAIL: eces@verizon.net	APPLICATION FOR PERMIT NUMBER G- 16050 PERMIT NUMBER G- _____ IN THE NAME OF: BARRY & LEE ANN COOK 37621 SE BEAR CRK LN (TEL: 503-668-3497) BORING, OR 97009 (TEL: 503-668-5531 WK)	SHEET 2/2
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CRANE ENGR & SURVEY 1400-001 140000001.DWG 11/04/2004 ENC

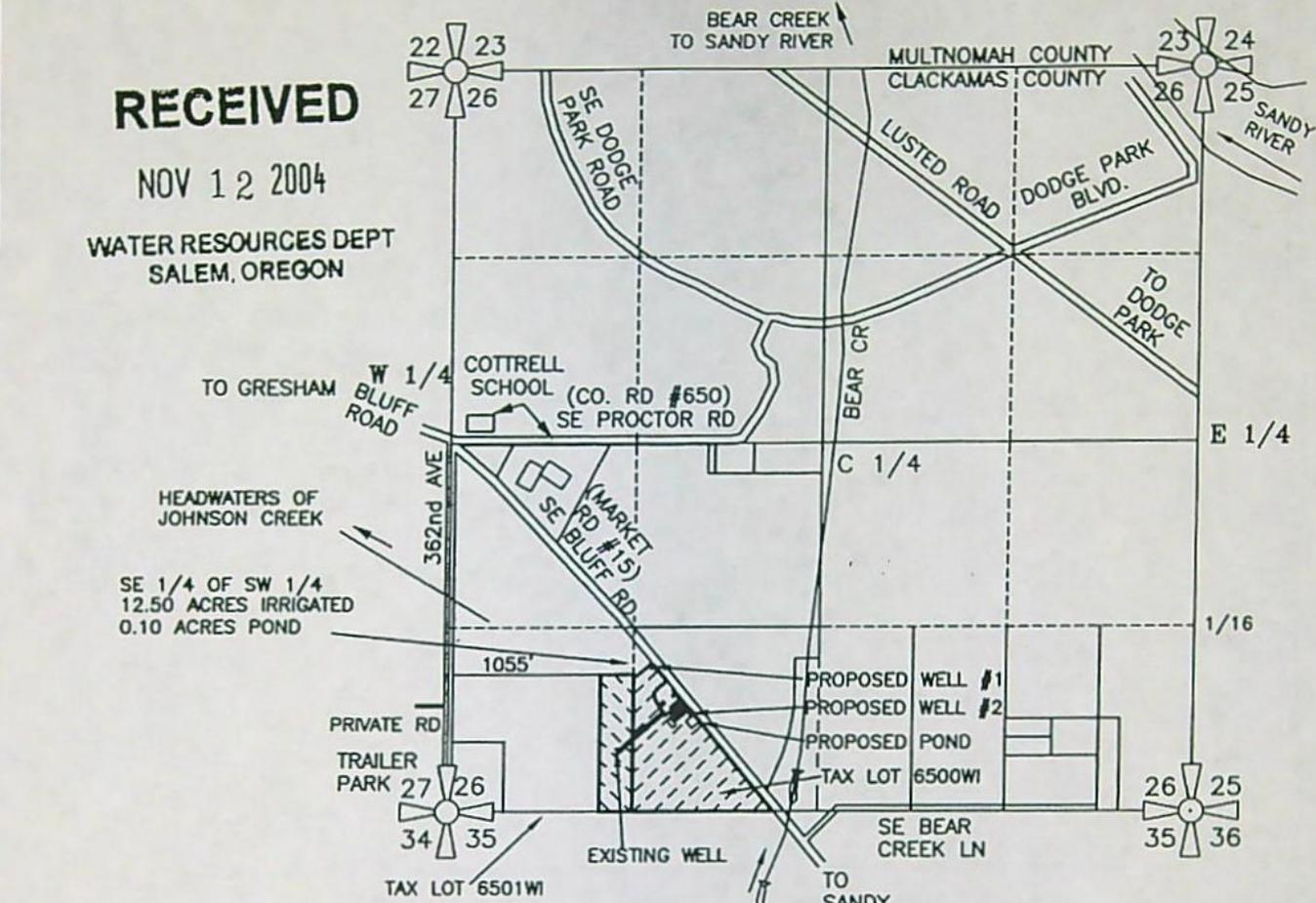
CORPORATE BOUNDARY LINE _____
 DONATION LAND CLAIM (DLC #) - - - - -
 SANDY 7.5 MIN. QUAD
 ASSESSOR MAP 1S 4E 26 & INDEX

SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON

RECEIVED

NOV 12 2004

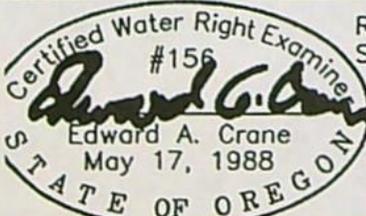
WATER RESOURCES DEPT
 SALEM, OREGON



IRRIG. WELLS: #1 & #2

IRRIG. WELL #1 IS 1040 FEET NORTH AND 1450 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON
 IRRIG. WELL #2 IS LOCATED 700 FEET NORTH & 1720 FEET EAST OF SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON

SEC.	1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
26	SW SW	6.50 AC IRRIG	0.081 CFS (36 GPM)
26	SE SW	12.50 AC IRRIG	0.156 CFS (70 GPM)
26	SE SW	[0.10 AC POND]	0.001 CFS (0.50 GPM)
TOTAL IRRIG.		19.00 ACRES	0.2375 CFS (106 GPM)

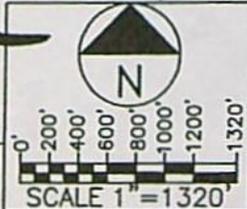


Renewal 12/31/2005
 Signed *11-04-2004*

Permit # *G-15779*
 app # *G-16050*

SURVEYED SEPT. 20, 2001
 BY EDWARD A. CRANE, CWRE

BY CRANE ENGINEERING & SURVEYING, INC. 11/04/2004 DC



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**APPLICATION FOR A
 GROUNDWATER PERMIT G-16050**

ATE
 NOV. 2004
 SEPT. 2001
 PROJECT NO.
 400-002



**CRANE ENGINEERING
 & SURVEYING, INC.**
 13755 SE 119TH DRIVE
 CLACKAMAS, OREGON 97015
 OFFICE: 503-698-3890
 FAX NO: 503-698-3861
 CELL: 503-679-3253
 E-MAIL: ecses@verizon.net

APPLICATION FOR PERMIT NUMBER G-16050
 PERMIT NUMBER G- IN THE NAME OF:

BARRY & LEE ANN COOK
 37621 SE BEAR CRK LN (TEL: 503-668-3497)
 BORING, OR 97009 (TEL: 503-668-5531 WK)

SHEET

1/2

6

Mailing List for Superseding FO Copies

Application # G-16050

Mailing List Print Date: October 29, 2004

Original mailed to(when permit issued, include copy of permit map):

Applicant: BARRY AND LEE ANN COOK, 37621 SE BEAR CREEK LANE, BORING OR 97009

For FO Permit - Copies sent to:

- 1. WRD - File # G-16050 ✓
- 2. WRD - Ken Stahr ✓

Copies Mailed
By: <u>[Signature]</u>
(SUPPORT STAFF)
on: <u>11-24-04</u>

For FO, Permit and Map Copies sent to:

- 3. WRD - Watermaster District #: 20 ✓
- 4. WRD - Regional Manager: NWR ✓
- 5. ~~WRD - Data Center~~

For FO w/PERMIT, w/Permit, or for Denial - Copies to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

- 1. Ed Crane, CWRE 156 ✓
- 2. Wytan Brown, 34780 SE 362nd Ave, Boring OR 97009 ✓

For FO w/PERMIT or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER: Gaineyjw

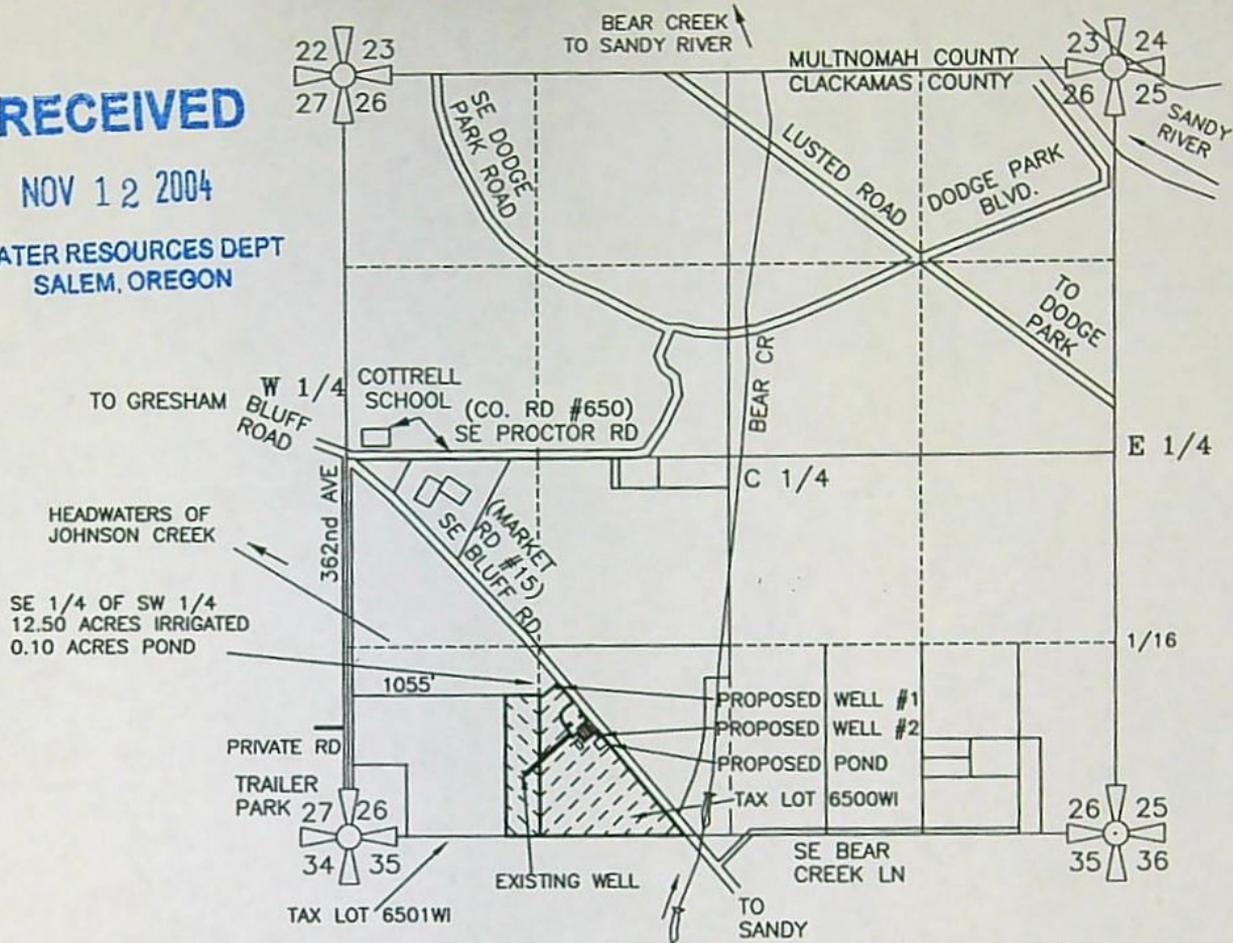
CORPORATE
BOUNDARY LINE _____
DONATION LAND
CLAIM (DLC #) _____
SANDY 7.5 MIN. QUAD
ASSESSOR MAP 1S 4E 26 & INDEX

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SW 1/4 of the SW 1/4 of SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
CLACKAMAS COUNTY, OREGON

RECEIVED

NOV 12 2004

WATER RESOURCES DEPT
SALEM, OREGON



IRRIG. WELLS: #1 & #2

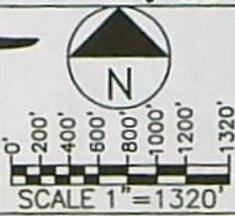
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26 SE SW	0.10 AC POND	0.001 CFS (0.50 GPM)
TOTAL IRRIG.	19.00 ACRES	0.2375 CFS (106 GPM)

Certified Water Right Examiner
#156
Edward A. Crane
Edward A. Crane
May 17, 1988
STATE OF OREGON

Renewal 12/31/2005
Signed *11-04-2004*

Permit # *G-15779*
app # *G-16050*



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SURVEYED SEPT. 20, 2001
BY EDWARD A. CRANE, CWRE

**APPLICATION FOR A
GROUNDWATER PERMIT G-16050**

DATE
NOV. 2004
SEPT. 2001
PROJECT NO.
400-002



**CRANE ENGINEERING
& SURVEYING, INC.**
13755 SE 119TH DRIVE
CLACKAMAS, OREGON 97015
OFFICE: 503-698-3890
FAX NO: 503-698-3861
CELL: 503-679-3253
E-MAIL: eces@verizon.net

APPLICATION FOR PERMIT NUMBER G-16050
PERMIT NUMBER G- IN THE NAME OF:
BARRY & LEE ANN COOK
37621 SE BEAR CRK LN (TEL: 503-668-3497)
BORING, OR 97009 (TEL: 503-668-5531 WK)

SHEET
1/2

PERMIT STATUS REVIEW BY Corey Courchane DATE 10-29-15 FILE # G-16050

1. Per Dwight French, **do not** send "C" DATE NOTICE PACKET if: update appropriate db

no Extension pending _____

no Assignment is pending _____

no Cancellation has been requested _____

no Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____) ✓

Was **60 days notice** allowed? Y N If No, How Much Time? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check? Y N date _____ successful? Y N

Re-send Cert. Letter? Y N date _____

Send cancellation order Y N

no Claim of beneficial use and final proof map (COBU) have been received by Department
Date information received _____

2. IF NONE OF THE ABOVE APPLY

_____ Send **certified** "C" date notice packet to permit holder.

"C" DATE 10-1-09 BASIN NUMBER 2 WM # 16

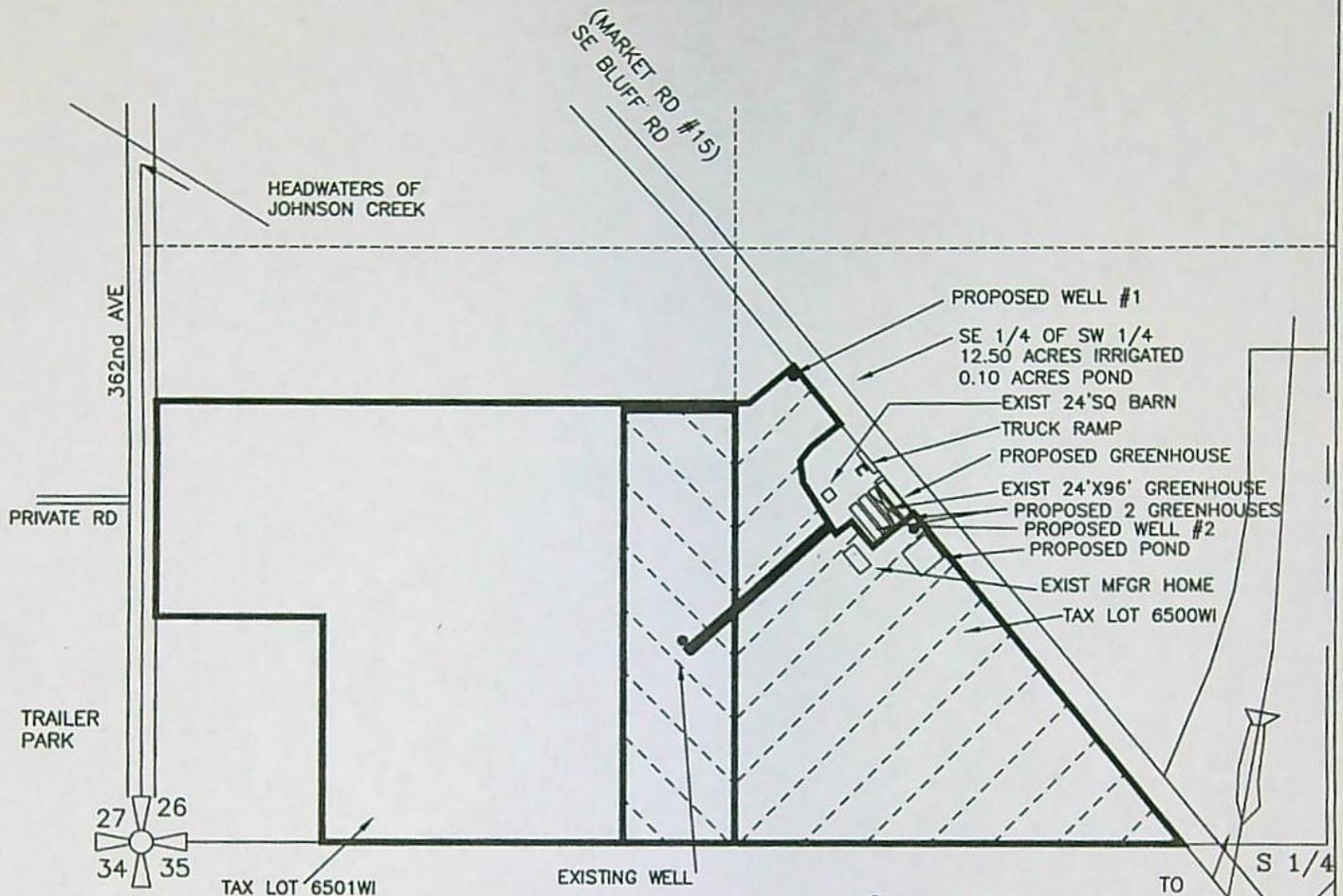
CWRE or AGENT Edward Crane

3. AOI Yes _____ NO If Yes, name of AOI _____

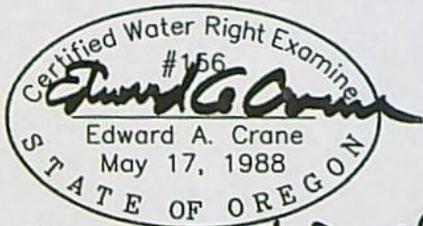
S:\groups\wr\PERMIT C jdv-date-checklist.doc

Send letter
10-29-15
ce

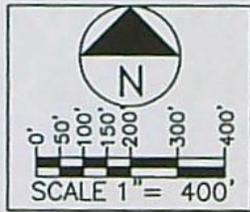
SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



app # G-16050
 Permit # G 15779



Signed 11.04.2004
 Renewal 12/31/2005
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



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APPLICATION FOR A
 GROUNDWATER PERMIT G-16050

© CRANE ENGINEERING & SURVEYING, INC. 400-0027, 40002301.DWG 11/04/2004 EAC

DATE NOV. 2004 SEPT. 2001		CRANE ENGINEERING & SURVEYING, INC. 13755 SE 119TH DRIVE CLACKAMAS, OREGON 97015 OFFICE: 503-698-3890 FAX NO: 503-698-3861 CELL: 503-679-3253 E-MAIL: eces@verizon.net	APPLICATION FOR PERMIT NUMBER <u>G- 16050</u> PERMIT NUMBER <u>G-</u> IN THE NAME OF:	SHEET 2/2
PROJECT NO. 400-002	BARRY & LEE ANN COOK 37621 SE BEAR CRK LN (TEL: 503-668-3497) BORING, OR 97009 (TEL: 503-668-5531 WK)			

November 8, 2004

Jerry Gainey
Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301-1271
Phone: 503.986.0812
Fax: 503986.0901

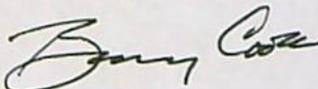
Re: Water Rights Application #G-16050
Map Revision

Hi Jerry,

Here is the requested map revision.

Please let me know if you need additional information.

Best regards,



Barry Cook

RECEIVED
NOV 12 2004
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

October 29, 2004

Barry and Lee Ann Cook
37621 SE Bear Creek Lane
Boring, Oregon 97009

Reference: File G-16050

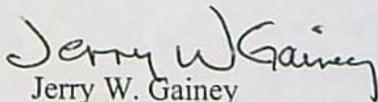
Dear Mr. and Mrs. Cook:

I received your letter of October 26, 2004, amending your application by removing Well 3 and the lands not owned by you. I am returning the map you submitted for corrections. In the SWSW quarter, Section 26, the map reflects a portion of the area is under your ownership and to be permitted under this application. Before I can issue a permit a revised map, reflecting only the area and the actual number of acres in each quarter-quarter must be submitted.

Please submit the revised map not later than **November 29, 2004**. You do not need to color the area of use.

If you have any questions or concerns, please contact me at 503-986-0812.

Sincerely,



Jerry W. Gainey

Water Right Application Caseworker

cc: Edward Crane, CWRE #156
File

October 26, 2004

Jerry Gainey
Water Right Application Section, Oregon Water Resources Department
725 Summer St NE Ste A
Salem, OR 97301-1271
Phone: 503.986.0812
Fax: 503.986.0901

Re: Water Rights Application #G-16050
Barry & Lee Ann Cook
37621 SE Bear Creek Lane
Boring, OR 97009
503.668.5531

Hi Jerry,

Per our phone conversation, I am writing to request a revision of my application.

I want to remove tax lot 6501WI owned by Wytan and Beth Brown from this permit application. That includes removal of proposed well site #3. I have highlighted the area in yellow that the Brown's own on a site map included with this request.

Tax lot #6500WI is owned by my wife and I and we request the full maximum rate of 0.67 cubic foot per second with year round use for nursery be transferred to this tax lot. This area is highlighted in pink on the map.

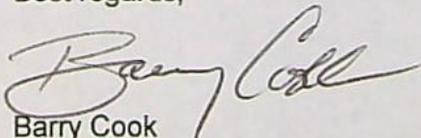
One question I have Jerry is if we get lucky and proposed well site #1 can produce the allotted 0.67 cubic foot per second can we draw up to the permitted amount out of the single well?

Please let me know if I need to supply any additional information with this request.

In addition, I understand the language written under "Purpose of Use" will be changed to include "nursery use year around".

Thank you for your assistance.

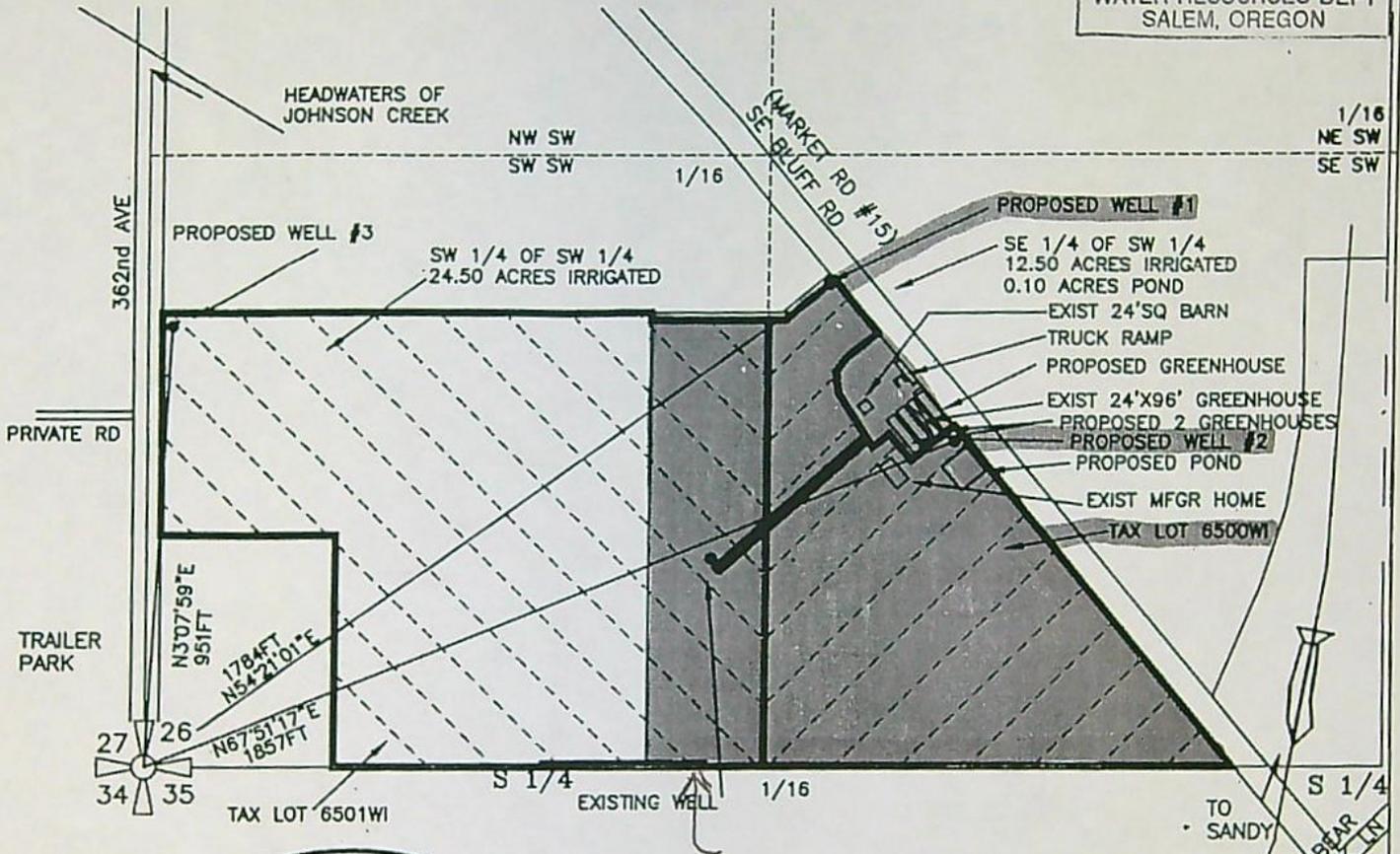
Best regards,


Barry Cook



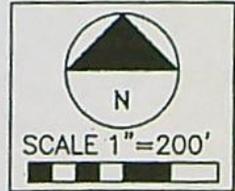
SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON

RECEIVED
 OCT 28 2004
 WATER RESOURCES DEPT
 SALEM, OREGON



Certified Water Right Examiner
 #156
Edward A. Crane
 Edward A. Crane
 May 17, 1988
 STATE OF OREGON

Signed 9.25.2001
 Renewal 12.31.2001
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



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 OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A
 GROUNDWATER PERMIT G-

DATE
 SEPT. 2001
 PROJECT NO.
 400-001



CRANE & MERSETH
 Engineering/Surveying
 SUITE "D"
 6568 SE LAKE ROAD
 MILWAUKIE, OREGON 97222
 BUS: (503) 654-2005
 FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
 PERMIT NUMBER G- IN THE NAME OF:
 BARRY & LEE ANN COOK
 37621 SE BEAR CRK LN (TEL: 503-668-8349)
 BORING, OR 97009 (FAX: 503-668-)

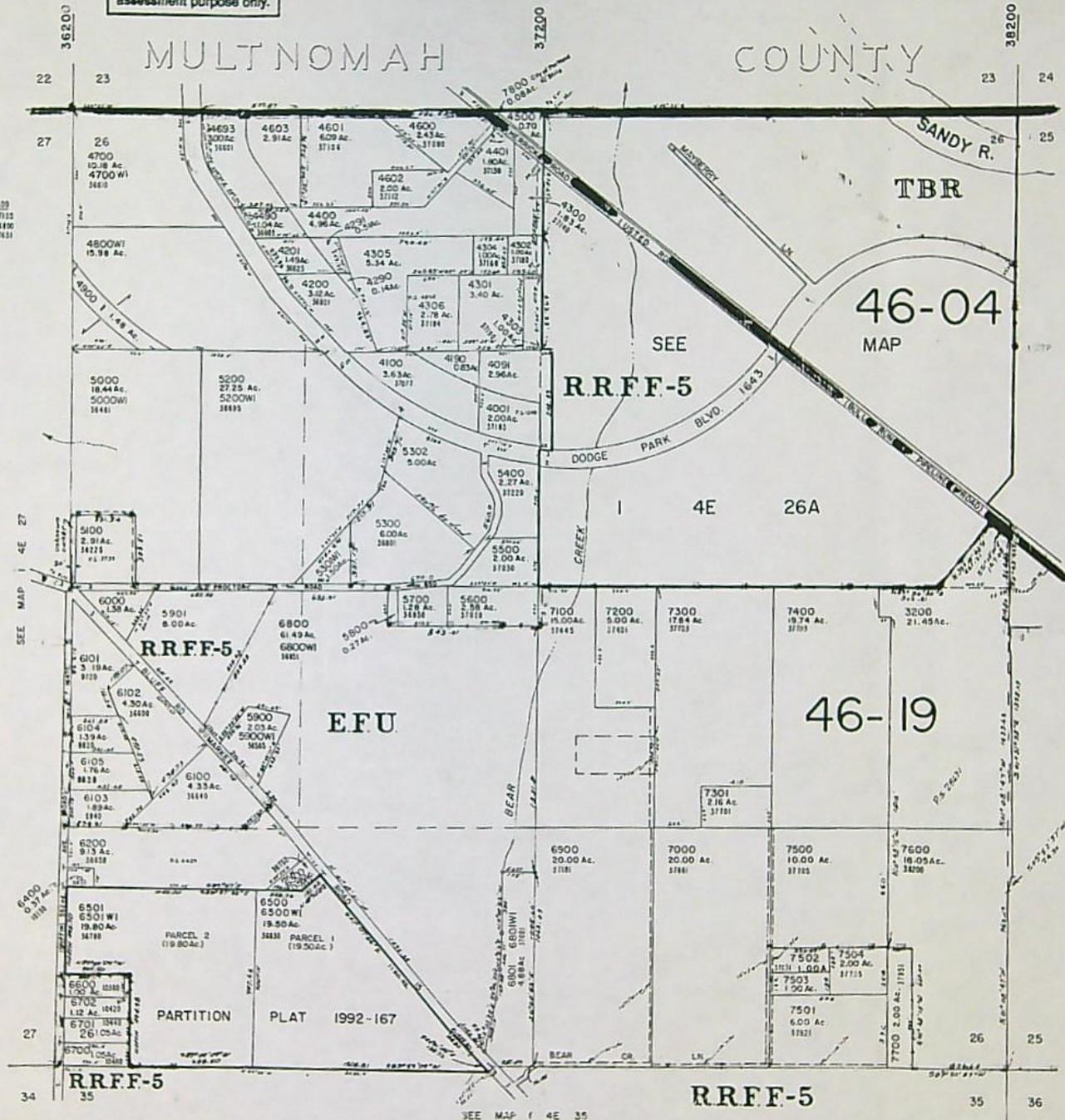
SHEET
 2/2

SECTION 26 T.1S. R.4E. W.M.
CLACKAMAS COUNTY

1 4E 26

This map was prepared for
assessment purpose only.

1" = 400'



8500
CANCELLED T.L'S
100 THRU 300
3300 THRU 4000
600
4700
4800
5300
5900
7100
5900AW
4700AW

11
4250
5100
1307

SEE MAP 1 4E 27

SEE MAP 1 4E 25

26-11-1999
10:00 AM

SCENIC RIVERS

1 4E 26
BOOK 6



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 21, 2004

Barry and Lee Ann Cook
37621 SE Bear Creek Lane
Boring, Oregon 97009

RE: Application G-16050

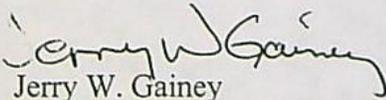
Dear Mr. and Mrs. Cook:

On September 13, 2004, the Water Resources Department "Department" received your request for an administrative hold on processing of the above referenced application. The reason for the request is allow you time to finalize an agreement to irrigate lands owned by Wystan and Beth Brown.

The Department will not take any action on this application until **November 15, 2004**. Please let us know if you are ready to proceed sooner or need additional time. If you need to request additional time your request will need to show justification for why additional time is reasonable and necessary, that substantial progress is being made towards being ready to proceed with application processing, and a general time line, which identifies when you anticipate being ready to continue with the application process.

If you have any questions, please give me a call. I can be reached at (503) 986-0812.

Sincerely,


Jerry W. Gainey
Water Rights Caseworker

cc: Mike McCord, Watermaster District #20

File

September 13, 2004

Jerry Gainey
Water Resources Department
Phone: 503.986.0812
Fax: 503986.0901

Re: Water Rights Application #G-16050
Time Extension

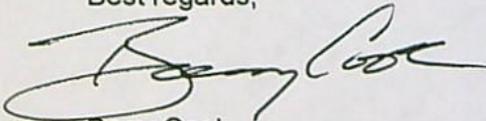
Hi Jerry,

I am writing to request a 60 day extension of time to finalize an agreement to irrigate with Wystan & Beth Brown.

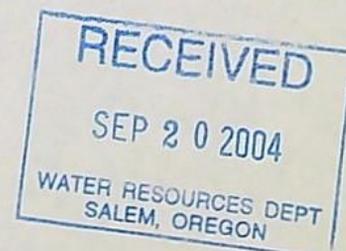
In addition, I understand the language written under "Purpose of Use" will be changed to include nursery use year around.

Thank you for your help today.

Best regards,



Barry Cook



Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16050

Final Order

Application History

On July 17, 2003, Barry and Lee Ann Cook submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on May 11, 2004. The protest period closed June 25, 2004, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

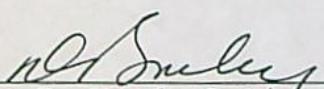
Order

Upon the submission of written authorization or easement for land not owned by you, Application G-16050 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Failure to provide the written authorization or easement for lands not owned by you within 60 days from the date of this Final Order may result in the proposed rejection of Application G-16050.

If you need to request additional time to submit the required fees, the written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

DATED July 15, 2004


Phillip C. Ward, Acting Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 503-986-0812.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at 503-986-0824.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271; Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF CLACKAMAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

BARRY AND LEE ANN COOK
37621 SE BEAR CREEK LANE
BORING, OR 97009

(503) 668-8349

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16050

SOURCE OF WATER: WELL 1, WELL 2, AND WELL 3 IN BEAR CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 37.0 ACRES FROM WELL 1 AND WELL 2;
NURSERY USE ON 37.0 ACRES FROM WELL 3

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 17, 2003

WELL LOCATIONS:

WELL 1: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 1040 FEET NORTH &
1450 FEET EAST FROM SW CORNER, SECTION 26

WELL 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 700 FEET NORTH &
1720 FEET EAST FROM SW CORNER, SECTION 26

WELL 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 950 FEET NORTH & 50
FEET EAST FROM SW CORNER, SECTION 26

The amount of water used for irrigation use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for irrigation other than irrigation of an in-ground crop may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW ¼ SW ¼ 24.5 ACRES
SE ¼ SW ¼ 12.5 ACRES
SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a 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.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.

Well 1 and Well 2: Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

Well 1 and Well 2:

- (1) Use of water from the wells, as allowed herein, shall be regulated if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or

- (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The permittee/appropriator shall install a meter or other measuring device suitable to the Director, and shall keep a complete record of water uses.
 - (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until the initial water level in the well has been measured. A measurement of initial water level shall be made at the time a pump is installed, but before pumping begins.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year at the time of spring high water during the period March 15 through April 15.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, licensed water well drillers, registered geologists, registered professional engineers, registered land surveyors, licensed well constructor, pump installer licensed by the Construction Contractors Board, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be received not later than 30 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

Well 3:

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well driller, licensed pump installer, or the permittee / appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in this section.

STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued _____, 2004

JM

Phillip C. Ward, Acting Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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Issued _____, 2004

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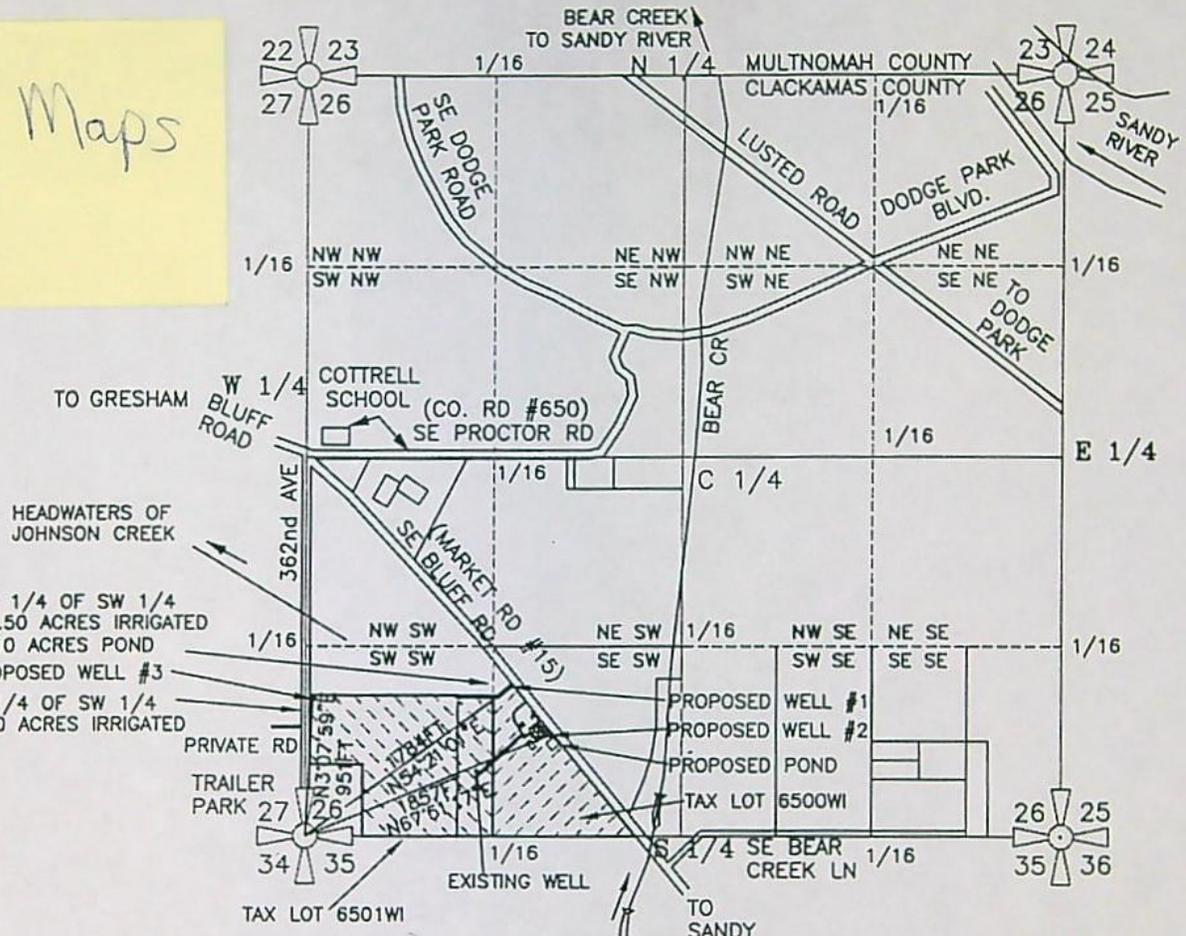
REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

CORPORATE
BOUNDARY LINE _____
DONATION LAND
CLAIM (DLC #)
SANDY 7.5 MIN. QUAD
ASSESSOR MAP 1S 4E 26 & INDEX

SE 1/4 of the SW 1/4 of SECTION 26
SW 1/4 of the SW 1/4 of SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
CLACKAMAS COUNTY, OREGON

2 Maps



IRRIG. WELLS: #1, #2 & #3

IRRIG. WELL #1 IS 1040 FEET NORTH AND 1450 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON
IRRIG. WELL #2 IS LOCATED 700 FEET NORTH & 1720 FEET EAST OF SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON
IRRIG. WELL #3 IS LOCATED 950 FEET NORTH & 50 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH WEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON

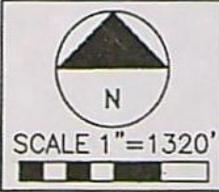
PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A GROUNDWATER PERMIT G-

SEC. 1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
26 SW SW	24.50 AC IRRIG	0.306 CFS (137 GPM)
26 SE SW	12.50 AC IRRIG	0.156 CFS (70 GPM)
26 SE SW	0.10 AC POND	0.001 CFS (0.50 GPM)
TOTAL IRRIG.	37.00 ACRES	0.462 CFS (207 GPM)

Certified Water Right Examiner
#156
Edward A. Crane
Edward A. Crane
May 17, 1988
STATE OF OREGON

Renewal 12/31/2001
Signed 9.25.2001



SURVEYED SEPT. 20, 2001
BY EDWARD A. CRANE, CWRE

DATE
SEPT. 2001
PROJECT NO.
400-001

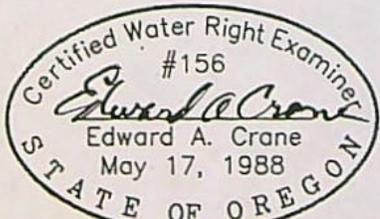
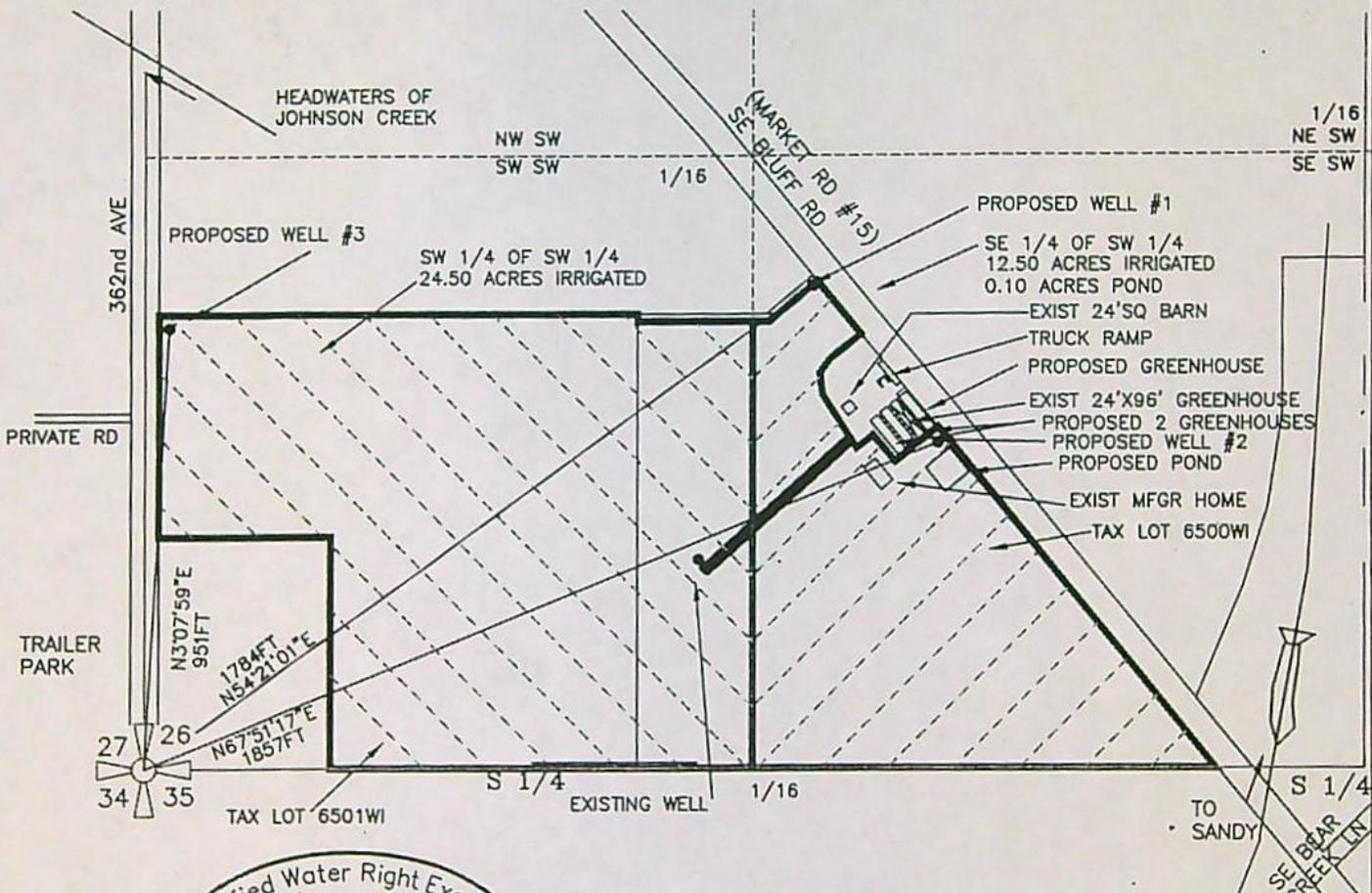


CRANE & MERSETH
Engineering/Surveying
SUITE "D"
6566 SE LAKE ROAD
MILWAUKIE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

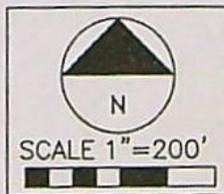
APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
BARRY & LEE ANN COOK
37621 SE BEAR CRK LN (TEL: 503-668-8349)
BORING, OR 97009 (FAX: 503-668-)

SHEET
1/2

SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



Signed g. 25.2001
 Renewal 12.31.2001
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



PREPARATION OF THIS MAP WAS FOR THE PURPOSE
 OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS
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APPLICATION FOR A
 GROUNDWATER PERMIT G-

DATE SEPT. 2001	 <p>CRANE & MERSETH <i>Engineering/Surveying</i> SUITE "D" 6566 SE LAKE ROAD MILWAUKIE, OREGON 97222 BUS: (503) 654-2005 FAX: (503) 654-2575</p>	APPLICATION FOR PERMIT NUMBER G- PERMIT NUMBER G- IN THE NAME OF:	SHEET
PROJECT NO. 400-001		BARRY & LEE ANN COOK 37621 SE BEAR CRK LN (TEL: 503-668-8349) BORING, OR 97009 (FAX: 503-668-)	2/2

September 13, 2004

Jerry Gainey
Water Resources Department
Phone: 503.986.0812
Fax: 503986.0901

Re: Water Rights Application #G-16050
Time Extension

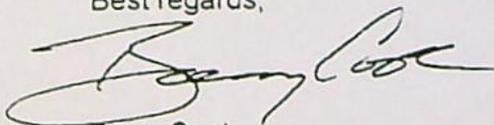
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I am writing to request a 60 day extension of time to finalize an agreement to irrigate with Wystan & Beth Brown.

In addition, I understand the language written under "Purpose of Use" will be changed to include nursery use year around.

Thank you for your help today.

Best regards,

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

Barry Cook

Mailing List for FO Copies

Application # G-16050

Mailing List Print Date: July 6, 2004

Original mailed to (when permit issued, include copy of permit map):

Applicant: BARRY AND LEE ANN COOK , 37621 SE BEAR CREEK LANE, BORING OR 97009

For FO w/ D r a f t Permit - Copies sent to:

- 1. WRD - File # G-16050 ✓
- 2. WRD - Ken Stahr ✓

Copies Mailed
By: <u>[Signature]</u>
(SUPPORT STAFF)
on: <u>7-15-04</u>

For FO w/ D r a f t Permit - FO and Map Copies sent to:

- 3. WRD - Watermaster District #: 20 ✓
- 4. WRD - Regional Manager: NWR

For FO w/PERMIT, w/Permit, or for Denial - Copies to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

- 1. Ed Crane, CWRE 156 ✓
- 2. Wystan Brown, 34780 SE 362nd Ave, Boring OR 97009 ✓ - *RTN on 7/19/04*

For FO w/PERMIT or w/Permit - "\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

- 1. _____
- 2. _____

CASEWORKER: Gaineyjw

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-16050

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On July 17, 2003, Barry and Lee Ann Cook submitted an application to the Department for the following water use permit:

- Amount of Water: 0.67 Cubic Foot per Second (CFS)
- Use of Water: Domestic; Nursery Use on 37.0 Acres; Agriculture Uses; Irrigation Use on 37.0 Acres
- Source of Water: Well 1, Well 2, and Well 3 in Bear Creek Basin
- Area of Proposed Use: Clackamas County within Section 26, Township 1 South, Range 4 East, W.M.

On March 12, 2004, the Department mailed the applicant notice of its Initial Review, determining that "The use of 0.22 cubic foot per second from Well 3 in Bear Creek Basin for nursery use on 37.0 acres is allowable year-round. The use of 0.24 cubic foot per second of water from Well 1 and Well 2 in Bear Creek Basin for irrigation use on 37.0 acres may be allowed from March 1 through October 31 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On March 16, 2004, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas

- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

WELL 1 AND WELL 2: The Sandy Basin Program allows the use of water from wells for irrigation use, defined as "the application of water to crops or plants by artificial means to promote growth, nourish plants, leach minerals, control frost, etc." (OAR 690-503-0010(12)). The Department's standard policy for irrigation use of water from wells is limited to an irrigation season of from March 1 through October 31. In addition, the standard rate for irrigation is limited to 1/80 cfs per acre irrigated; the maximum rate allowed for 37.0 acres would be 0.46 CFS.

However, the Department reviewed information from the applicant explaining that the use of water for irrigation (as defined in the Sandy Basin Program) at a rate higher than the standard rate and for the period November 1 through the end of February is necessary. The Department determines that the applicant can make beneficial use of the requested amount of water without waste year round.

WELL 3: Uses included in nursery use are fully included in irrigation and agriculture uses, both of which are allowed by OAR 690-502, the Willamette Basin Program. Therefore, the use of water from Well 3 for nursery use **is classified.**

Well 1 and Well 2 in Bear Creek Basin are above the Sandy River State Scenic Waterway.

The Groundwater Section finds, per OAR 390.835(9), there is not a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Groundwater Findings Under OAR 690-09

The Department determined, consistent with OAR 690-09-0040(4), that the proposed ground water use will not have the potential for substantial interference with the nearby surface water sources.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

According to the Department's rules, the potential for substantial interference is assumed if (a) and either (b) or (c) or (d) or (e) are met. For this application, the Department determined that there is no potential for substantial interference, because either (a) is not met, or (b), (c), (d) or (e) are not met, or both.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater will likely be available in the amounts requested without injury to prior rights and/or within the capacity of the resource.

The Department finds that the amount of water requested, 0.67 CFS, is an acceptable amount.

The proposed well is not within a designated critical ground water area.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Willamette and Sandy Basin Plans, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

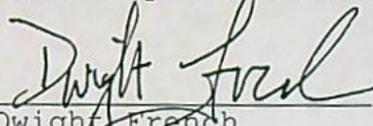
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED May 11, 2004


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the protest fee of \$250 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final

order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$200.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **June 25, 2004**.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0812.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun at 503-986-0824.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

Gaineyjw- WEEK 459

DRAFT

This is not a permit.
STATE OF OREGON

DRAFT

COUNTY OF CLACKAMAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

BARRY AND LEE ANN COOK
37621 SE BEAR CREEK LANE
BORING, OR 97009

(503) 668-8349

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16050

SOURCE OF WATER: WELL 1, WELL 2, AND WELL 3 IN BEAR CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 37.0 ACRES FROM WELL 1 AND WELL 2;
NURSERY USE ON 37.0 ACRES FROM WELL 3

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JULY 17, 2003

WELL LOCATIONS:

WELL 1: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 1040 FEET NORTH &
1450 FEET EAST FROM SW CORNER, SECTION 26

WELL 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 700 FEET NORTH &
1720 FEET EAST FROM SW CORNER, SECTION 26

WELL 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T1S, R4E, W.M.; 950 FEET NORTH & 50
FEET E FROM SW CORNER, SECTION 26

The amount of water used for irrigation use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for irrigation other than irrigation of an in-ground crop may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 24.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.5 ACRES
SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a 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.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.

Well 1 and Well 2: Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

Well 1 and Well 2:

- (1) Use of water from the wells, as allowed herein, shall be regulated if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

- (2) The permittee/appropriator shall install a meter or other measuring device suitable to the Director, and shall keep a complete record of water uses.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until the initial water level in the well has been measured. A measurement of initial water level shall be made at the time a pump is installed, but before pumping begins.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year at the time of spring high water during the period March 15 through April 15.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, licensed water well drillers, registered geologists, registered professional engineers, registered land surveyors, licensed well constructor, pump installer licensed by the Construction Contractors Board, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be received not later than 30 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

Well 3:

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or

- (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
- (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well driller, licensed pump installer, or the permittee / appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
 - (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in this section.

STANDARD CONDITIONS

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order and Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued _____, 2004

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

ASSIGNMENT OF PERMIT: Pursuant to ORS 537.220, this permit may be assigned to a party other than the permittee named hereon, if the land the permit is associated with changes ownership, or if the permittee is an organization whose name changes as a result of sale or merger. Request for Assignment forms are available from the Oregon Water Resources Department web site at <http://www.wrd.state.or.us/>, or may be requested from the Department at 503-986-0801 or Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

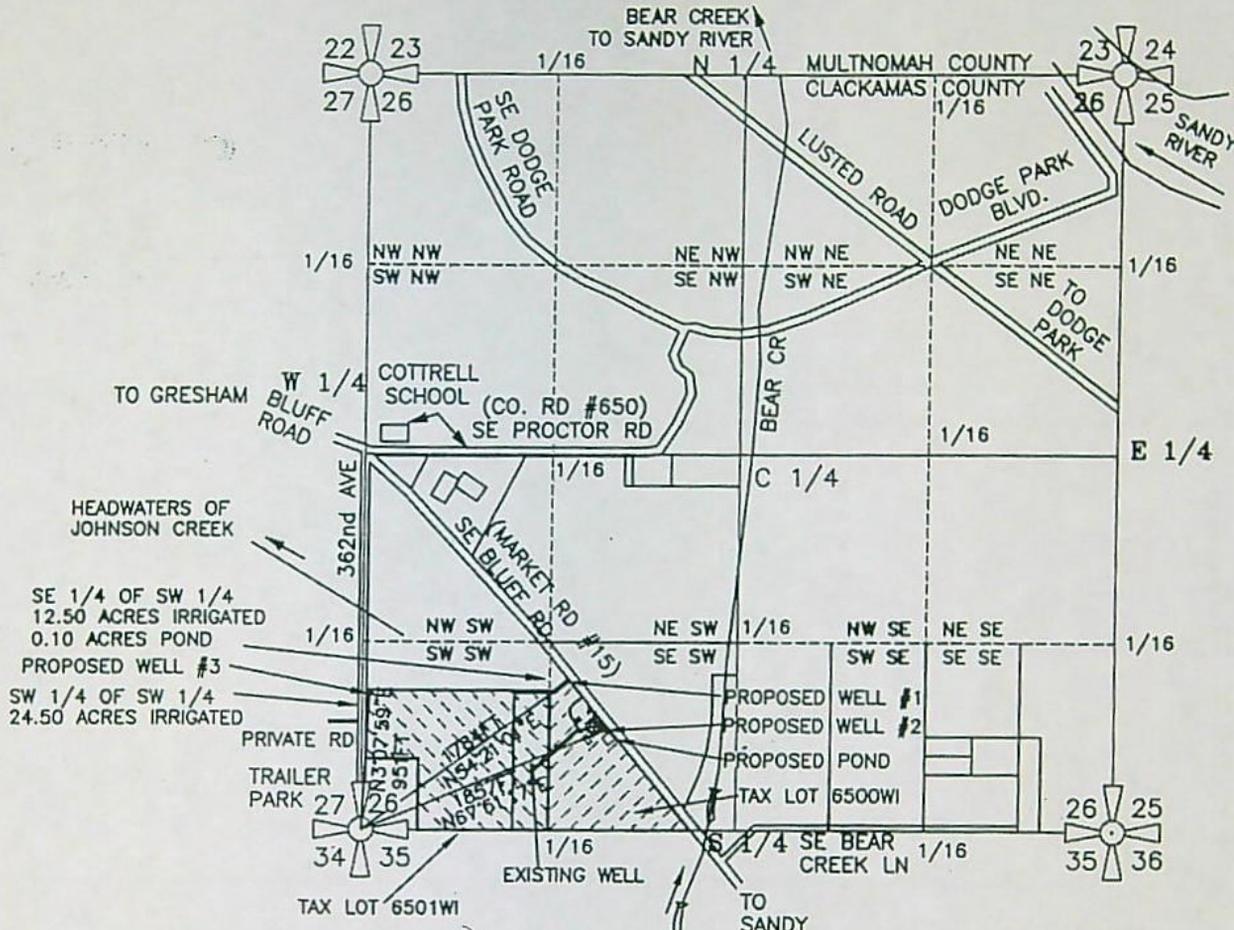
MAILING ADDRESS CHANGES: If the mailing address of the permittee named hereon changes, it is important that the Oregon Water Resources Department be informed of the change. Address changes must be submitted in writing with the permittee's signature to Water Right Application Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271.

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

CORPORATE
BOUNDARY LINE
DONATION LAND
CLAIM (DLC #)
SANDY 7.5 MIN. QUAD
ASSESSOR MAP 1S 4E 26 & INDEX

SE 1/4 of the SW 1/4 of SECTION 26
SW 1/4 of the SW 1/4 of SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
CLACKAMAS COUNTY, OREGON



IRRIG. WELLS: #1, #2 & #3

IRRIG. WELL #1 IS 1040 FEET NORTH AND 1450 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON)

IRRIG. WELL #2 IS LOCATED 700 FEET NORTH & 1720 FEET EAST OF SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON)

IRRIG. WELL #3 IS LOCATED 950 FEET NORTH & 50 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH WEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON)

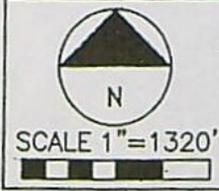
PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

**APPLICATION FOR A
GROUNDWATER PERMIT G-**

SEC. 1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
26 SW SW	24.50 AC IRRIG	0.306 CFS (137 GPM)
26 SE SW	12.50 AC IRRIG	0.156 CFS (70 GPM)
26 SE SW	0.10 AC POND	0.001 CFS (0.50 GPM)
TOTAL IRRIG.	37.00 ACRES	0.462 CFS (207 GPM)

Certified Water Right Examiner
#156
Edward A. Crane
Edward A. Crane
May 17, 1988
STATE OF OREGON

Renewal 12/31/2001
Signed 9.25.2001



SURVEYED SEPT. 20, 2001
BY EDWARD A. CRANE, CWRE

DATE
SEPT. 2001
PROJECT NO.
400-001

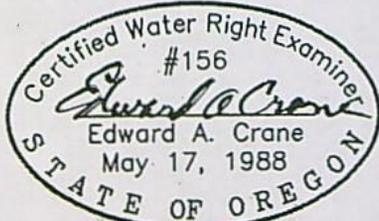
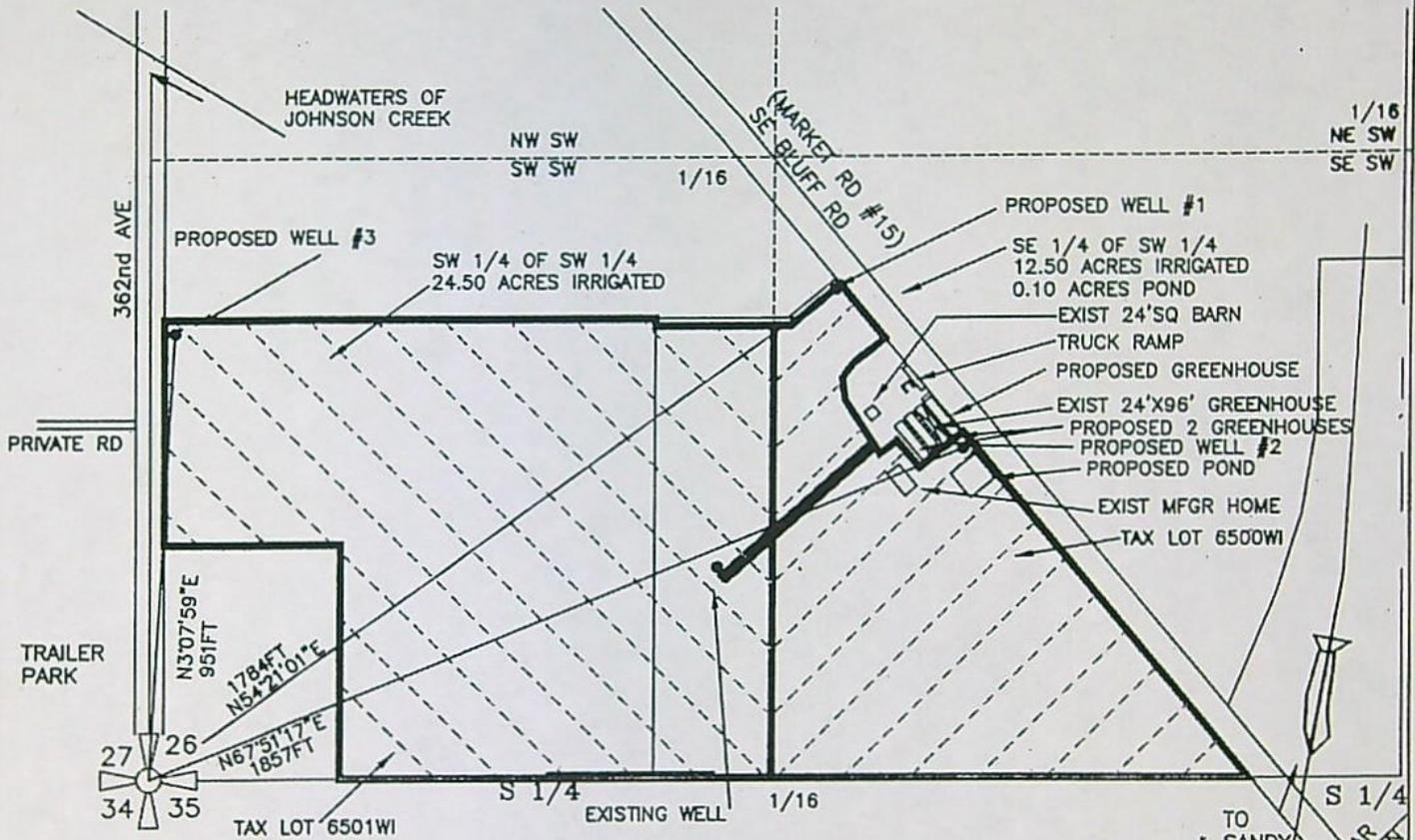


CRANE & MERSETH
Engineering/Surveying
SUITE "D"
6566 SE LAKE ROAD
MILWAUKIE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

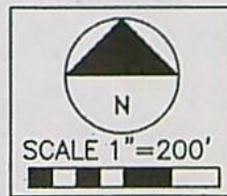
APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
BARRY & LEE ANN COOK
37621 SE BEAR CRK LN (TEL: 503-668-8349)
BORING, OR 97009 (FAX: 503-668-)

SHEET
1/2

SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



Signed 9.25.2001
 Renewal 12.31.2001
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A
 GROUNDWATER PERMIT G-

DATE
 SEPT. 2001
 PROJECT NO.
 400-001



CRANE & MERSETH
 Engineering/Surveying
 SUITE "D"
 6566 SE LAKE ROAD
 MILWAUKIE, OREGON 97222
 BUS: (503) 654-2005
 FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
 PERMIT NUMBER G- IN THE NAME OF:
 BARRY & LEE ANN COOK
 37621 SE BEAR CRK LN (TEL: 503-668-8349)
 BORING, OR 97009 (FAX: 503-668-)

SHEET
 2/2



NURSERY, LLC

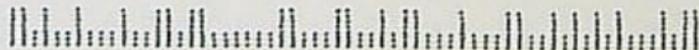
37621 SE Bear Creek Lane
Boring, OR 97009

9-16050



Jerry Gaine
Water Rights Appl. Sec., Oregon Water Resources Dept.
725 Summer St NB, Ste A
Salem, OR 97301-1271

97301+1271



Benny Cook G-16050 10/29/04

Per telephone conversation
will submit a new map
and letter to remove property
not under his ownership.

gwc

Maps

Oregon Water Resources Department



FO CHECKLIST

FILE #G-16050
PFO WEEK 459
FO WEEK #416

PFO TO FO CONVERSION

REVIEW DATE: 7/6/04
INITIALS: JWG
WM District #20
Region Mgr NWR
ODFW Bio NA

YES/~~NO~~ Has applicant name and address changed, or has the file been reassigned?
If new: _____

In preparing to create the FO, you should check the following:

1. YES/~~NO~~ Were comments received? If so, **from whom** and **when**? _____
Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
2. On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, affected landowners, and those who paid the \$10 fee. _____
3. ~~YES~~ / NO / NA Have affected land owners been notified? If not, refer to #8.
4. YES / NO / ~~NA~~ Is there a fish screening condition? If yes, include fish screening form if "Q" is 0.5 CFS.
5. Correct PFO errors (such as POD or POU location (verify from map.)
6. Include or exclude permit conditions
7. Verify Payment of recording fees (*circle the appropriate option*)
 - (1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, **including standing fees if no protest is filed and no modifications are being made to the PFO.**
 - (2) Issue FO w/o permit if fees are lacking.

Exam Fee Paid	<u>\$250.00</u>
Q fee	<u>\$150.00</u>
Subtotal	<u>\$400.00</u>
1 st CFS/AF <u>\$150.00</u>	Recording Fee <u>\$175.00</u>
Addnl. <u>0</u>	Total <u>\$575.00</u>
TOTAL Q <u>\$150.00</u>	Amount Paid <u>\$575.00</u>
	Amount due/refund <u>\$---0---</u>

8. ~~YES~~ / NO Is further processing possible? If not state reason: _____

FO Type: (circle/bold type(s)) DENIAL **FO w/o PERMIT** (REASON: Lacks Fees ~~Lacks Easement~~
Lacks Approved Dam Plans and Specifications

FO & PERMIT (Permit #)

Once FO document is completed:

9. Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 416.
10. _____ Print final draft of document and submit for peer review
11. Complete routing list

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production

PFO CHECKLIST

APPLICATION # G-16050

SAVE IN PFO WORK WEEK: 459

1. IR Date 3/12/04 Public Notice Date 3/16/04 Comment Rec'd

2. Was additional information requested in the IR? N If so, do we now have enough info to do the PFO? N

3. Was the application filed after 10/23/99? N (if N A date should be included)

4. Changes from IR determinations: USE YR
(USE G-15823 & G-16013 as an example - Sandy Basin)

5. Copy to: _____

6. Shortcomings preventing PFO, FO, or permit? Y / N Should process continue N

7. Is second groundwater review complete? Y / N necessary? Y / N

8. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N

9. FEES: Base Fee: Water Amount
 \$100 or 1" CFS/AF: 150
 \$250 Addl @ _____; + _____
250 + 150 = 400

PD - \$575 - 7/17/03.

EXAM FEE REQUIRED:	<u>400</u>	RECORDING FEE REQUIRED:	\$175
EXAM FEE PAID:	<u>400</u>	RECORDING FEE PAID:	<u>175</u>
STILL OWED:	<u>0</u>	STILL OWED:	<u>0</u>

Name: JERRY GAINEY Date: 4/30/04

c:\myfiles\forms\checkinew 9/10/03

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

IR CHECKLIST

County CLATSOP Application # 16050 Basin: 233 WAB: Well 1 & 2 - 72145 - Basin B-3
Township 15 Range 4E Section 26 1/4 1/4 SWSW S6SW Well 3 - 71554 - Basin B-2

40. Ground Water Availability:
A. over appropriated not over appropriated cannot be determined
B. will not be available will be available ...without injury to prior water rights
C. will not will likely be available within capacity of ground water resource
D. will if properly conditioned, avoid injury to existing ground water rights or to the ground water resource
E. Is the well located in a GWLA or CGWA or T1N R3E? (If applicable, include map with POD) N Sandy Boring

25. Use NU - 37.00 ACRES Priority Date(s) 7/17/13 (If muni or quasi-muni use send to Doug Parrow)

30. Allowed under Basin Program / N Limitations? / N OCAR 690-502 (Willamette) OCAR 690-503 - (Sandy)

40. Withdrawn? Y / N season allowed Well 1 & 2

45. Basin Maps have been checked. Y / N River Mile _____

50. SWW / N (if Y notify state parks) Sandy

60. Surface water Availability (80% live flow / 50% storage) NA

70. Divis 33: Y / N / NA Above Bonn Y / N Not allowed April 15 - September 30 Y / N
Below Bonn Y / N If Y add PISPC
Statewide Y / N

80. Rate NU Duty _____ Rate: Max 0.67 CFS 5.55 CFS Req 300 GPM = 0.67 CFS

Season: Normal YR Req YR

90. B.O.R. or Doug Co. project Y / N contract # _____

100. Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF, Contract Stored Water) or Large (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal require the Large conditions TG Wells 1 & 2, 7H - Well 3 CTS - Well 1 & 2

110. Land use approval OK'd needs approval county notified NA

120. Watermaster Dist: (1 2 16 18 NWR) (3 4 5 21 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (13 14 15 19 - SWR)

125. Conflict? Yes No Per review of plat cards on saem.

130. per interactive mapping DOA Y / N (NO COPY TO PAUL MEASLES) 303D Y / N / NA CTUIR Y / N
(Check DOA map to determine if Y / N)

140. within Oregon Streamflow Restoration Area? Y / N / NA

150. Letter format ==Good==Limited==Bad==Bad w/ IRshort==Bad w/ HC Opportunity

155. Attach basin map indicating point of diversion? NA

160. CWRE, representative, etc. to notify? Y / N Edward Crane, (M-RE # 156)
Wystan Brown, 34780 SE 362nd Ave,
Gresham OR 97080

Name: JERRY GAINEY Date: 11/13/03 c:\myfiles\forms\checkimew 5/9/03

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

20	NW	1190163	1859	Mike McCord	1678 S. Beaver Creek Rd	Oregon City	97045	503-657-6811
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Records Found: 1

WAB

BASIN	WID	LINK1	LINK2
3	72145	Water Availability: 50% 80%	Flood Frequency Analysis
2	71554	Water Availability: 50% 80%	Flood Frequency Analysis
2	137	Water Availability: 50% 80%	Flood Frequency Analysis

Records Found: 3

County

COUNTY	FIPS
Clackamas	41005

Records Found: 1

Groundwater Restricted

NAME1	NAME2	SUB_AREA	STATUS	SQ_MI
SANDY-BORING			LIMI	15.34

Records Found: 1

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D

RULE4D
In a Rule4D Area

Records Found: 1

303D Streams

RRN	HUCSEG	FEAT_NAME	TRIBAL	WRD_ID	CAUSE	DISCLAIM
17090012002420.34	17090012 24	Johnson Creek		02114001100340	TEMP BAC TOX	Refer to the 303(d) list as docu

Records Found: 1

303D Lakes Records Found: 0

690-503-0050 - Groundwater Classification (SANDY BASIN WELLS 1 AND 2 ONLY)

Permits to use groundwater may be issued only for the following classified uses:

(1) Except as provided in sections (2) and (3) of this rule, the groundwater resources of the Sandy Basin are classified for commercial, group domestic, industrial, irrigation, mining, municipal, and statutorily exempt groundwater uses.

690-502-0160 - Groundwater Classifications and Conditions (WELL 3 ONLY)

(2) Groundwater Classification: The ground-water resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses with the following exceptions:

(a) Groundwater from the *shallow* Troutdale aquifer and the specially designated portion of the *deep* Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in **Exhibit 1**. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall contain the Special Permit Conditions specified in section (4) of this rule. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR 690-008. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications;

(4) Special Permit Conditions: New permits issued to appropriate groundwater from aquifers within the Sandy-Boring Groundwater Limited Area and the Troutdale aquifer in the Damascus Groundwater Limited Area shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) Limits on acceptable amounts of depletion and interference with other users;

(c) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(d) The Department shall determine, from measurements submitted by the permittee/appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

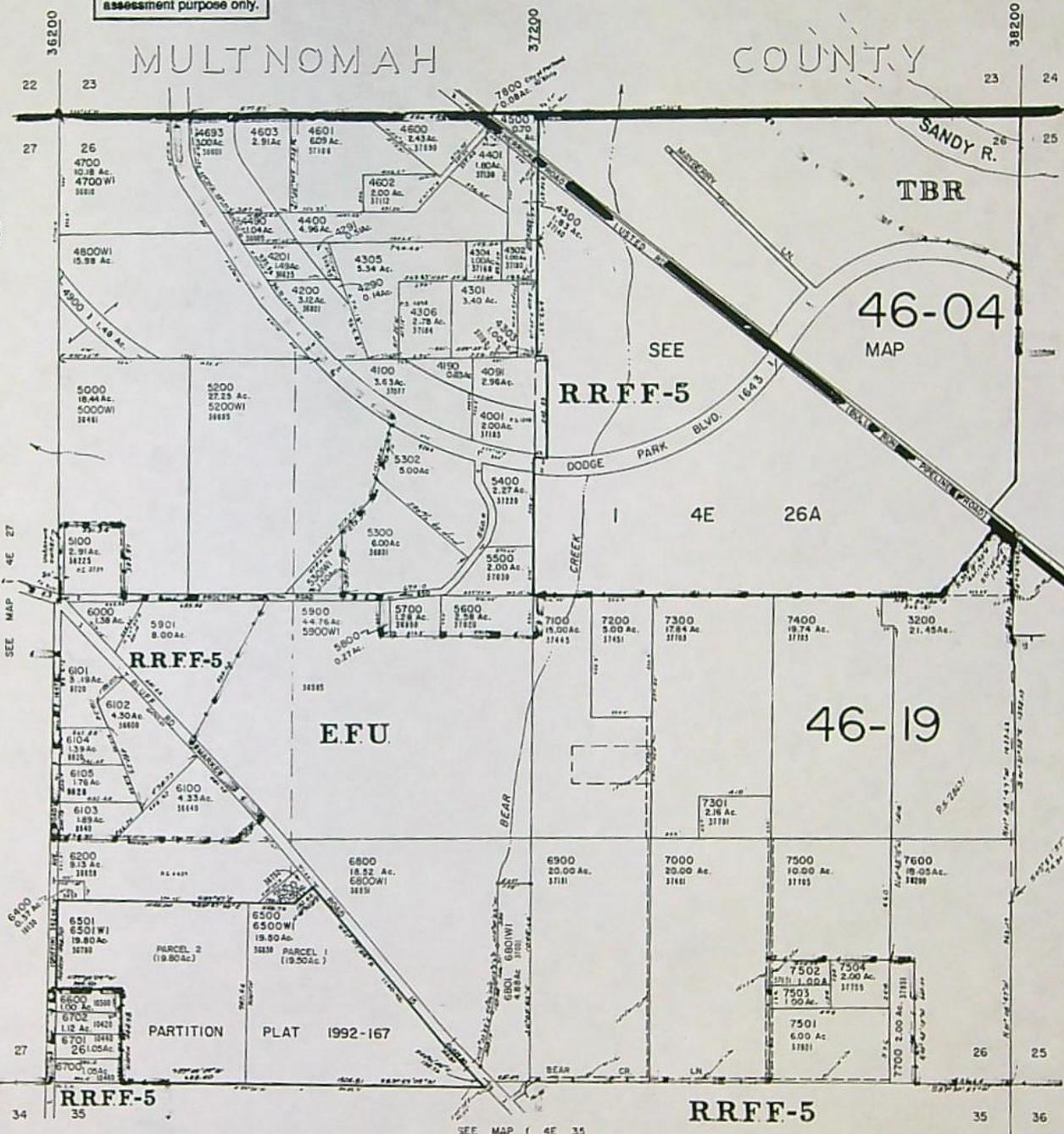
(e) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/appropriator;

(f) Any other conditions as specified in OAR 690-008 as deemed necessary to protect the groundwater resource.

SECTION 26 T.1S. R.4E. W.M.
CLACKAMAS COUNTY

1 4E 26

This map was prepared for
assessment purpose only.



31 4350
32 4800
33 5250
34 5700

35 5150
36 5600
37 6050
38 6500

8500
CANCELLED TL'S
100 THRU 300
3300 THRU 4000
6106
4700
4800
5301
5900
7101
5900AW
4700AW

SEE MAP 1 4E 25

SEE MAP 1 4E 27

SEE MAP 1 4E 35

SCENIC RIVERS

1 4E 26
BOOK 6

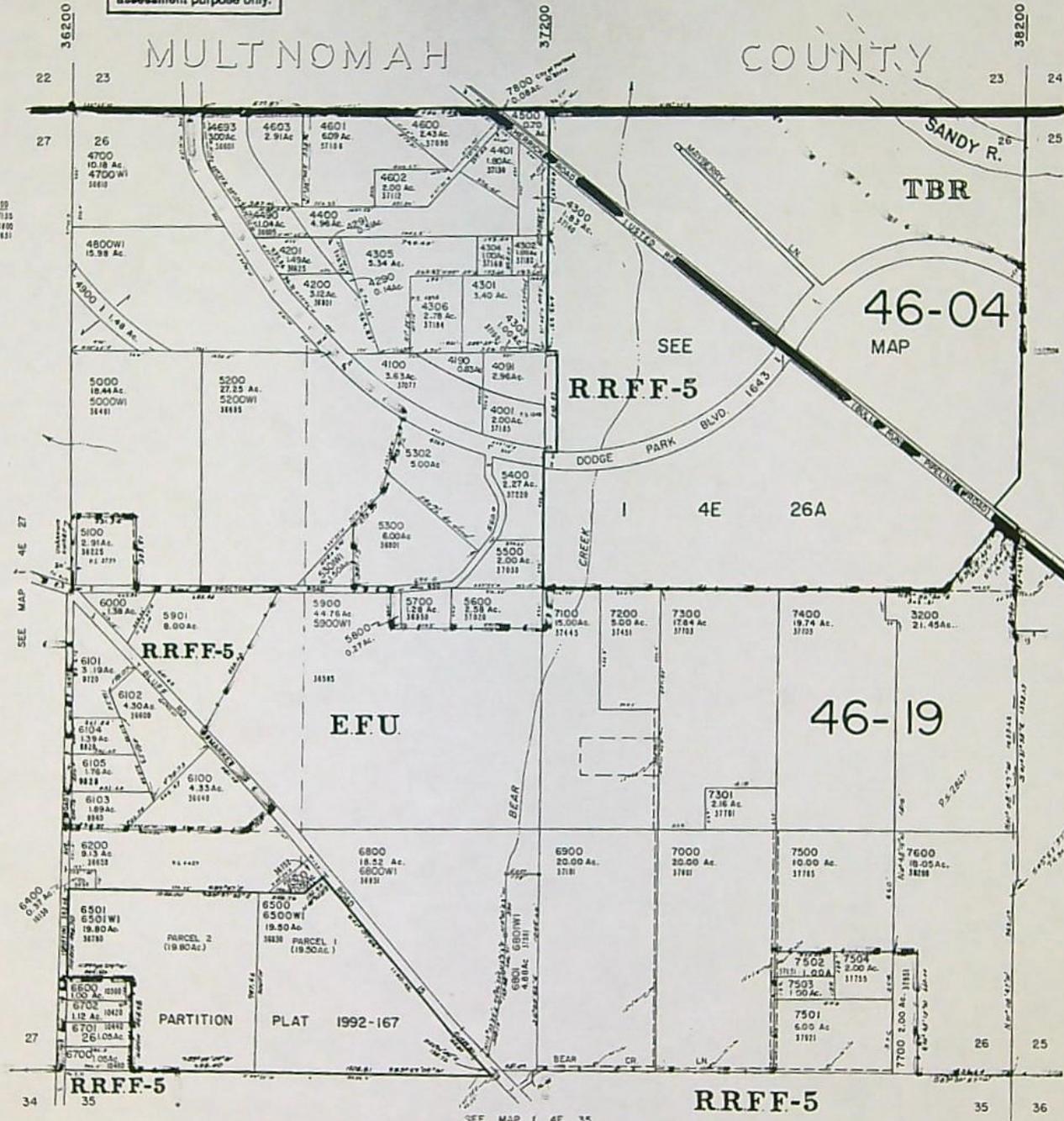
31 4350
32 4800
33 5250
34 5700

SECTION 26 T.1S. R.4E. W.M.
CLACKAMAS COUNTY

1 4E 26

This map was prepared for
assessment purpose only.

1" = 400'



8500
 CANCELLED TL'S
 100 THRU 3100
 3300 THRU 4000
 6100
 4700
 4800
 5300
 5900
 7100
 5900AW
 4700AW

9500
 SEE MAP 1 4E 25

10500

2001/12/14 6:04

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # 16050

ROUTED TO: WR'S

TOWNSHIP/

RANGE-SECTION: 1S/4E-26

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Don Miller

16

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date 10/23/03
 FROM: Ground Water/Hydrology Section Don Miller
 SUBJECT: Application G- 16050 Reviewer's Name _____
 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 ground water 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: Barry + Lee Ann Cook County: Clackamas

A1. Applicant(s) seek(s) 0.67 cfs from 3 well(s) in the Sandy (well 1+2), Willamette (wells 3) Basin, Johnson Creek subbasin Quad Map: Sandy

A2. Proposed use: Gan Ag / Nursery Seasonality: 11/1 - 2/28, 31 - 10/31

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	to be built	1	Deep Troutdale	0.22	1S/4E-26 SE SW	1040' N, 1450' E fr SW cor S 2 6
2	↓	2	↓	0.22	1S/4E-26 SE SW	700' N, 1720' E fr SW cor S 26
3	↓	3	↓	0.22	1S/4E-26 SW SW	950' N, 50' E fr SW cor S 26
4						
5						

* Alluvium, CRB, Bedrock

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	732	250 +/-	250 +/-	-	420 +/-	18-250'	0-250'	-	-	-	-	-
2	732	↓	↓	-	↓	↓	↓	-	-	-	-	-
3	728	↓	↓	-	↓	↓	250	-	-	-	-	-

Use data from application for proposed wells.

A4. Comments: The wells straddle the Sandy/Willamette Basin divide.

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

A6. Well(s) # 1, 2, 3, tap(s) an aquifer limited by an administrative restriction.
 Name of administrative area: Sandy - Basin GWLA
 Comments: The use from the Deep Troutdale is acceptable as proposed

• Application G- 16050 continued

Date 10/23/03

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

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

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Troutdale Sandstone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	↓	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	↓	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer confinement evaluation: Well Reports and ground water reports speak to more confinement on the spectrum of unconfined to 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 trib Sandy R to east	440 +/-	650 -430	1030 -5280	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	1	"		660 -430	800 -5280	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	1	"		660 -460	1950 -5280	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Johnson Ck		650 -730	5280 -1300	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	2	"		650 -730	5280 -1350	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	2	"		630 -720	5280 200	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	1	Unnamed trib Sandy R to east nr mouth		430 +150	5280 -6500	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	1	"		430 +150	5280 +6500	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	1	"		460 +150	5280 +7000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1,2,3	4	Sandy R		100 +150	7000 +20000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: Head relationships, Plate 4 of USGS WSP 2470-A

Water Availability Basin the well(s) are located within: Wetland ID # 72145, Sandy R AB unnamed stream

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"/>	NA	NA	<input type="checkbox"/>	493 to 2140	<input type="checkbox"/>	< 17%	<input type="checkbox"/>
2	1	<input type="checkbox"/>	<input type="checkbox"/>	↓	↓	<input type="checkbox"/>	↓	<input type="checkbox"/>	↓	<input type="checkbox"/>
3	1	<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"/>	<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"/>

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?
1	<input type="checkbox"/>	—	—	<input type="checkbox"/>	493 to 2140	<input type="checkbox"/>	< 17%	<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"/>

Comments: This is a difficult analysis based on geologic unit geometry a parameter estimation. 17% focuses all gw/sw impact at the unnamed trib at a point that is one mile away. Probably the major impact is on the Sandy River at varying distances where the undifferentiated fine-grained sediments underly the river.

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
1	4	1.6%	7.5%	13.8%	19.3%	24.0%	28.1%	31.6%	34.6%	37.3%	39.7%	41.8%	43.7%
Well Q as CFS		0.22											
Interference CFS		0.003	0.017	0.030	0.043	0.053	0.062	0.069	0.076	0.082	0.087	0.092	0.096
2	4	%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS		Same as Well # 1											
Interference CFS		Same as Well # 1											
3	4	%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS		Same as Well # 1											
Interference CFS		Same as Well # 1											
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.		0.011	0.050	0.092	0.129	0.161	0.188	0.211	0.232	0.250	0.266	0.280	0.293
(B) = 80 % Nat. Q		1760	1980	1940	2140	1920	1170	712	528	493	547	1130	1830
(C) = 1 % Nat. Q		17.6	19.8	19.4	21.4	19.2	11.7	7.12	5.28	4.93	5.47	11.3	18.3

D. WELL CONSTRUCTION, OAR 690-200

✓ D1. Well #: _____ Logid: _____

✓ D2. THE WELL does not 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:

- a. constitutes a health threat under Division 200 rules;
- b. commingles water from more than one ground water reservoir;
- c. permits the loss of artesian head;
- d. permits the de-watering of one or more ground water reservoirs;
- e. other: (specify) _____

✓ D4. THE WELL construction deficiency is described as follows: _____

✓ D5. THE WELL a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.

b. I don't know if it met standards at the time of construction.

✓ D6. Route to the Enforcement Section. I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

D7. Well construction deficiency has been corrected by the following actions: _____

(Enforcement Section Signature)

_____, 200_____

D8. Route to Water Rights Section (attach well reconstruction logs to this page).

WELL LOGS WITHIN 1 MILE OF APPLICATION G 16050

ABANDON: 20
 RECONDITIONED: 10
 REPAIRED: 4
 CONVERSION: 2
 DEEPENINGS: 6
 NEW CONSTRUCT: 290

COMMUNITY USE: 0
 DOMESTIC USE: 282
 INDUSTRIAL USE: 0
 INJECTION USE: 0
 IRRIGATION USE: 46
 THERMAL USE: 0
 LIVESTOCK USE: 0

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 16050

\$RECNO	APPLICATION	PERMIT	CLAIM	LOC-QQ	USE_CODE
1	G 7082	G 6553		0 1.00S 4.00E21SESE	IR
2	G 14434	G 13438		0 1.00S 4.00E22SESE	MU
3	G 15349	G 15155		0 1.00S 4.00E28NENE	NU
3	G 15349	G 15155		0 1.00S 4.00E28NENE	NU
4	G 13291	G 11910		0 1.00S 4.00E27NENW	NU
4	G 13291	G 11910		0 1.00S 4.00E27NENW	IR
4	G 13318	G 12075		0 1.00S 4.00E27NENW	IR
4	G 13318	G 12075		0 1.00S 4.00E27NENW	AG
5	G 14568	G 13446		0 1.00S 4.00E28SENE	NU
6	0	G 5788		0 1.00S 4.00E27SENE	IR
6	G 14569	G 13469		0 1.00S 4.00E27SENE	NU
7	G 11925	G 11072		0 1.00S 4.00E27SWNE	NU
7	0	G 5023		0 1.00S 4.00E27SWNE	IR
7	G 11282	G 10454		0 1.00S 4.00E27SWNE	NU
7	G 11282	G 10454		0 1.00S 4.00E27SWNE	NU
7	G 11282	G 10454		0 1.00S 4.00E27SWNE	IR
7	G 11282	G 10454		0 1.00S 4.00E27SWNE	NU
7	G 11282	G 10454		0 1.00S 4.00E27SWNE	NU
8	0	G 5023		0 1.00S 4.00E27SENE	IR
8	G 12255	G 11325		0 1.00S 4.00E27SENE	NU
8	G 14156	G 12881		0 1.00S 4.00E27SENE	AG
8	G 14156	G 12881		0 1.00S 4.00E27SENE	IR
9	G 13572	G 12305		0 1.00S 4.00E28NESE	IC
9	G 13572	G 12305		0 1.00S 4.00E28NESE	AG
9	G 14568	G 13446		0 1.00S 4.00E28NESE	NU
9	G 11529	G 10623		0 1.00S 4.00E28NESE	IR
9	G 11529	G 10623		0 1.00S 4.00E28NESE	NU
10	G 13065	G 11978		0 1.00S 4.00E27NESE	AG
10	G 13065	G 11978		0 1.00S 4.00E27NESE	IR
11				1.00S 4.00E26NWSW	
12	G 15710	0		0 1.00S 4.00E25NWSW	IR
12	G 15710	0		0 1.00S 4.00E25NWSW	AG
12	G 15710	0		0 1.00S 4.00E25NWSW	NU
13	G 11822	G 11053		0 1.00S 4.00E27SWSE	NU
14				1.00S 4.00E26SWSW	
15	G 14246	G 13054		0 1.00S 4.00E25SESW	AG
15	G 14246	G 13054		0 1.00S 4.00E25SESW	IR

15	G	14246	G	13054	0	1.00S	4.00E25SES	IR	
15	G	14246	G	13054	0	1.00S	4.00E25SES	AG	
15	G	14246	G	13054	0	1.00S	4.00E25SES	IR	
15	G	14246	G	13054	0	1.00S	4.00E25SES	AG	
15		0		0	GR	2131	1.00S	4.00E25SES	IR
16	G	14522	G	13411	0	1.00S	4.00E25SWSE	DN	
16	G	14522	G	13411	0	1.00S	4.00E25SWSE	NU	
17	G	6169	G	5247	0	1.00S	4.00E34NENE	DI	
18	G	14036	G	12968	0	1.00S	4.00E35NWNW	IR	
18	G	14036	G	12968	0	1.00S	4.00E35NWNW	AG	
18	G	6169	G	5247	0	1.00S	4.00E35NWNW	DI	
19	G	836	G	735	0	1.00S	4.00E34SENW	IR	
20	G	12505	G	12505	0	1.00S	4.00E35SENW	AG	
20	G	12505	G	12505	0	1.00S	4.00E35SENW	AG	
20	G	12505	G	12505	0	1.00S	4.00E35SENW	IS	
20	G	12505	G	12505	0	1.00S	4.00E35SENW	IS	
20	R	71530	R	11751	0	1.00S	4.00E35SENW	IR	
20	R	71530	R	11751	0	1.00S	4.00E35SENW	IR	
20	S	71531	S	52081	0	1.00S	4.00E35SENW	AG	
20	S	71531	S	52081	0	1.00S	4.00E35SENW	AG	
20	G	11957	G	11066	0	1.00S	4.00E35SENW	NU	
21	G	12505	G	12505	0	1.00S	4.00E35SWNE	AG	
21	G	12505	G	12505	0	1.00S	4.00E35SWNE	IS	
21	G	11957	G	11066	0	1.00S	4.00E35SWNE	NU	
22	G	12505	G	12505	0	1.00S	4.00E35NESW	AG	
22	G	12505	G	12505	0	1.00S	4.00E35NESW	IS	
23	G	13751	G	12426	0	1.00S	4.00E35NESE	IR	
23	G	13751	G	12426	0	1.00S	4.00E35NESE	CM	
23	G	13751	G	12426	0	1.00S	4.00E35NESE	IR	
23	G	13751	G	12426	0	1.00S	4.00E35NESE	CM	
23	G	13751	G	12426	0	1.00S	4.00E35NESE	IR	
23	G	13751	G	12426	0	1.00S	4.00E35NESE	CM	
24	G	15855		0	0	1.00S	4.00E34SWSW	DO	
24	G	15855		0	0	1.00S	4.00E34SWSW	IR	
25	G	14076	G	13016	0	2.00S	4.00E 2NWN	IR	

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 16050

\$RECNO	APPLICATION	PERMIT	LOC-QQ	CONDITION-CODE
1	G	4671	G 4399	1.00S 4.00E18SWNW
1	G	12862	G 11632	1.00S 4.00E18SWNW 4GG
1	G	12862	G 11632	1.00S 4.00E18SWNW 4GG
1	G	12862	G 11632	1.00S 4.00E18SWNW 4GG
1	G	12862	G 11632	1.00S 4.00E18SWNW 4GG
2	G	12863	G 12008	1.00S 4.00E18SWSE 4KG
2	GR	95	GR 91	1.00S 4.00E18SWSE
3	G	13150	G 12014	1.00S 4.00E17SWSW 4IG
3	G	13150	G 12014	1.00S 4.00E17SWSW 4IR
3	G	13150	G 12014	1.00S 4.00E17SWSW 4KG
3	G	13172	G 12015	1.00S 4.00E17SWSW 4IG
3	G	13172	G 12015	1.00S 4.00E17SWSW 4IR
4	G	12403	G 11397	1.00S 4.00E17SWSE 4G
5	G	12791	G 11663	1.00S 4.00E19SESW 4GG
5	G	12791	G 11663	1.00S 4.00E19SESW 4GG
6	G	13935	G 12682	1.00S 4.00E30NWSW 7BG
6	G	13935	G 12682	1.00S 4.00E30NWSW 7BR
6	G	13935	G 12682	1.00S 4.00E30NWSW 7HG
6	G	13935	G 12682	1.00S 4.00E30NWSW 7HR

6	G	13935	G	12682	1.00S	4.00E30NWSW	7BG
6	G	13935	G	12682	1.00S	4.00E30NWSW	7BR
6	G	13935	G	12682	1.00S	4.00E30NWSW	7HG
6	G	13935	G	12682	1.00S	4.00E30NWSW	7HR
6	GR	865	GR	838	1.00S	4.00E30NWSW	
7	GR	2131	GR	3849	1.00S	4.00E25SESW	
8	G	12505	G	12505	1.00S	4.00E35NESW	7GG
8	G	12505	G	12505	1.00S	4.00E35NESW	7GR
8	G	12505	G	12505	1.00S	4.00E35NESW	7JG
8	G	12505	G	12505	1.00S	4.00E35NESW	7JR
8	G	12505	G	12505	1.00S	4.00E35NESW	7GG
8	G	12505	G	12505	1.00S	4.00E35NESW	7GR
8	G	12505	G	12505	1.00S	4.00E35NESW	7JG
8	G	12505	G	12505	1.00S	4.00E35NESW	7JR
9					2.00S	4.00E 2NWNE	
10					2.00S	4.00E 1SESE	

APPLICATION G 16050 FALLS WITHIN THESE QUAD(S)

SANDY

The following OWRD Groundwater Management Areas are within the map extent:

\$RECNO	NAME1	NAME2	SUB-AREA	STATUS
1	SANDY-BORING			LIMI
2	SANDY-BORING	DEEP TROUTDALE		LIMI
3	SANDY-BORING			LIMI

WATER WELL REPORT
STATE OF OREGON

CLAC

RECEIVED

DEC 02 1980

WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 15/4E-35

State Permit No.

CLAC
01285

(1) OWNER:

Name RAY BATES
Address 10440 360th
City Boring OR State

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

TYPE OF WELL:

Rotary Air Driven Domestic Industrial Municipal
Rotary Mud Dug Irrigation Test Well Other
Cable Bored Thermal Withdrawal Reinjection

(4) PROPOSED USE (check):

(5) CASING INSTALLED: Steel Plastic
Threaded Welded
" Diam. from 4 ft. to 4 ft. Gauge
" Diam. from 4 ft. to 4 ft. Gauge

LINER INSTALLED:

" Diam. from 4 ft. to 3.60 ft. Gauge 200/b. PVC

(6) PERFORATIONS:

Perforated? Yes No
Type of perforator used SAW
Size of perforations 1/16 in. by 6 in.
200 perforations from 300 ft. to 360 ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.

WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?
Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.
" _____ gal./min. with _____ ft. drawdown after _____ hrs.
" test 15 gal./min. with drill stem at 340 ft. 1 hrs.
" filter test 5 gal./min. with 0 ft. drawdown after 1 hrs.
Artesian flow _____ g.p.m.
Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Special standards: Yes No

Well seal—Material used _____
Well sealed from land surface to _____ ft.
Diameter of well bore to bottom of seal _____ in.
Diameter of well bore below seal _____ in.
Number of sacks of cement used in well seal _____ sacks
How was cement grout placed? _____
Was pump installed? YES Type GOAL HP 1 Depth 340 ft.
Was a drive shoe used? Yes No Plug _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of Water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County CLATSOP Driller's well number _____
¼ Section 35 T. 15 R. 4E W.M.
Tax Lot # _____ Lot _____ Blk _____ Subdivision _____
Address at well location: _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 320 ft.
Static level 290 ft. below land surface, Date _____
Artesian pressure _____ lbs. per square inch, Date _____

(12) WELL LOG:

Diameter of well below casing 6
Depth drilled 365 ft. Depth of completed well 360 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
SOFT multi color	220		
ROCK			
Cemented GRAVEL	275	300	
Red CLAY	300	380	
Fine Cemented Gravel	330	365	290

Work started 11/21 19 80 Completed 11/22 19 80
Date well drilling machine moved off of well 11/22 19 80

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Ted W. Pulliam Date 11/22 19 80
(Drilling Machine Operator)

Drilling Machine Operator's License No. 813 11/22/80

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Ted W. Pulliam well drilling
(Person, firm or corporation) (Type or print)
Address 4245 W Powell Ave Salem
[Signed] Ted W. Pulliam
(Water Well Contractor)

Contractor's License No. 616 Date 11/22 19 80

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
is to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP-12658-690

16
CLAC
20245
15/4E/26cb

(1) OWNER: Well No. 05021995
Name DEAN BREDEKAMP
Address 36585 SE BLUFF RD
City BORING St OR Zip 97009

(9) LOCATION OF WELL by legal description:
County CLACK Lat. ° ' " Long. ° ' "
Township 1 S Range 4 E W.M.
Section 26 NW 1/4 SW 1/4
Tax Lot 5900 Lot Block Subdivision
Street Address of Well (or nearest Address)
36585 SE BLUFF RD BORING, OR 97009

(2) TYPE OF WORK: NEW WELL
(3) DRILL METHOD: ROTARY AIR
(4) PROPOSED USE: IRRIGATION

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WATER RESOURCES DEPT.
SALEM, OREGON

(10) STATIC WATER LEVEL:
304 ft. below land surface. Date 04/24/95
Artesian pressure _____ lb per square in. Date _____

(5) BORE HOLE CONSTRUCTION:
Special Construction Approval NO Depth of Compl. Well 600 ft
Explosives used NO Type _____ Amount _____
HOLE SEAL
Diam. From To Material From To Amount
14 0 90 CEMENT 0 90 39 SACKS
10 90 220 CEMENT 160 220 36 SACKS
9 5/8 220 560 _____
7 1/2 560 600 _____
Seal placement method C
Backfill: from _____ ft to _____ ft Material _____
Gravel: from _____ ft to _____ ft Size _____

(11) WATER BEARING ZONES:
Depth at which water was first found 60
From To Est Flow Rate SWL
60 70 8GPM 45
360 580 300+GPM 304

(6) CASING/LINER:
Diam. From To Gauge Material Connection
Casing 10 +1 116 250 STEEL WELDED
8 0 560 250 STEEL WELDED
Liner _____
Final Location of shoe(s) 560' 7 1/2 TUBEX

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 2
BROWN CLAY 2 42
CLAY & GRAVEL 42 70 45
LIGHTLY CEMENTED GRAVEL 70 80
CEMENTED GRAVEL 80 220
LIGHTLY CEMENTED GRAVEL 220 360
YELLOW SAND & GRAVEL 360 400 304
FINE YELLOW SAND & FINE GRAVEL 400 560 304
FINE YELLOW SAND 560 580 304
BLUE CLAY 580 600
Date started 03/16/95 Completed 04/24/95

(7) PERFORATIONS/SCREENS:
[X] Perf. Method AIR KNIFE
[] Screens Type _____ Material _____
Slot Tele/pipe
From To Size Number Diam. Size Casing/liner
380 400 1/8X2 720 _____ CASING
520 560 1/8X2 1440 _____ CASING

(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 my best knowledge and belief.
Signed _____ WWC Number _____ Date _____

(8) WELL TESTS: Minimum testing time is 1 hour
Test type AIR
Yield GPM Draw-down Drill stem at Time
300 _____ 560 1 hr.
300 _____ 560 8HR
Temperature of water 51F Depth Artesian Flow Found _____
Was water analysis done? NO By whom _____
Reason for water not suitable for use _____
Depth of strata _____

(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 *Ed W Pulliam* WWC Number 616 Date 05/01/95

Permit Cert nbr Pod
 Old data: G 11911 0 1

pod location id snp id logid
 8110 22574 CLAC 20245

wr_id wr_fam_id type status stage
 22574 22574 GW NC CM

Application	Permit	cert_nbr	Pod	Status	Source	Logid	Main aq	Userid lu	Priority	Township	Range	S	QQ	Q
G 13293	G 11911		1	NC	GW	CLAC 20245	BFS	27684	02/16/1993	1.00 S	4.00 E	26	SE	SW

Condition type / Action status	SWL	SWL	Other measured wells not on permit:	swl required	<File.Missing>	
Date of last notice	2/19/2003			swl frequency	<File.Missing>	
Impact plan: Submitted / Approved			Logid	swl month	<File.Missing>	
Compliance: This yr / Overall			Main aq	swl duration	<File.Missing>	
Compliance reviewed by				decline trigger	<File.Missing>	
Compliance letter sent				decl trig shutoff	<File.Missing>	
Month / Yr use began				reference level	<File.Missing>	
Ref level gw	302.00			ref level date	<File.Missing>	
Ref lvl det by				impact plan	<File.Missing>	
Trigger activated	CLOSE			supply plan	<File.Missing>	
Well not drilled as of				limit duration	<File.Missing>	
App file check / Date				limit date	<File.Missing>	
Comments	MARC N. ATTEMPTED TO MEASURE 03/26/2001 AND LOST 95' OF E-TAPE. HE INDICATED THAT NO WATER WAS ENCOUNTERED @ 400+ FEET BLS. RCK 05/17/2001.				meter required	<File.Missing>
Other conditions	<File.Missing>				record water use	<File.Missing>
					report water use	<File.Missing>

Redrill Logid	Max_Depth	Type Work	Compl Date	Correlated By	Comment

Current owner from pump_test_owners file:

name f / l	DEAN BREDENKAMP	name other	
contact		email	
address	36585 SE BLUFF ROAD	phone / fax	503-663-3434 - office 503-663-7095
city / st / zip	BORING OR 97009	comment	HUGH EISELE (SON-IN-LAW)

Reported water levels for the specified well. No water levels will be present if a well log has not been correlated to the water right. in wris_logids file.

Date	Status	Method	MP hgt	Rpt WL	Ex WL	Measured by	Source Organiz	Source OWRD	Comments
4/25/1995	STATIC	ETAPE	1	304	304	DRILLER	OWRD	WELL LOG	WELL LOG
4/5/1996	STATIC	ETAPE	1	330.5	330.5	TED W PULLIAM	DRILLER	PERMIT COND	PUMP TEST SWL
4/13/1998	STATIC	GAGE	2	302	302	THOMAS J CISCO	PUMP INSTALLER	PERMIT COND	IDLE 4 MONTHS
3/30/1999	STATIC	ETAPE	1	328	328	TED W PULLIAM	DRILLER	PERMIT COND	IDLE 6 MONTHS
3/30/2000	STATIC	ETAPE	1	328	328	TED W PULLIAM	DRILLER	PERMIT COND	AIRLINE & E-TAPE USED.
3/14/2001	STATIC	ETAPE	1	309	309	TED W PULLIAM	DRILLER	PERMIT COND	AIRLINE & E-TAPE USED.

3/15/2002

ETAPE

311

11

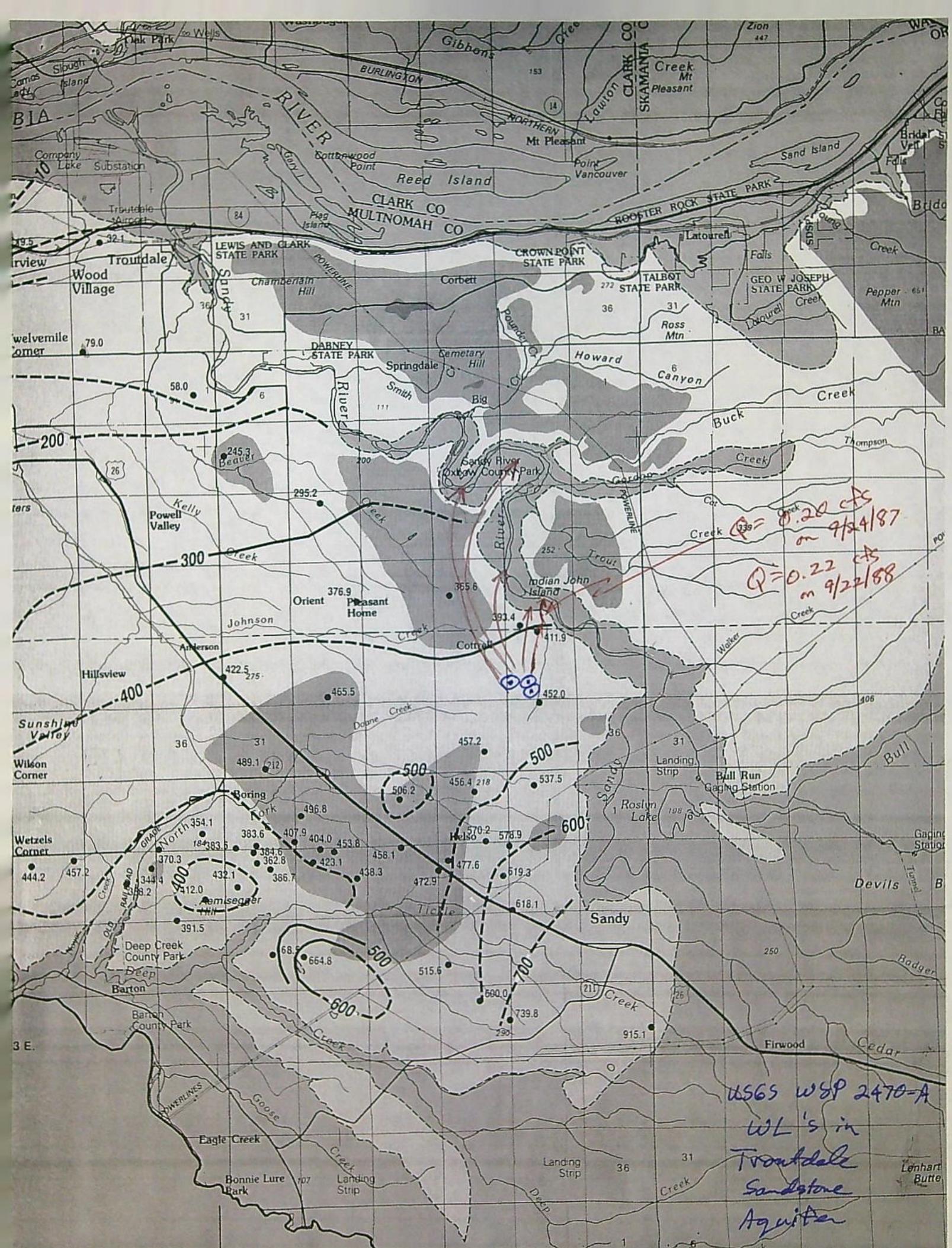
11

Table 1.--Altitude of top of hydrogeologic units for selected wells, in feet
above or below (-) sea level--Continued

Log- ID	Location number	Uncon- solidated sedimentary rocks	Troutdale gravel	Confining unit 1	Troutdale sandstone	Confining unit 2	Sand and gravel	Undifferentiated fine-grained sediments	Older rocks
900306	01S/04E-11ACC	150	--	--	--	--	--	110	20
10774	01S/04E-14CBB	112	--	--	--	--	91	--	--
10775	01S/04E-14CCC	140	--	--	--	--	--	125	-205
10776	01S/04E-15BAB	80	--	--	--	--	--	45	--
10777	01S/04E-15CBC	--	648	--	416	333	258	--	--
10778	01S/04E-16ADB	--	672	--	469	87	--	--	-341
10779	01S/04E-16ADC	--	672	422	367	--	--	--	--
900324	01S/04E-17ACB	--	573	330	286	--	--	--	--
10780	01S/04E-17BAD	--	515	332	207	113	41	--	--
900500	01S/04E-17DCB	--	528	284	164	--	--	--	--
900498	01S/04E-18ACD	--	495	285	130	--	--	--	--
900325	01S/04E-18ADC1	--	525	235	164	-16	--	--	--
900326	01S/04E-18ADC2	--	523	213	163	-16	--	--	--
900327	01S/04E-18DAA	--	549	255	194	--	--	--	--
900499	01S/04E-18DAA2	--	550	225	142	--	--	--	--
900328	01S/04E-18DDC	--	550	253	--	--	--	--	--
10781	01S/04E-18BBD	--	533	202	--	--	--	--	--
900359	01S/04E-19BCBB	--	520	203	--	--	--	--	--
10782	01S/04E-20CBB	--	573	273	--	--	--	--	--
900329	01S/04E-20DAA	--	612	332	266	--	--	--	--
10783	01S/04E-21DDC	--	612	--	450	220	--	--	--
900501	01S/04E-22BAB	--	673	551	544	--	--	--	--
900330	01S/04E-22BDC	--	653	--	473	--	--	--	--
9182	01S/04E-22DCC	--	650	--	443	232	--	--	--
900331	01S/04E-23CDC	--	475	--	410	--	--	--	--
7115	01S/04E-26ACB	--	537	--	--	--	--	--	--
7091	01S/04E-26BAA	--	500	--	467	--	--	--	--
7101	01S/04E-26CCB	--	730	--	--	--	--	--	--
7459	01S/04E-26CCC	--	746	446	416	--	--	--	--
7135	01S/04E-28ABC	--	603	--	--	--	--	--	--
7129	01S/04E-28ADA	--	646	--	358	--	--	--	--
900309	01S/04E-28ADD1	--	660	337	316	220	--	--	-434
7139	01S/04E-28BAC	--	589	--	--	--	--	--	--
7128	01S/04E-28DDB	--	663	352	315	--	--	--	--
900447	01S/04E-28AAA	--	560	--	--	--	--	--	--
7146	01S/04E-28BDA	--	566	--	326	--	--	--	--
7143	01S/04E-29CAA	--	592	381	335	117	--	--	--
7152	01S/04E-29CAA	--	585	--	--	--	--	--	--
900444	01S/04E-29DCC	--	580	399	335	124	--	--	--
7209	01S/04E-30ADB	--	611	--	--	--	--	--	--
7164	01S/04E-30ADD	--	615	--	--	--	--	--	--
7192	01S/04E-30BDA	--	540	--	--	--	--	--	--
7183	01S/04E-30CBB	--	581	--	294	--	--	--	--
7244	01S/04E-30CCB	--	601	--	--	--	--	--	--
7236	01S/04E-30DCD	--	605	--	--	--	--	--	--
900448	01S/04E-31CBB	--	571	282	241	78	48	--	--
7239	01S/04E-31CCD	--	535	279	249	--	--	--	--
7277	01S/04E-32CAD	--	538	--	--	--	--	--	--
7253	01S/04E-32DAB	--	576	--	--	--	--	--	--
7312	01S/04E-33DBA	--	625	--	--	--	--	--	--
7343	01S/04E-33DBA	--	625	--	--	--	--	--	--
7368	01S/04E-34ABB	--	710	--	--	--	--	--	--
7356	01S/04E-34CBA	--	675	--	--	--	--	--	--
7394	01S/04E-34DBD	--	705	575	513	--	--	--	--
7460	01S/04E-35BAA	--	717	--	568	402	--	--	--
900443	01S/04E-35BCB	--	740	--	450	--	--	--	--
900502	01S/05E-31ACA	--	--	--	--	502	590	340	--
5098	02N/01E-01AAD	270	--	--	--	--	--	--	--
5095	02N/01E-01DAB1	273	109	--	--	--	--	--	--
900680	02N/01E-02BAA	200	90	--	--	--	--	-212	--
900679	02N/01E-02CAB	220	100	--	--	--	--	-230	--
900320	02N/01E-02DDC	243	100	--	--	--	--	--	--
5103	02N/01E-03CCB1	218	85	--	--	--	--	--	--
11571	02N/01E-04BAD1	215	70	--	--	--	--	--	--
5105	02N/01E-07BCB	20	--	--	--	--	--	--	--
5107	02N/01E-07CBB1	20	--	--	--	--	--	--	--
5108	02N/01E-09CAD1	30	-48	--	--	--	--	--	--
5109	02N/01E-09DBB1	50	-83	--	--	--	--	--	--
5116	02N/01E-10AAD1	195	78	--	--	--	--	--	--
900321	02N/01E-10CBB	153	102	--	--	--	--	-230	--
900381	02N/01E-11AAB1	238	114	--	--	--	--	--	--
900227	02N/01E-11ABC1	258	79	--	--	--	--	--	--
900383	02N/01E-11BAB1	225	85	--	--	--	--	--	--
11575	02N/01E-11BAB2	226	85	--	--	--	--	--	--
11574	02N/01E-11BAB3	227	84	--	--	--	--	--	--
900382	02N/01E-11BAB4	250	103	--	--	--	--	--	--
11563	02N/01E-11BAB5	230	85	--	--	--	--	--	--
11572	02N/01E-11BAC1	230	81	--	--	--	--	-359	--
5118	02N/01E-11CDC1	220	--	--	--	--	--	--	--
5120	02N/01E-12AAA1	281	165	--	--	--	--	--	--

Table 1.--Records of selected wells in the Portland Basin--Continued

Well location number	Well identification number	Owner	Date drilled	Latitude	Longitude	Altitude (feet)	Depth of open interval (feet)		Well diameter (inches)	Test method	Well performance			Water level		Specific conductance	Remarks	
							Top	Bottom			Yield (gal/min)	Draw-down (feet)	Test period (hours)	Feet below datum	Date			
CLACKAMAS COUNTY, OREGON--Continued																		
1S/3E-31CCA(N)	900374	GEORGE BEALL	--	452609	1222926	365	442.0	195.0	348.0	6.0	P	310.0	68.0	1.0	108.6	3/29/89	146	I
1S/3E-32ACB(G)	900378	CAROLYN WEBSTER	1965	452632	1222742	776	616.0	110.0	118.0	6.0	P	50.0	135.0	20.0	435.0(D)	3/12/65	--	D
								281.0	282.0									
								294.0	298.0									
								596.0	616.0									
1S/3E-32DAC(J)	500140	DAMASCUS WATER DISTRICT	1973	452615	1222723	415	335.0	140.0	150.0	--	P	280.0	75.0	24.0	99.0	3/29/89	--	
								245.0	258.0									
								285.0	310.0									
								321.0	325.0									
1S/3E-33AAD1(A)	900521	O.H. YEAGER	--	452637	1222603	555	130.0	--	--	6.0	B	15.0	1.0	1.0	118.2	3/ 6/57	--	0
	900520		--				180.0	180.0	180.0	6.0	N	--	--	--	137.6	3/29/89	--	0
1S/3E-33OCA(Q)	500139	DAMASCUS WATER DISTRICT	1953	452607	1222619	600	305.0	182.0	238.0	8.0	P	200.0	27.0	0.3	178.0	3/29/89	--	0
								295.0	305.0									
1S/3E-33ODA(R)	500138	DAMASCUS WATER DISTRICT	--	452605	1222605	628	325.0	290.0	325.0	5.0	P	170.0	15.0	4.0	224.7	3/29/89	--	
1S/3E-34ABC(B)	900726	DAVID TILLSTROM	--	452640	1222513	490	300.0	--	--	--	P	110.0	7.0	2.0	194.0(D)	12/10/54	--	D
1S/3E-34BDD(F)	500137	DILLARD NURSERY	1973	452628	1222528	552	300.0	182.0	212.0	--	P	225.0	51.0	4.0	135.6	3/29/89	180	I
								240.0	300.0									
1S/3E-35BAD(C)	7650	DAVE MCCARTHY	1983	452636	1222412	530	185.0	165.0	185.0	6.0	A	30.0	--	2.0	90.0(D)	5/27/83	--	0
1S/3E-36ABA(B)	8132	BORING WATER DISTRICT	1959	452644	1222338	527	452.0	351.0	361.0	16.0	P	250.0	3.0	1.0	120.1	3/ 4/88	--	0
1S/3E-36BBD1(D)	7692	EASTMONT WATER DISTRICT	1965	452640	1222313	520	316.0	110.0	295.0	8.0	P	200.0	71.0	2.0	70.0(D)	--/--/--	--	0
1S/3E-36BDB(F)	7677	WAYNE GARRISON	1972	452631	1222311	620	243.0	200.0	240.0	--	B	20.0	75.0	2.0	126.9	4/ 8/88	--	0
1S/3E-36BDB1(K)	900429	VERNAL WILSON	1953	452618	1222252	555	220.0	--	--	--	P	250.0	75.0	--	60.0(D)	1/ 1/53	--	1
1S/3E-36BDB2(K)	7695	P & C MEAT INC	1967	452622	1222251	535	310.0	200.0	208.0	8.0	P	175.0	105.0	4.0	59.8	3/ 2/88	--	C
								220.0	244.0									
								250.0	280.0									
1S/4E-26ACB(G)	7115	BILL DUGGER	1976	452724	1221643	537	50.0	48.0	50.0	6.0	P	25.0	20.0	1.0	38.6	4/ 7/88	--	0
1S/4E-26BAA(C)	7091	ROBERT PITTS	1986	452739	1221644	500	165.0	165.0	165.0	--	A	10.0	--	0.5	88.1	4/ 7/88	--	0
1S/4E-26CCB(N)	7101	BLAIR GRIMMER	1981	452702	1221720	730	120.0	60.0	89.0	--	B	12.0	35.0	1.0	14.1	4/ 7/88	--	0
								90.0	120.0									
1S/4E-26CCC(N)	7459	RAY BATES	1980	452651	1221720	746	360.0	300.0	360.0	6.0	B	5.0	0.0	1.0	290.0(D)	11/22/80	--	0
1S/4E-27ACC2(G)	7124	ROBERT LOOMIS	1974	452716	1221756	690	125.0	60.0	75.0	6.0	B	30.0	27.0	1.0	18.0(D)	6/ 1/74	--	1
								78.0	125.0									
1S/4E-27CAB1(L)	7118	HANDY NURSERY	1973	452710	1221812	700	392.0	310.0	392.0	10.0	P	470.0	11.0	8.0	240.0(D)	4/27/73	--	1
1S/4E-27DBB(K)	7119	LOOMIS NURSERY COMPANY INC.	1980	452715	1221751	695	360.0	280.0	360.0	8.0	P	200.0	4.0	2.0	245.0(D)	9/22/80	--	1
1S/4E-27DCB(Q)	7117	HORSE VAN METER	1986	452659	1221756	720	395.0	260.0	395.0	10.0	B	40.0	0.0	2.0	260.0(D)	1/18/85	--	1
1S/4E-28ABC(B)	7135	J. KERSTING	1968	452731	1221906	603	172.0	170.0	172.0	6.0	B	15.0	22.0	2.0	146.7	4/ 7/88	--	0
1S/4E-28ADA(H)	7129	GERALD BELCHER	1972	452728	1221842	646	345.0	240.0	340.0	6.0	P	10.0	89.0	1.0	270.2	4/ 7/88	--	0
1S/4E-28ADD1(H)	900309	J. FRANK SCHMIDT & SON	1985	452715	1221844	660	1783.0	1116.0	1783.0	12.0	P	1180.0	158.0	2.5	528.0(D)	8/ 7/85	--	1
1S/4E-28BAC(C)	7139	JAMES ANGUS	1975	452735	1221929	589	88.0	46.0	46.0	6.0	B	14.0	43.0	1.0	35.1	4/ 8/88	--	0
								52.0	52.0									
								79.0	85.0									
1S/4E-28DCB1(O)	7130	HOOD ACRES CORP	--	452657	1221910	635	345.0	210.0	250.0	10.0	P	200.0	50.0	8.0	210.0(D)	--/--/52	--	
								280.0	345.0									
1S/4E-28DDB(R)	7128	J. FRANK SCHMIDT	1976	452702	1221845	663	465.0	350.0	465.0	8.0	P	335.0	19.0	8.0	208.0(D)	3/26/76	--	0
1S/4E-29AAA(A)	900447	STEVE HELFRICH	1983	452738	1221952	560	120.0	50.0	110.0	6.6	B	10.0	60.0	1.0	7.7	4/ 7/88	--	0
1S/4E-29BDA(F)	7146	HANK NAPPE	1969	452724	1222031	566	257.0	140.0	209.0	--	P	60.0	9.0	1.0	135.8	9/ 9/88	--	0
								211.0	257.0									
1S/4E-29CAA1(L)	7152	HANS NELSON	--	452714	1222032	585	178.0	140.0	170.0	8.0	P	125.0	30.0	6.0	135.0(D)	2/29/68	--	C
1S/4E-29CAA2(L)	7143	NELSON & SON NURSERY	1986	452710	1222028	592	475.0	260.0	470.0	10.0	P	400.0	122.0	8.0	168.0(D)	5/28/86	--	1
1S/4E-29CDB(F)	7144	PHIL VAN HISE NURSERY	1985	452708	1222053	585	320.0	272.0	277.0	6.0	B	40.0	50.0	1.5	130.0(D)	3/13/85	--	1
								286.0	296.5									
1S/4E-29DAD1(J)	7147	JAMES BUSHUE	1981	452706	1221949	610	195.0	40.0	194.0	8.0	P	50.0	95.0	6.0	21.0(D)	5/27/81	--	1
1S/4E-29DCC(Q)	900444	NAPPE & SON NURSERY	1987	452654	1222025	580	510.0	200.0	215.0	12.0	B	45.0	--	1.0	115.1	3/ 4/88	--	G
								250.0	260.0									
								285.0	295.0									
								350.0	360.0									
								390.0	400.0									
								415.0	425.0									
1S/4E-30ADB(H)	7209	GEORGE OLDHAM	1977	452722	1222117	611	160.0	120.0	160.0	6.0	B	17.0	35.0	2.5	127.7	4/ 6/88	--	0
1S/4E-30ADD(H)	7164	JOHN IHRKE	1975	452716	1222106	615	139.0	55.0	139.0	6.0	P	15.0	12.0	1.0	117.0(D)	10/31/75	--	0
1S/4E-30BDA(F)	7192	F.E. COLLINS	1984	452727	1222148	540	108.0	108.0	108.0	--	P	15.0	6.0	8.0	89.2	4/ 6/88	--	0
1S/4E-30CCB(M)	7183	T. OKINO	1953	452712	1222213	581	444.0	410.0	421.0	12.0	P	200.0	29.0	4.0	158.5	4/ 7/88	--	1
								431.0	434.0									
1S/4E-30CCB(N)	7244	CLINE OTEY	1974	452701	1222215	601	242.0	190.0	240.0	6.0	B	36.0	12.0	2.0	108.0(D)	5/23/74	--	0
1S/4E-30DCB(Q)	7236	WILLIAM ERICKSON	1980	452651	1222127	605	300.0	277.0	300.0	8.0	P	125.0	--	1.0	127.4	3/ 2/88	--	1
1S/4E-31AAC(A)	7257	HANDY NURSERY	1977	452643	1222121	575	290.0	222.0	288.0	8.0	P	140.0	90.0	8.0	92.0(D)	9/14/77	--	1
1S/4E-31CCB(M)	900448	JOHN HOLMLUND	1987	452618	1222215	571	600.0	302.0	600.0	14.0	P	500.0	31.0	24.0	187.0(D)	4/16/87	--	1
1S/4E-31CCD(N)	7239	BORING FIRE DEPARTMENT	--	452559	1222202	535	290.0	158.0	258.0	--	P	50.0	42.0	2.0	94.7	3/ 2/88	--	0
								258.0	290.0									
1S/4E-31DCC(O)	900430	THOMPSON	1952	452604	1222131	555	315.0	315.0	315.0	10.0	P	180.0	--	--	66.8	3/ 2/88	--	1
1S/4E-32CAD(L)	7277	THOMAS & HELEN RUBISH	1974	45261														



$Q = 0.20 \text{ cfs}$
 on 9/24/87
 $Q = 0.22 \text{ cfs}$
 on 9/22/88

USGS WSP 2470-A
 WL's in
 Troutdale
 Sandstone
 Aquifer

ft bgl

Elev

LS ————— 730
TG ∇ 600-700
200-399

290 +/- ————— 450 +/-
 ∇ 440 +/-

TS

420 ————— 300

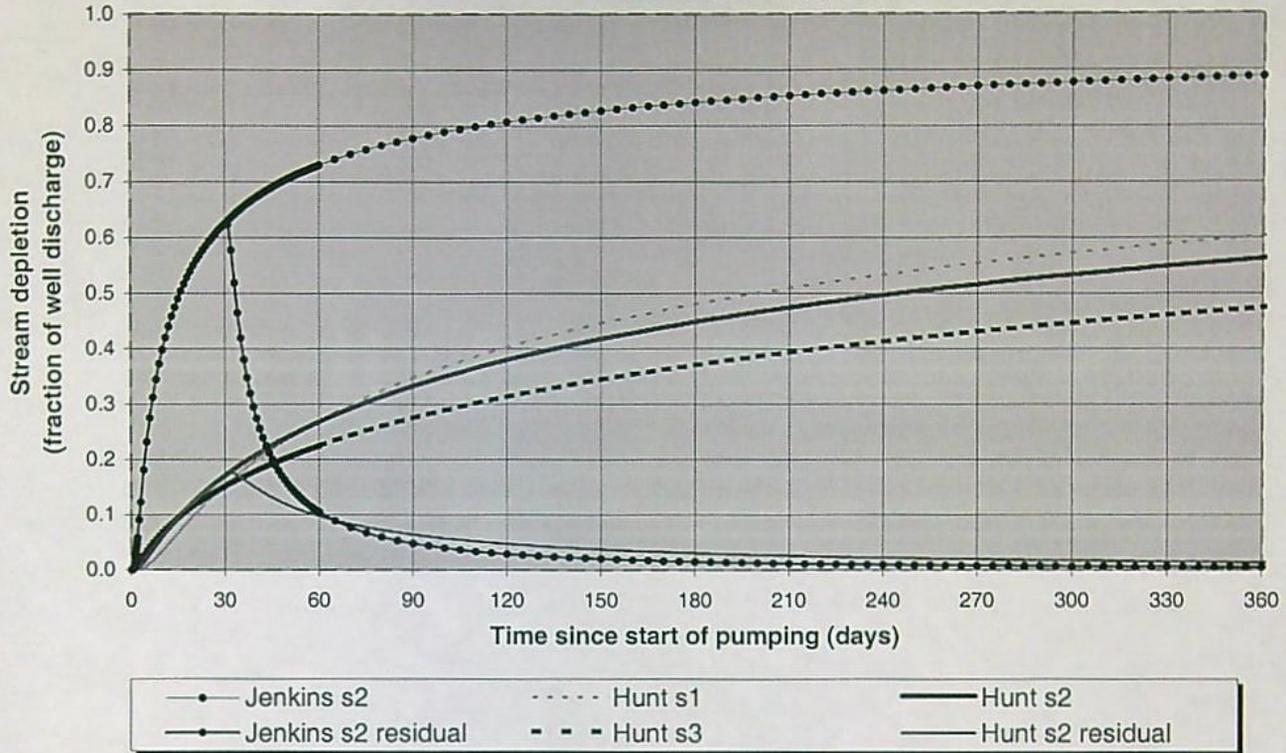
CU 2

—————

C3a & C3b

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

G-16050, well #1, 2, or 3



Output for Hunt Stream Depletion, Scenerio 2 (s2): Time pump on = 30 days

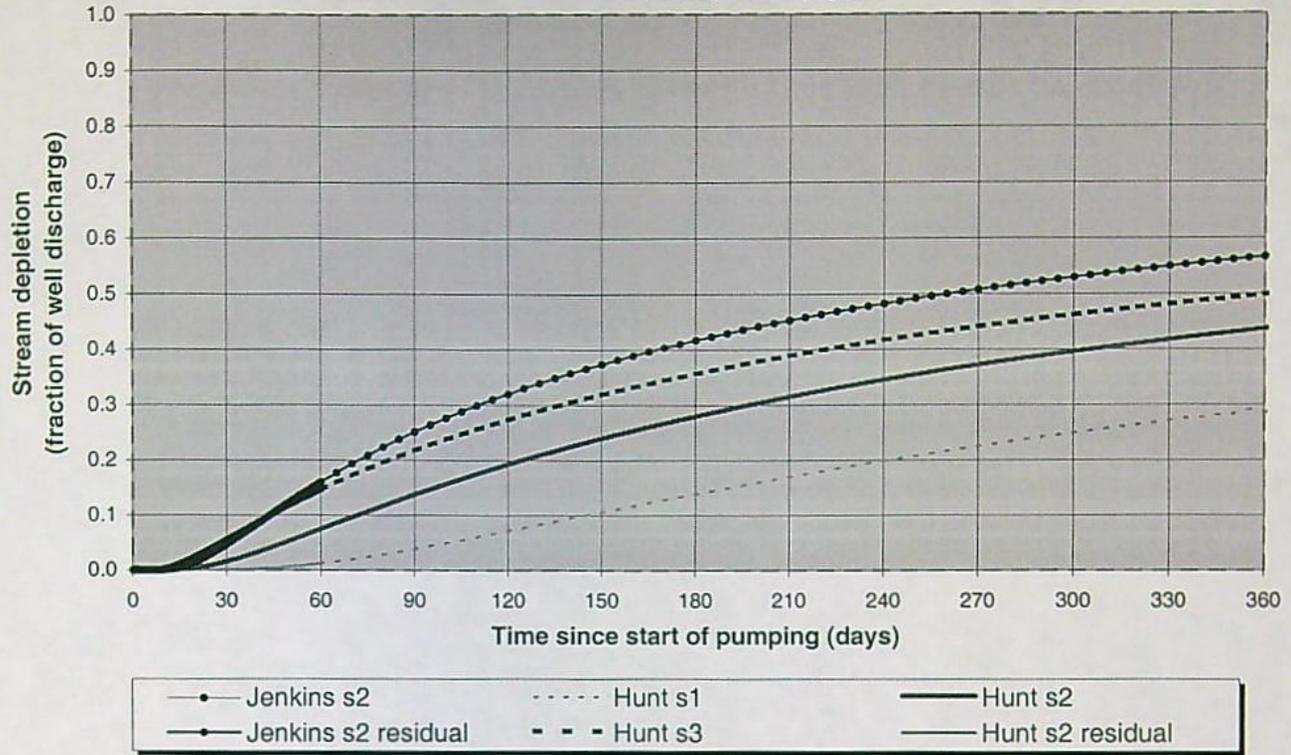
Days	30	60	90	120	150	180	210	240	270	300	330	360
Hunt SD s2	0.1713	0.0975	0.0642	0.0475	0.0374	0.0307	0.0259	0.0223	0.0194	0.0172	0.0154	0.0139
Qw, cfs	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220
H SD s2, cfs	0.038	0.021	0.014	0.010	0.008	0.007	0.006	0.005	0.004	0.004	0.003	0.003

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate	Qw	0.22	0.22	0.22	cfs
Distance to stream	a	5280	5280	5280	ft
Aquifer hydraulic conductivity	K	6	15	40	ft/day
Aquifer thickness	b	130	130	130	ft
Aquifer transmissivity	T	780	1950	5200	ft*ft/day
Aquifer storage coefficient	S	0.001	0.001	0.001	
Stream width	ws	10	10	10	ft
Streambed hydraulic conductivity	Ks	0.06	0.06	0.06	ft/day
Streambed thickness	bs	3	3	3	ft
Streambed conductance	sbc	0.2	0.2	0.2	ft/day
Stream depletion factor (Jenkins)	sdf	35.74153846	14.29661538	5.361230769	days
Streambed factor (Hunt)	sbf	1.353846154	0.541538462	0.203076923	

(individual Q)

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

G-16050, well #1, 2, or 3



Output for Hunt Stream Depletion, Scenerio 2 (s2): Time pump on = 360 days

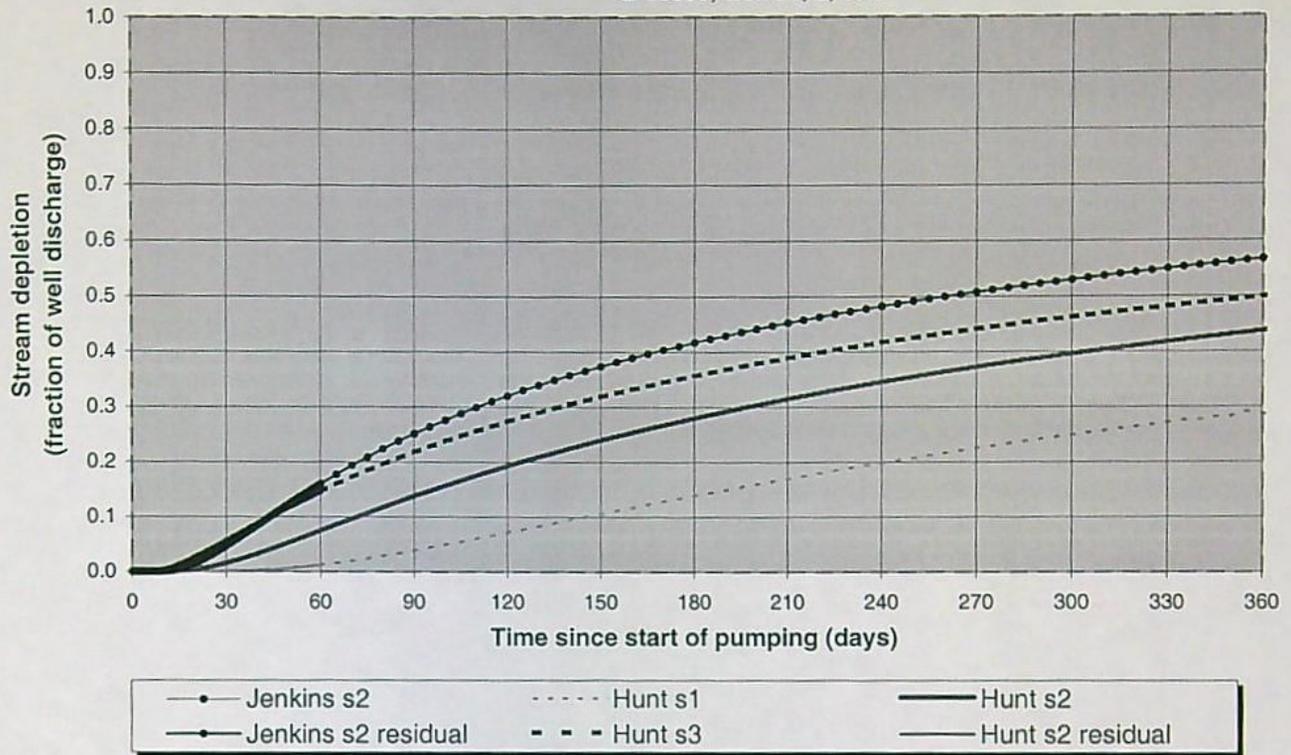
Days	30	60	90	120	150	180	210	240	270	300	330	360
Hunt SD s2	0.0157	0.0751	0.1380	0.1932	0.2404	0.2807	0.3155	0.3459	0.3727	0.3965	0.4178	0.4370
Qw, cfs	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220	0.220
H SD s2, cfs	0.003	0.017	0.030	0.043	0.053	0.062	0.069	0.076	0.082	0.087	0.092	0.096

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate	Qw	0.22	0.22	0.22	cfs
Distance to stream	a	20000	20000	20000	ft
Aquifer hydraulic conductivity	K	5	13	30	ft/day
Aquifer thickness	b	130	130	130	ft
Aquifer transmissivity	T	650	1690	3900	ft*ft/day
Aquifer storage coefficient	S	0.001	0.001	0.001	
Stream width	ws	100	100	100	ft
Streambed hydraulic conductivity	Ks	0.013	0.013	0.013	ft/day
Streambed thickness	bs	3	3	3	ft
Streambed conductance	sbc	0.433333333	0.433333333	0.433333333	ft/day
Stream depletion factor (Jenkins)	sdf	615.3846154	236.6863905	102.5641026	days
Streambed factor (Hunt)	sbf	13.33333333	5.128205128	2.222222222	

combined Q

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

G-16050, well #1, 2, or 3



Output for Hunt Stream Depletion, Scenerio 2 (s2): Time pump on = 360 days

Days	30	60	90	120	150	180	210	240	270	300	330	360
Hunt SD s2	0.0157	0.0751	0.1380	0.1932	0.2404	0.2807	0.3155	0.3459	0.3727	0.3965	0.4178	0.4370
Qw, cfs	0.670	0.670	0.670	0.670	0.670	0.670	0.670	0.670	0.670	0.670	0.670	0.670
H SD s2, cfs	0.011	0.050	0.092	0.129	0.161	0.188	0.211	0.232	0.250	0.266	0.280	0.293

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate	Qw	0.67	0.67	0.67	cfs
Distance to stream	a	20000	20000	20000	ft
Aquifer hydraulic conductivity	K	5	13	30	ft/day
Aquifer thickness	b	130	130	130	ft
Aquifer transmissivity	T	650	1690	3900	ft*ft/day
Aquifer storage coefficient	S	0.001	0.001	0.001	
Stream width	ws	100	100	100	ft
Streambed hydraulic conductivity	Ks	0.013	0.013	0.013	ft/day
Streambed thickness	bs	3	3	3	ft
Streambed conductance	sbc	0.433333333	0.433333333	0.433333333	ft/day
Stream depletion factor (Jenkins)	sdf	615.3846154	236.6863905	102.5641026	days
Streambed factor (Hunt)	sbf	13.33333333	5.128205128	2.222222222	

DETAILED REPORT ON THE WATER AVAILABILITY CALCULATION

Water Availability as of 10/24/2003 for

SANDY R > COLUMBIA R - AB UNN STR

Watershed ID #: 72145 Basin: SANDY Exceedance Level: 80

Time: 19:01 Date: 10/24/2003

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	CU + Stor After 1/1/93	Expected Stream Flow	Expected Stream Flow	Reserved Water Rights	Instream Water Available	Net
1	1760.00	1070.00	0.32	685.00	0.00	1900.00	-1215.00	
2	1980.00	1050.00	0.28	926.00	0.00	1900.00	-974.00	
3	1940.00	964.00	0.19	976.00	0.00	2000.00	-1024.00	
4	2140.00	1120.00	0.21	1020.00	0.00	2000.00	-984.00	
5	1920.00	983.00	0.19	936.00	0.00	2000.00	-1064.00	
6	1170.00	503.00	0.15	666.00	0.00	1700.00	-1034.00	
7	712.00	237.00	0.23	475.00	0.00	800.00	-325.00	
8	528.00	153.00	0.34	375.00	0.00	550.00	-175.00	
9	493.00	202.00	0.23	290.00	0.00	550.00	-260.00	
10	547.00	331.00	0.06	216.00	0.00	700.00	-484.00	
11	1130.00	950.00	0.18	180.00	0.00	1700.00	-1520.00	
12	1830.00	1100.00	0.36	725.00	0.00	1700.00	-975.00	
Stor	1480000	522000	166	956000	0	1050000	35500	

Enter (1) to CONTINUE; (2) to WRITE the Table:

Mailing List for PFO Copies

Application #G-16050

PFO Date May 11, 2004

Original mailed to:

Applicant: BARRY AND LEE ANN COOK, 37621 SE BEAR CREEK LANE, BORING, OR 97009

Copies sent to:

1. WRD - File # G-16050
2. Water Availability: Ken Stahr

PFO and Map Copies sent to:

3. WRD - Watermaster # 20
4. Regional Manager: NWR
5. Oregon State Parks

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

6. Wystan Brown, 34780 SE 362nd Ave, ^{Boring 97009}~~Gresham~~ OR 07080

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : Gaineyjw- WEEK 459

Copies Mailed
By: <u>TCB</u>
(SUPPORT STAFF)
on: <u>5/11/04</u>
(DATE)

April 15, 2004

Jerry Gainey
Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301-1271
Phone: 503.986.0900
Fax: 503.986.0901

Re: Reference File G-16050

Dear Mr. Gainey,

In light of page 3, Additional Information Opportunity, I submit the following request:

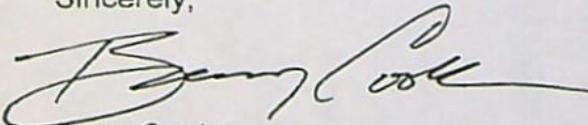
That I would be allowed to use the maximum cfs from the #1 well site, and that irrigation use is extended to include November 1 through the end of February irrigation season.

I need water use for frost and temperature control purposes as well as fertility regulation and weed control. We also propagate our own plant material and need water for care and maintenance of our stock. Processing our bare root stock requires water usage during the winter months.

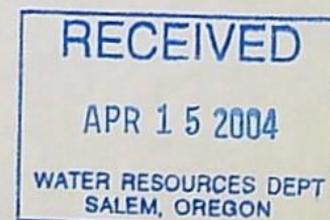
The financial consideration of one well is vital at this point as well. We are not financially able to punch two well sites at this time.

Thank you for your consideration.

Sincerely,



Barry Cook
37621 SE Bear Creek Lane
Boring, OR 97009
Phone: 503.668.3497



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G 16050

BARRY & LEE ANN COOK
 37621 SE BEAR CREEK LANE
 BORING OR 97009

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Lee Ann Cook
 Agent
 Addressee

B. Received by (Printed Name)

Lee Ann Cook
 C. Date of Delivery *3/23/00*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

Number

(from service label)

7002 2030 0006 2911 9949

August 2001

Domestic Return Receipt

WR (IR)

102595-02-M-1540

UNITED STATES POSTAL SERVICE

RECEIVED

MAR 24 2004

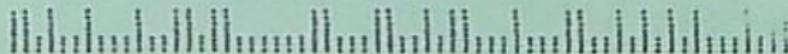
• Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE SUITE A
SALEM OR 97301-1271

First-Class Mail
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Permit No. G-10

07





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

March 12, 2004

BARRY AND LEE ANN COOK
37621 SE BEAR CREEK LANE
BORING, OR 97009

(503)668-8349

**CERTIFIED LETTER
RETURN RECEIPT REQUESTED**

Reference: File G-16050

Dear Mr. and Mrs. Cook:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit 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 you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule except where otherwise noted below.
2. The wells are situated on the ground water divide between the Willamette Basin and Sandy Basin, being Well 3 in the Willamette Basin and Wells 1 and 2 in the Sandy Basin.
3. Uses included in nursery use are fully included in irrigation and agriculture uses, both of which are allowed by OAR 690-502, the Willamette Basin Program. Therefore, the use of water from Well 3 for nursery use is **classified**.
4. The use of water from Well 1 and Well 2 for nursery use in the Sandy Basin is **not a classified use** under OAR 690-503-050, the Sandy Basin Program, however the use of water is **allowable** for irrigation use.

NOTE: In the Sandy Basin, irrigation use is defined much like general agriculture use and/or nursery use is defined in other basins. OAR 690-503-010(12) defines irrigation use as "the application of water to crops or plants by artificial means to promote growth, nourish plants, leach minerals, control frost, etc."

5. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
6. The Department has also determined, based upon available data, that the use of groundwater will likely be available in the amounts requested without injury to prior rights and/or within the capacity of the resource.
7. The Department has determined that the standard allowable rate of water necessary for irrigation use of groundwater in your area is 1/80 cubic foot per second (CFS) per acre. Your application requested 0.67 CFS. If the application is approved, the rate allowed will be limited to 0.46 CFS for irrigation use on 37.0 acres.
8. The standard irrigation season allowed for ground water sources, without the potential of surface water interference, is from March 1 through October 31 of each year.
9. Please refer to the **ADDITIONAL INFORMATION OPPORTUNITY** section below for additional information.
10. You indicated domestic use for two households, being a household on each tax lot, 6500 and 6501, and from different wells. Note that domestic use of up to 15,000 gallons per day from a well is exempt from permitting requirements, and that use of the water is all that is necessary to establish a water right by law (ORS 537.545). The well may be used for domestic use and the watering of a lawn or non-commercial garden, *not to exceed a total of one-half acre in area*, without a permit. The Department will therefore *not consider* domestic use to be a part of your application unless you notify us in writing that you are interested in receiving a permit for domestic use.

Summary of Initial Determinations

The use of 0.22 cubic foot per second from Well 3 in Bear Creek Basin nursery use on 37.0 acres is allowable year-round.

The use of .24 cubic foot per second of water from Well 1 and Well 2 in Bear Creek Basin for irrigation use on 37.0 acres may be allowed from March 1 through October 31 of each year.

Because of the Department's determination, your application can be moved to the next phase of the water rights application review process. However, due to #4, #7 and #8 above your application will likely be limited accordingly.

At this time, you must decide whether to proceed or to withdraw your application as described below.

ADDITIONAL INFORMATION OPPORTUNITY

The Sandy Basin Program allows the use of water from a well for irrigation use, defined as "the application of water to crops or plants by artificial means to promote growth, nourish plants, leach materials, control frost, etc." (OAR 690-503-010(12)). However, the Department's standard policy for irrigation use of water from wells not hydraulically connected to surface water is limited to an irrigation season of March 1 through October 31 of each year. In addition, the standard rate for irrigation is limited to 0.0125 cfs per acre irrigated; the maximum rate allowed for 37.0 acres would be 0.46 cfs.

The Department may consider the use of water for irrigation if you can explain why you need the use of water from November 1 through the end of February. The Department may also consider allowing the higher rate of 0.67 cfs for the irrigation purposes requested in your application if you explain why the higher rate is necessary; for example, if you are using the water for frost control or to nourish plants as well as general irrigation use.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically 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.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, March 26, 2004**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. The priority date for this application is July 17, 2003.
3. **For Well 1 and Well 2:**
- (1) Use of water from the well, as allowed herein, shall be regulated if the well displays:
- (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The permittee/appropriator shall install a meter or other measuring device suitable to the Director, and shall keep a complete record of water uses.
- (3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.
- (a) Use of water from a new well shall not begin until the initial water level in the well has been measured. A measurement of initial water level shall be made at the time a pump is installed, but before pumping begins.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year at the time of spring high water during the period March 15 through April 15.
 - (c) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, licensed water well drillers, registered geologists, registered professional engineers, registered land surveyors, licensed well constructor, pump installer licensed by the Construction Contractors Board, or the permittee/appropriator.
 - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction

at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be received not later than 30 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

4. **For Well 1 and Well 2:** Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

5. **For Well 3:**

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
 - (a) An average water level decline of three or more feet per year for five consecutive years; or
 - (b) A total water level decline of fifteen or more feet; or
 - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
 - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
 - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.

- (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well driller, licensed pump installer, or the permittee / appropriator.
- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in this section.

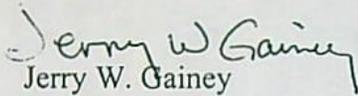
6. Ground water production shall be only from the Troutdale Sandstone ground water reservoir between approximately 250 feet and 420 feet below land surface.

The water source identified in your 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 Water Quality Program web site at http://www.oda.state.or.us/nrd/water_quality/index.html to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at 503-986-0801. Feel free to call me at 503-986-0812 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1271, Fax: 503-986-0901.

Sincerely,



Jerry W. Gainey

Water Right Application Caseworker

enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-16050

wab 3-72145 for Well 1 and Well 2; wab 2-71554 for Well 1
pou 3-3-72145 for Well 1 and Well 2; wab 2-71554 for Well 1
gwc

APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-16050

Applicant: BARRY AND LEE ANN COOK

County: Clackamas

Watermaster: 20

Priority Date: July 17, 2003

Source: WELL 1, WELL 2, AND WELL 3 IN BEAR CREEK BASIN

Use: NURSERY USE ON 37.0 ACRES

Quantity: 0.66 CUBIC FOOT PER SECOND

Basin Name & Number: Sandy, #3

Stream Index Reference: Volume 2 SANDY R MISC

Well Locations:

WELL 1: SESW, SECTION 26, T1S, R4E, W.M.; 1040 FEET NORTH & 1450 FEET EAST FROM SW CORNER, SECTION 26

WELL 2: SESW, SECTION 26, T1S, R4E, W.M.; 700 FEET NORTH & 1720 FEET EAST FROM SW CORNER, SECTION 26

WELL 3: SWSW, SECTION 26, T1S, R4E, W.M.; 950 FEET NORTH & 50 FEET E SW CORNER, SECTION 26

Place of Use: SWSW, 24.5 ACRES, SESW 12.5 ACRES, SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 26, 2004

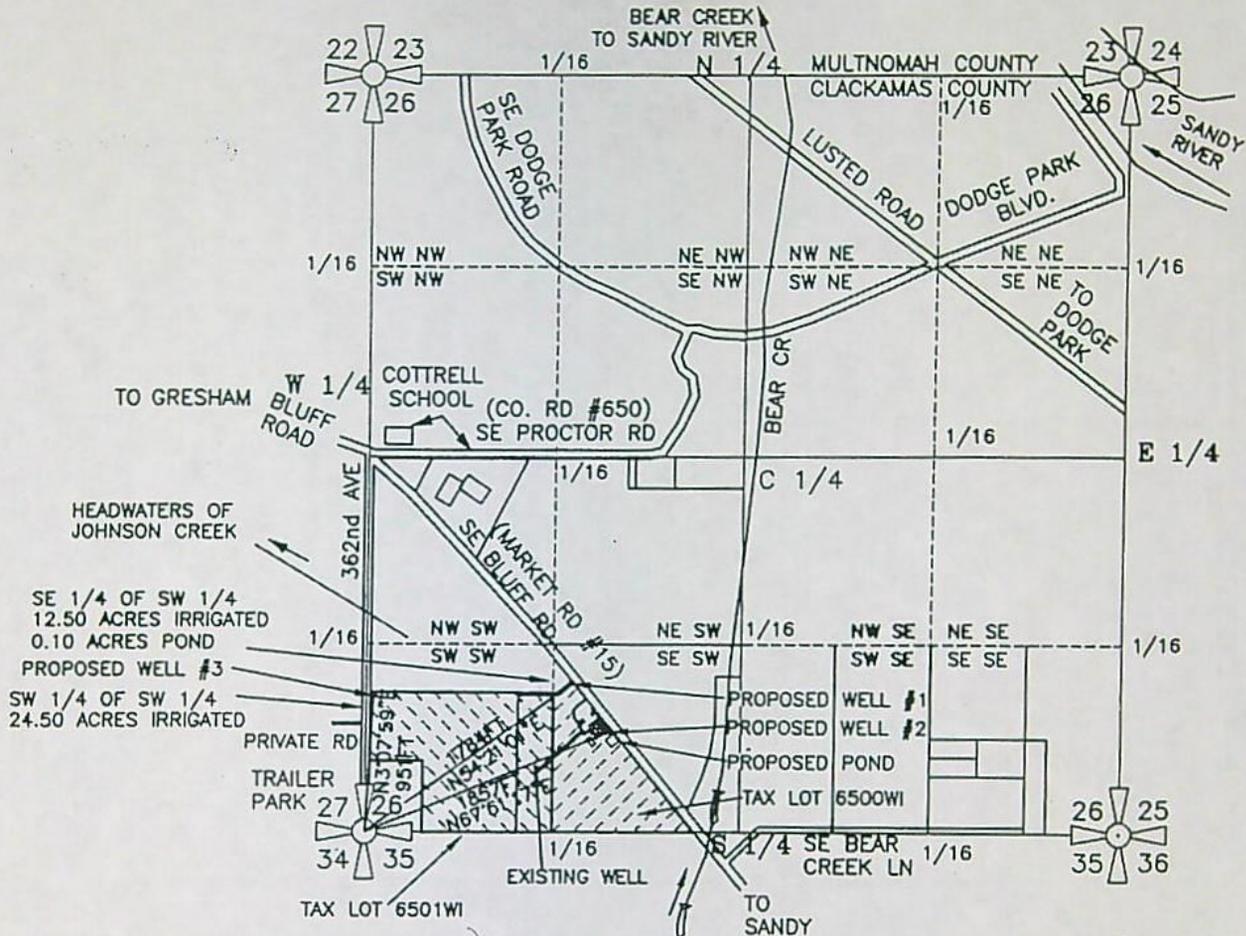
PUBLIC NOTICE DATE: Tuesday, March 16, 2004

30 DAY COMMENT DEADLINE DATE: Thursday, April 15, 2004

Application G-16050

CORPORATE
BOUNDARY LINE _____
DONATION LAND
CLAIM (DLC #)
SANDY 7.5 MIN. QUAD
ASSESSOR MAP 1S 4E 26 & INDEX

SE 1/4 of the SW 1/4 of SECTION 26
SW 1/4 of the SW 1/4 of SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
CLACKAMAS COUNTY, OREGON



IRRIG. WELLS: #1, #2 & #3

IRRIG. WELL #1 IS 1040 FEET NORTH AND 1450 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH EAST 1/4 of the SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM, CLACKAMAS COUNTY, OREGON

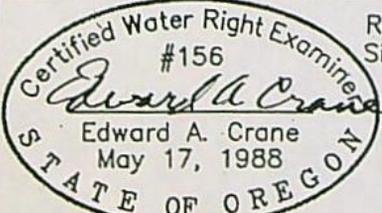
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IRRIG. WELL #3 IS LOCATED 950 FEET NORTH & 50 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26, (WELL IS LOCATED IN THE SOUTH WEST 1/4 of the SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM, CLACKAMAS COUNTY, OREGON

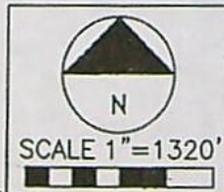
PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

**APPLICATION FOR A
GROUNDWATER PERMIT G-**

SEC. 1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
26 SW SW	24.50 AC IRRIG	0.306 CFS (137 GPM)
26 SE SW	12.50 AC IRRIG	0.156 CFS (70 GPM)
26 SE SW	[0.10 AC POND	0.001 CFS (0.50 GPM)]
TOTAL IRRIG.	37.00 ACRES	0.462 CFS (207 GPM)



Renewal 12/31/2001
Signed 9.25.2001



SURVEYED SEPT. 20, 2001
BY EDWARD A. CRANE, CWRE

DATE
SEPT. 2001
PROJECT NO.
400-001

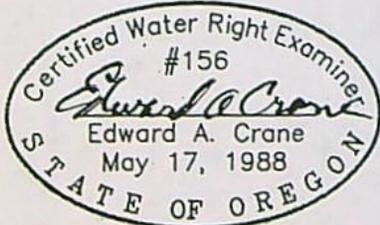
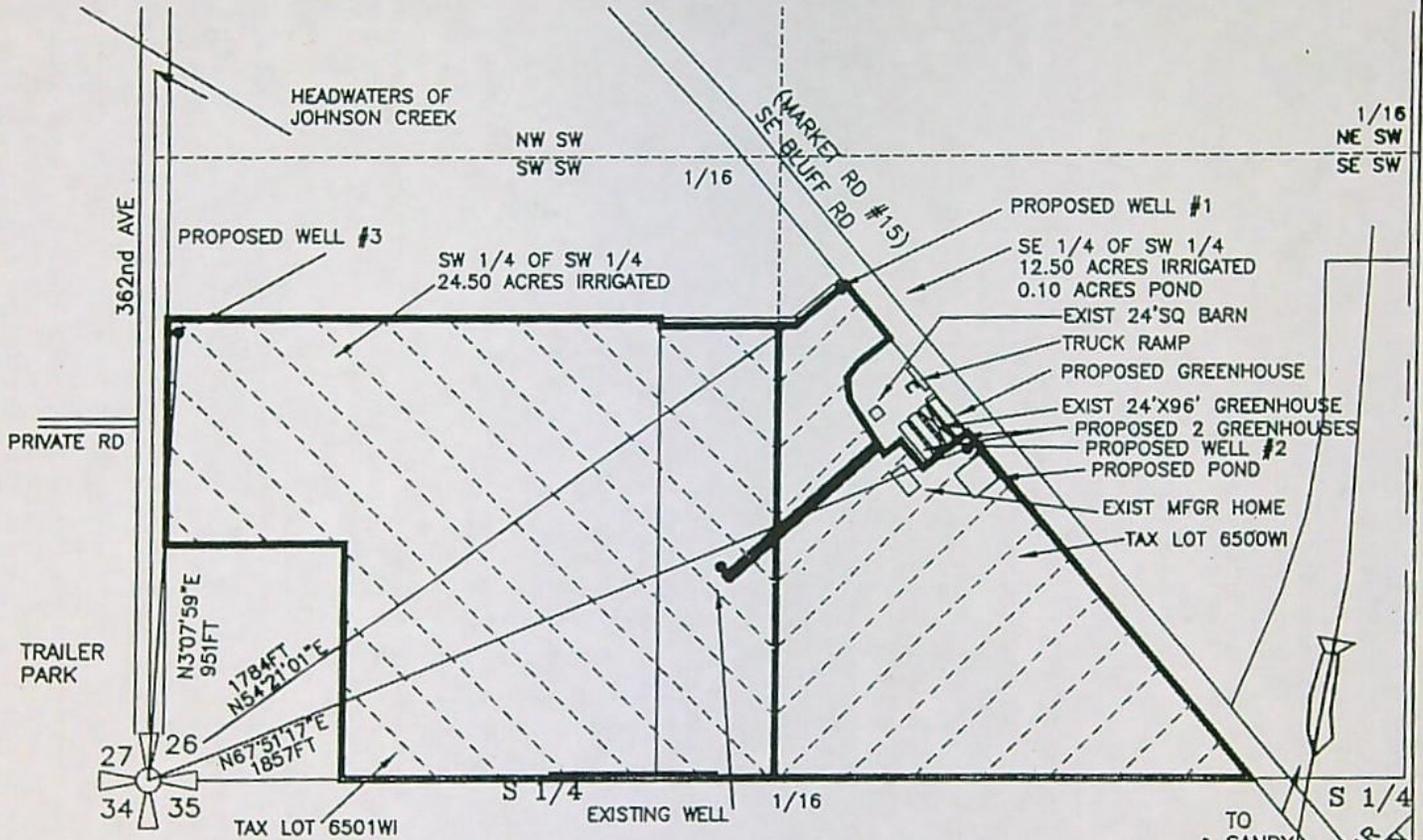


CRANE & MERSEITH
Engineering/Surveying
SUITE "D"
6566 SE LAKE ROAD
MILWAUKIE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

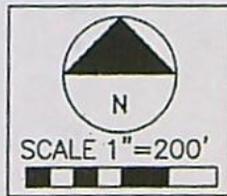
APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
BARRY & LEE ANN COOK
37621 SE BEAR CRK LN (TEL: 503-668-8349)
BORING, OR 97009 (FAX: 503-668-)

SHEET
1/2

SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



Signed 9.25.2001
 Renewal 12.31.2001
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



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APPLICATION FOR A
 GROUNDWATER PERMIT G-

LA 377_PRC/A 400-001 40000101.DWG 8/22/2001 ENC

DATE
 SEPT. 2001
 PROJECT NO.
 400-001



CRANE & MERSETH
 Engineering/Surveying
 SUITE "D"
 6566 SE LAKE ROAD
 MILWAUKIE, OREGON 97222
 BUS: (503) 654-2005
 FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
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 BARRY & LEE ANN COOK
 37621 SE BEAR CRK LN (TEL: 503-668-8349)
 BORING, OR 97009 (FAX: 503-668-)

SHEET
 2/2

Mailing List for IR Copies

Application #G-16050

IR Date: March 12, 2004

Original mailed to:

Applicant: BARRY AND LEE ANN COOK , 37621 SE BEAR CREEK LANE, BORING, OR 97009

Copies sent to:

1. WRD - File # G-16050
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # 20
4. WRD - Regional Manager: NWR

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. Edward Crane, CWRE #156

6. Wytan Brown, 34780 SE 362nd Ave, ~~Gresham~~ Boring OR 97080
97009

ID# JWG

COPYSHIT.R

REMINDER: Copy *all* IR's for uses in the geographic Umatilla Basin to Confederated Tribes of the Umatilla Indian Reservation, PO Box 638, 73239 Confederated Way, Pendleton, OR 97801.

REMINDER: Copy *all* IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

March 12, 2004

BARRY AND LEE ANN COOK
37621 SE BEAR CREEK LANE
BORING, OR 97009

(503)668-8349

Reference: File G-16050

Dear Mr. and Mrs. Cook:

The Department is currently processing your request to use water from three wells in the Sandy Basin for general agriculture use and irrigation use on 37.0 acres from November 1 through the end of February. You also requested a rate of 300 gallons per minute (0.67 cubic foot per second [CFS]).

The Sandy Basin Program allows the use of water from a well for irrigation use, defined as "the application of water to crops or plants by artificial means to promote growth, nourish plants, leach materials, control frost, etc." (OAR 690-503-010(12)). However, the Department's standard policy for irrigation use of water from wells not hydraulically connected to surface water is limited to an irrigation season of March 1 through October 31 of each year. In addition, the standard rate for irrigation is limited to 0.0125 cfs per acre irrigated; the maximum rate allowed for 37.0 acres would be 0.46 cfs.

The Department may consider the use of water for irrigation if you can explain why you need the use of water from November 1 through the end of February. The Department may also consider allowing the higher rate of 0.67 cfs for the irrigation purposes requested in your application if you explain why the higher rate is necessary; for example, if you are using the water for frost control or to nourish plants as well as general irrigation use.

Please submit the information requested by **April 15, 2004**, or your application may be processed as noted in the March 12, 2004 Initial Review. Feel free to call me at 503-986-0812 if you have any questions regarding this letter or your Initial Review.

Sincerely,

Jerry W. Gainey
Water Right Application Caseworker

cc: Mike McCord, Watermaster District 20
File



State of Oregon
Water Resources Department
 158 12th Street NE, Salem, OR 97310
 (503)378-8455 • (800)624-3199
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

RECEIVED

JUL 17 2003

WATER RESOURCES DEPT.
 SALEM, OREGON

1. APPLICANT INFORMATION

A. Individuals

Applicant: BARRY COOK
First Last

Co-applicant: LEE ANN COOK
First Last

Mailing address: 37621 SE BEAR CREEK LANE
BORING OREGON 97009
City State Zip

Phone: 503-668-8349 503-668-7669 503-887-9043 cell
Home Work Other

*Fax: 503-668-5532 *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: _____

Name and title of person applying: _____

Mailing address of organization: _____

City State Zip

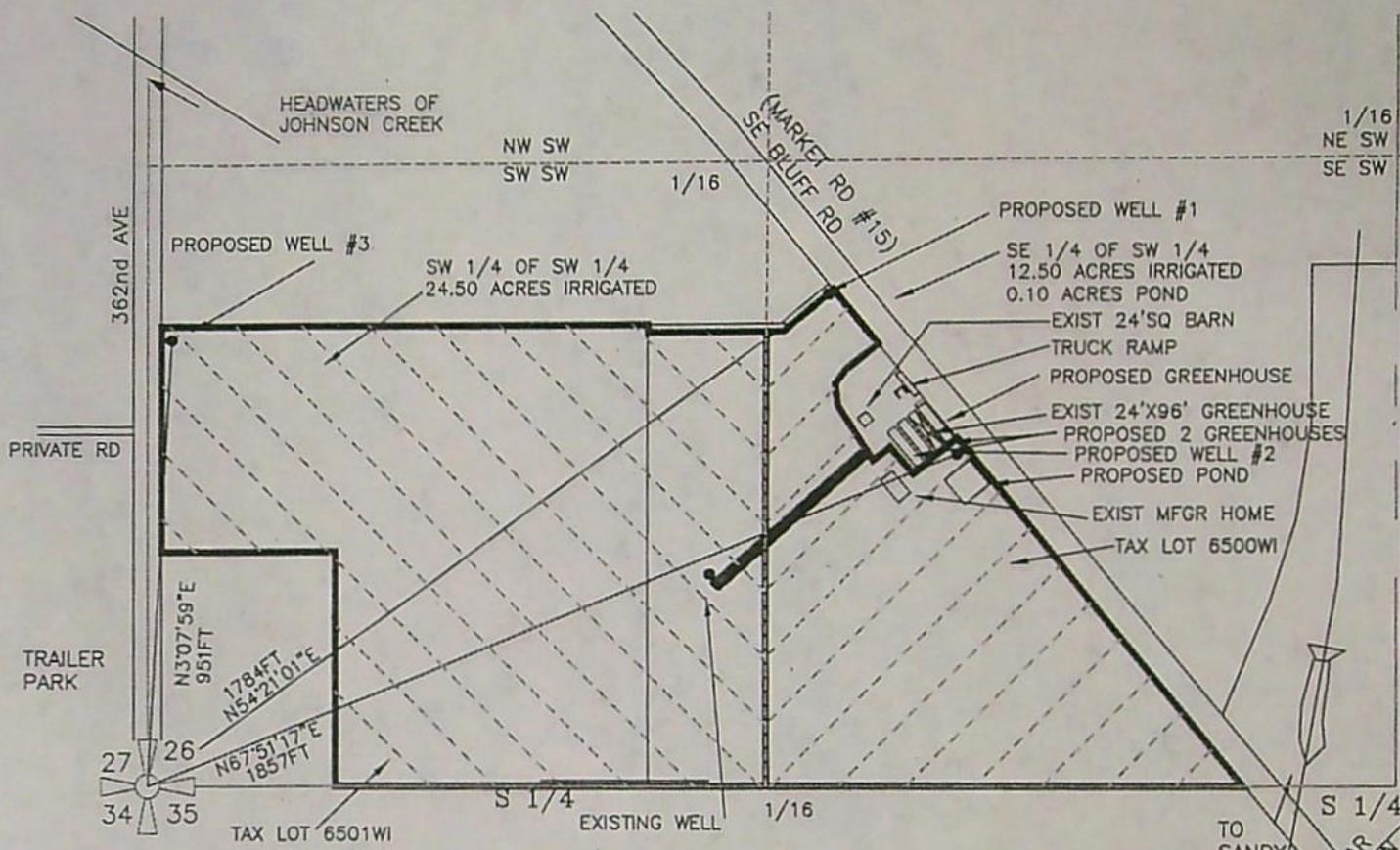
Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

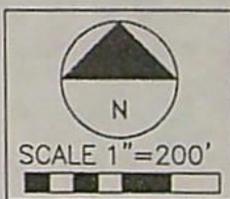
For Department Use		
App. No. <u>G-16050</u>	Permit No. _____	Date _____

SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



Certified Water Right Examiner
 #156
Edward A. Crane
 Edward A. Crane
 May 17, 1988
 STATE OF OREGON

Signed 9.25.2001
 Renewal 12.31.2001
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



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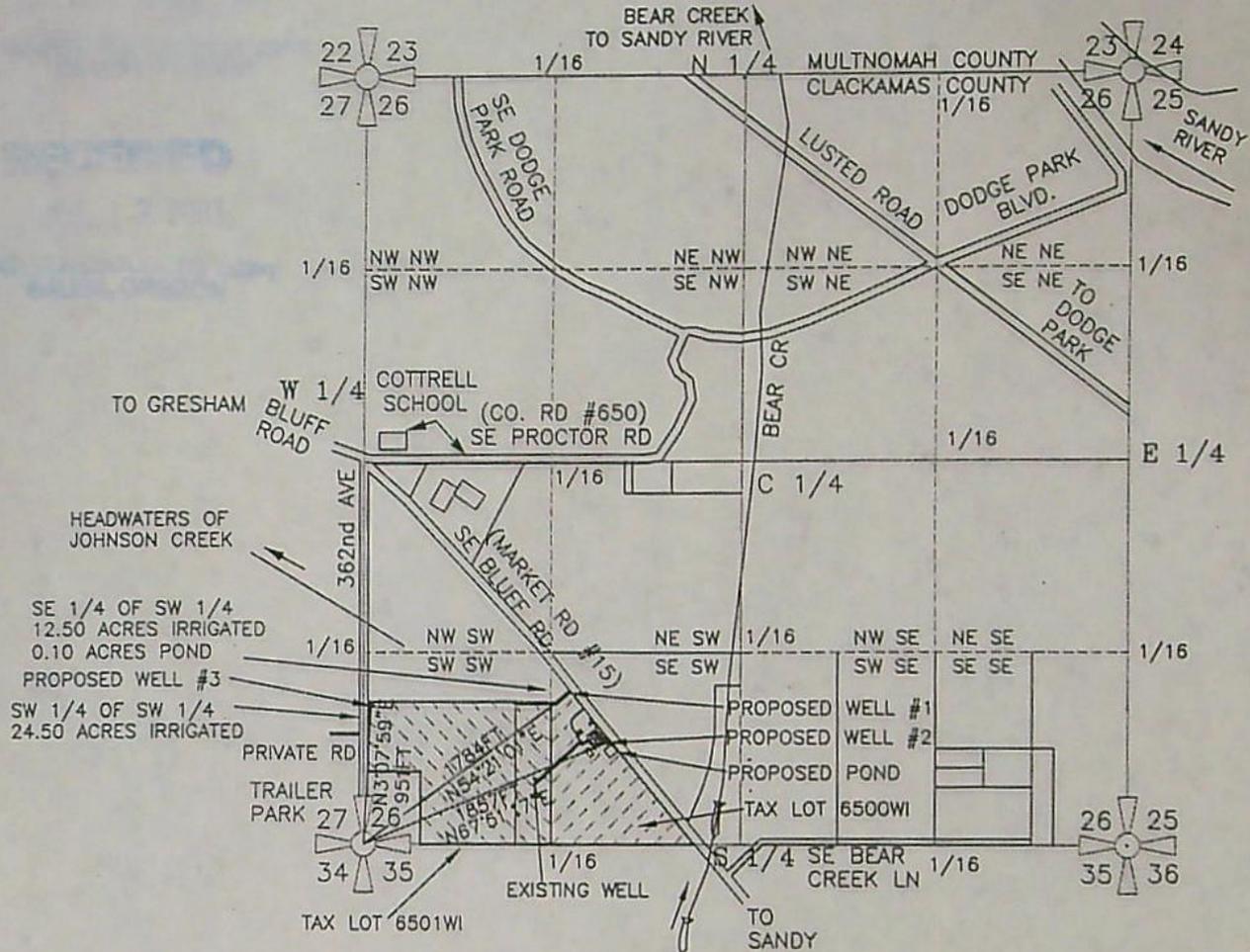
APPLICATION FOR A
 GROUNDWATER PERMIT G-

DATE SEPT. 2001	 <p>CRANE & MERSETH <i>Engineering/Surveying</i> SUITE "D" 6566 SE LAKE ROAD MILWAUKIE, OREGON 97222 BUS: (503) 654-2005 FAX: (503) 654-2575</p>	APPLICATION FOR PERMIT NUMBER G- PERMIT NUMBER G- IN THE NAME OF: BARRY & LEE ANN COOK 37621 SE BEAR CRK LN (TEL: 503-668-8349) BORING, OR 97009 (FAX: 503-668-)	SHEET 2/2
PROJECT NO. 400-001			

LAWP_000A 405-901\40000101.DWG 8/22/2001 EAC

CORPORATE
BOUNDARY LINE
DONATION LAND
CLAIM (DLC #)
SANDY 7.5 MIN. QUAD
ASSESSOR MAP 1S 4E 26 & INDEX

SE 1/4 of the SW 1/4 of SECTION 26
SW 1/4 of the SW 1/4 of SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
CLACKAMAS COUNTY, OREGON



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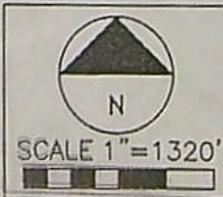
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IRRIG. WELL #3 IS LOCATED 950 FEET NORTH & 50 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26. (WELL IS LOCATED IN THE SOUTH WEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON)

SEC.	1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
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26	SE SW	12.50 AC IRRIG	0.156 CFS (70 GPM)
26	SE SW	[0.10 AC POND	0.001 CFS (0.50 GPM)]
TOTAL IRRIG.		37.00 ACRES	0.462 CFS (207 GPM)

Certified Water Right Examiner
#156
Edward A. Crane
Edward A. Crane
May 17, 1988
STATE OF OREGON

Renewal 12/31/2001
Signed 9.25.2001



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**APPLICATION FOR A
GROUNDWATER PERMIT G-**

SURVEYED SEPT. 20, 2001
BY EDWARD A. CRANE, CWRE

DATE
SEPT. 2001
PROJECT NO.
400-001



CRANE & MERSETH
Engineering/Surveying
SUITE "D"
6566 SE LAKE ROAD
MILWAUKIE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
BARRY & LEE ANN COOK
37621 SE BEAR CRK LN (TEL: 503-668-8349)
BORING, OR 97009 (FAX: 503-668-)

SHEET
1/2

RECEIVED

JUL 17 2003

WATER RESOURCES DEPT.
SALEM, OREGON

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

TL 6500WI Yes (Skip to section 3 "Ground water Development.")

TL6501WI No Please check the appropriate box below.

I have a recorded easement or written authorization permitting access. SENDING A COPY.

I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

TAX LOT 6500WI - BARRY & LEE ANN COOK (APPLICANTS)

TAX LOT 6501WI - WYSTAN BROWN, 34780 SE 362ND AVENUE, GRESHAM, OR 97080

TEL: 503-887-9043 WORK, CELL: 503-407-8330

*If more than 25 landowners are involved, a list is not required. See instructions.

3. GROUND WATER DEVELOPMENT

A. Number of well(s): THREE B. Name of nearest surface water body: BEAR CREEK

C. Distance from well(s) to nearest stream or lake: 1) WELL #1 = ABOUT 1000FT

2) WELL #2 = ABOUT 900FT 3) WELL #3 = ABOUT 2,500FT 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between CRK @ 650FT nearest surface water and well head. 1) WELL #1 = ABOUT 735FT-650FT = 85FT

2) WELL #2 = ABOUT 740FT ^{DIFF. = 90FT} 3) WELL #3 = ABOUT 730FT ^{DIFF. = 80FT} 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: TED PULLIAM OF OLSON - PULLIAM WELL DRILLING

Address: 9480 SE 172ND AVENUE, BORING, OR 97009

TEL: 503-665-3353, FAX: 503-665-5285, CELL: 503-789-5764

Completion date: MARCH. 1, 2003 DEPENDING ON PERMIT CONDITIONS
2004

appno G-11050

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1.	12" BH	8" BLK STL	MIN 250'		250' MAX 18' MIN	250'	250'	1/2" IPT	420' +/-
2.	12" BH	8" BLK STL	MIN 250'		250' MAX 18' MIN	250'	250'	1/2" IPT	420' +/-
3.	12" BH	8" BLK STL	250' MAX 250'		250' MAX 18' MIN	250'	250'	1/2" IPT	420' +/-

F. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

NA

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: ONE EACH TAX LOT
- If your proposed use is **irrigation**, please attach Form I
- If your proposed use is **mining**, attach Form R
- If your proposed use is **municipal or quasi-municipal**, attach Form M
- If your proposed use is **commercial/industrial**, attach Form Q

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WATER RESOURCES DEPT.
SALEM, OREGON

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1.	DEEP TROUTDALE	IRRIGATION	100	35,280,000	200
2.	DEEP TROUTDALE	IRRIGATION	100	35,280,000	200
3.	DEEP TROUTDALE	IRRIGATION	100	35,280,000	200

300 GPM

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? _____
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: GENERAL AGRICULTURAL USE: NOV. 1 - END FEB.
GENERAL NURSERY USES: MAR. 1 - OCT. 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 37.00 ACRES
(This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type) SUBMERSIBLE 25 HP EACH
 Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)
Width _____ Depth _____
Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
Diameter 3" & 4" PVC Length 3" = 2,500FT, 4" = 3,000FT
- Other (describe) _____

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WATER RESOURCES DEPT.
SALEM, OREGON

Ground Water/4

app no G-16050

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? SUBMERSIBLE PUMPS, BURIED PVC TRANSMISSION & DISTRIBUTION PIPELINES, ROTATING RAINBIRD SPRINKLER HEADS, ETC.

Irrigation or land application method (check all that apply):

- Flood
- Drip
- Hand lines
- Siphon tubes or gated pipe with furrows
- Other, describe SOME SOAKER HOSES
- High-pressure sprinkler
- Water cannons
- Wheel lines
- Low pressure sprinkler
- Center pivot system

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

USE 1" TUNA CAN TO MEASURE THE VOLUME OF WATER APPLIED. USE AN AUTOMATIC IRRIGATION CONTROLLER TO REDUCE OVER WATERING. WATER AT NIGHT AS MUCH AS POSSIBLE. USE DRIP / SOAKER HOSES TO APPLY WATER DIRECTLY TO THE PLANT.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin Sept 1 2003
~~MARCH 1, 2002~~ DEPENDING ON PERMIT CONDITIONS

Proposed date construction will be completed MARCH 1, 2003 2004

Proposed date beneficial water use will begin MARCH 1, 2004

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

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SALEM, OREGON

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SALEM, OREGON

8. MAP REQUIREMENTS

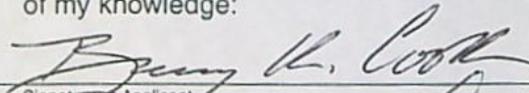
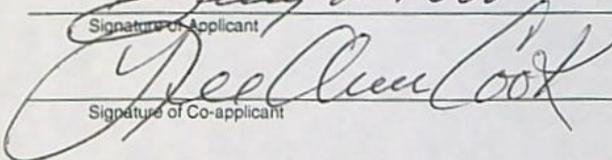
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

 Signature of Applicant	7-9-03 Date
 Signature of Co-applicant	7-9-03 Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



Oregon Water Resources Department

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FORM I

FOR IRRIGATION WATER USE

WATER RESOURCES DEPT. SALEM, OREGON

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 37.00 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: NO CERTIFICATE APPLING FOR NOW

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

1. GENERAL NURSERY USES Full season Partial season (from: MAR. 1 to OCT. 31)

TEMPERATURE CONTROL & GENERAL AGRICULTURAL USES Full season Partial season (from: NOV. 1 to END FEB.)

3. _____ Full season Partial season (from: _____ to _____)

4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

224 acre-feet

(1 acre-foot equals 12 inches of water spread over one acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

Daily during daytime hours

NEW CROPS
 Daily during nighttime hours

Two or three times weekly during daytime

ESTABLISHED CROPS
 Two or three times weekly during nighttime

Weekly, during daytime hours

Weekly, during nighttime hours

Other, explain: _____

app no G-16050



OREGON TITLE
Insurance Company

STATUTORY SPECIAL WARRANTY DEED
(Individual)

GENEVIEVE PURDUM, as to a Life Estate and L. MARIE McMULLEN, as to the remainder

conveys and specially warrants to
BARRY K. COOK and LEE ANN COOK, husband and wife

the following described real property in the State of Oregon and County of Clackamas
free of encumbrances created or suffered by the grantor, except as specifically set forth
herein:

AMENDED LEGAL

Parcel 1, according to the duly filed plat of PARTITION PLAT 1992-167, as filed October
29, 1992 as Instrument No. 92-68705, in the County of Clackamas and State of Oregon.

Tax Account Number(s):

This property is free of encumbrances, EXCEPT:
Those of Record

THIS DEED IS GIVEN IN FULFILLMENT OF THAT CONTRACT DATED FEBRUARY 1, 1993 AND RECORDED
FEBRUARY 2, 1993 AS RECORDER'S FEE NO. 93-07571

The true consideration for this conveyance is \$82,500.00

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

DATED this 1st day of February, 1993.

Genevieve Purdum by L. Marie McMullen
Genevieve Purdum
her attorney in fact

L. Marie McMullen
L. Marie McMullen

STATE OF OREGON, COUNTY OF Multnomah)ss.

The foregoing instrument was acknowledged before me this 1st day of February, 1993, by
L. MARIE McMULLEN.

Deborah Miles
Notary Public for Oregon
My Commission Expires: 1-20-94

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WATER RESOURCES DEPT.
SALEM, OREGON

County of Multnomah

On this the 1st day of February, 1993 personally appeared
L. Marie McMullen

who, being duly sworn (or affirmed), did say that She is the attorney in fact for
Genevieve Purdum and
that She executed the foregoing instrument by authority of and in behalf of said principal; and She acknowl-
edged said instrument to be the act and deed of said principal.

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WATER RESOURCES DEPT.
SALEM, OREGON

FORM No. 159—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT.

STATE OF OREGON,

County of Multnomah } ss.

On this the 1st day of February, 1993 personally appeared
L. Marie McMullen

who, being duly sworn (or affirmed), did say that She is the attorney in fact for
Genevieve Purdum and
that She executed the foregoing instrument by authority of and in behalf of said principal; and She acknowl-
edged said instrument to be the act and deed of said principal.

(Official Seal)

Before me:

Deborah Miles

(Signature)

Escrow Officer

(Title of Officer)

My Commission Expires: 1-20-94

07/01/2002 to 06/30/2003 REAL PROPERTY TAX STATEMENT

CLACKAMAS COUNTY, OREGON * 168 WARNER MILNE RD. * OREGON CITY, OREGON 97045

PROPERTY DESCRIPTION

MAP: 14E26 06500W1

ACCOUNT NO: 00149770

Code Area 046-019

Acres:
14.00

2002-2003 CURRENT TAX BY DISTRICT:

COOK BARRY K
BARRY K COOK
37621 SE BEAR CREEK LN
BORING OR 97009

COM COLL MT HD	6.32
ESD CLACKAMAS	4.71
SCH OREGON TRL	59.03
EDUCATION TOTAL:	70.06
COUNTY CLACK R	37.13
FD72 SANDY	28.59
PORT OF PTLD	0.90
URBAN RENEWAL COUNTY	5.93
VECTOR CONTROL	0.08
GENERAL GOVERNMENT TOTAL:	72.63
COM COLL MT HD BOND	0.32
TRANS TRIMET BOND	1.56
EXCLUDED FROM LIMIT TOTAL:	1.88
2002-2003 TAX BEFORE DISCOUNT	144.57

VALUES: LAST YEAR THIS YEAR

REAL MARKET VALUES (RMV):		
RMV LAND	123,944	125,181
RMV TOTAL	123,944	125,181
SAV TOTAL	24,220	25,690

ASSESSED VALUE (AV): 12,754 13,132

PROPERTY TAXES: 140.97 144.57

Questions about your property value or taxes
Please call 503-655-8671

Please Make Payment To: CLACKAMAS COUNTY TAX COLLECTOR
(Refer to the insert enclosed for more information)

DELINQUENT TAXES: NO DELINQUENT TAXES DUE
See back for explanation of taxes marked with an (*)
Delinquent tax amount is included in payment options listed below.
TOTAL (after discount): 140.23

(See back of statement for instructions)

TAX PAYMENT OPTIONS

Payment Options	Date Due	Discount Allowed	Net Amount Due
FULL PAYMENT	Nov 15, 2002	4.34 3% Discount....	140.23
2/3 PAYMENT	Nov 15, 2002	1.93 2% Discount....	94.45
1/3 PAYMENT	Nov 15, 2002	No Discount....	48.19

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WATER RESOURCES DEPT.
SALEM, OREGON

07/01/2002 to 06/30/2003 REAL PROPERTY TAX STATEMENT

CLACKAMAS COUNTY, OREGON * 168 WARNER MILNE RD. * OREGON CITY, OREGON 97045

PROPERTY DESCRIPTION

36830 SE BLUFF RD
BORING OR 97009

MAP: 14E26 06500

Code Area 046-034

ACCOUNT NO: 00149761

Acres:
5.50

2002-2003 CURRENT TAX BY DISTRICT:

COOK BARRY K
BARRY K COOK
37621 SE BEAR CREEK LN
BORING OR 97009

COM COLL MT HD	14.65
ESD CLACKAMAS	10.93
SCH OREGON TRL	136.86
EDUCATION TOTAL:	162.44
COUNTY CLACK R	86.08
FD72 SANDY	65.77
PORT OF PTLD	2.08
URBAN RENEWAL COUNTY	13.76
VECTOR CONTROL	0.19
GENERAL GOVERNMENT TOTAL:	167.88
COM COLL MT HD BOND	0.74
SP FIRE PATROL TAX	18.00
SP FP SURCHARGE	38.00
TRANS TRIMET BOND	3.65
EXCLUDED FROM LIMIT TOTAL:	60.39
2002-2003 TAX BEFORE DISCOUNT	390.71

VALUES: LAST YEAR THIS YEAR

REAL MARKET VALUES (RMV):		
RMV LAND	72,340	73,062
RMV TOTAL	72,340	73,062
SAV TOTAL	51,545	51,988
ASSESSED VALUE (AV):	29,677	30,450

PROPERTY TAXES: 383.48 390.71

**Questions about your property value or taxes
Please call 503-655-8671**

Please Make Payment To: CLACKAMAS COUNTY TAX COLLECTOR
(Refer to the insert enclosed for more information)

DELINQUENT TAXES: NO DELINQUENT TAXES DUE

See back for explanation of taxes marked with an (*).
Delinquent tax amount is included in payment options listed below.

TOTAL (after discount): 378.99

(See back of statement for instructions)

TAX PAYMENT OPTIONS

Payment Options	Date Due	Discount Allowed	Net Amount Due
FULL PAYMENT	Nov 15, 2002	11.72 3% Discount....	378.99
2/3 PAYMENT	Nov 15, 2002	5.21 2% Discount....	255.26
1/3 PAYMENT	Nov 15, 2002	No Discount....	130.23

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WATER RESOURCES DEPT.
SALEM, OREGON



Oregon Water Resources Department
Land Use Information Form

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WATER RESOURCES DEPT.
SALEM, OREGON

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: BARRY and LEE ANN COOK

Address: 37621 SE BEAR CREEK LANE

City: BORING State: OR Zip: 97009 Day Phone: 503-668-8349

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
TL6500WI SEC. 26, T1S, R4E WM CLACKAMAS		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
TK6501WI SEC. 26, T1S, R4E WM, CLACKAMAS		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. CLACKAMAS COUNTY, NO CITY

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): GENERAL NURSERY USE, GENERAL AGRICULTURAL USE

Briefly describe: IN-GROUND NURSERY STOCK, ROW CROPS. FUTURE

"CAN" YARDS, SAWDUST HOLDING BEDS, ETC.

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

0.462 CFS 207 GPM Acre-Feet

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 401 ZDC. Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Kevin Noreen Date: 7/10/03
 Title: Planner Phone: 503-353-4524
 Signature: Kevin Noreen

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Receipt for Request for Land Use Information

Name of water right applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

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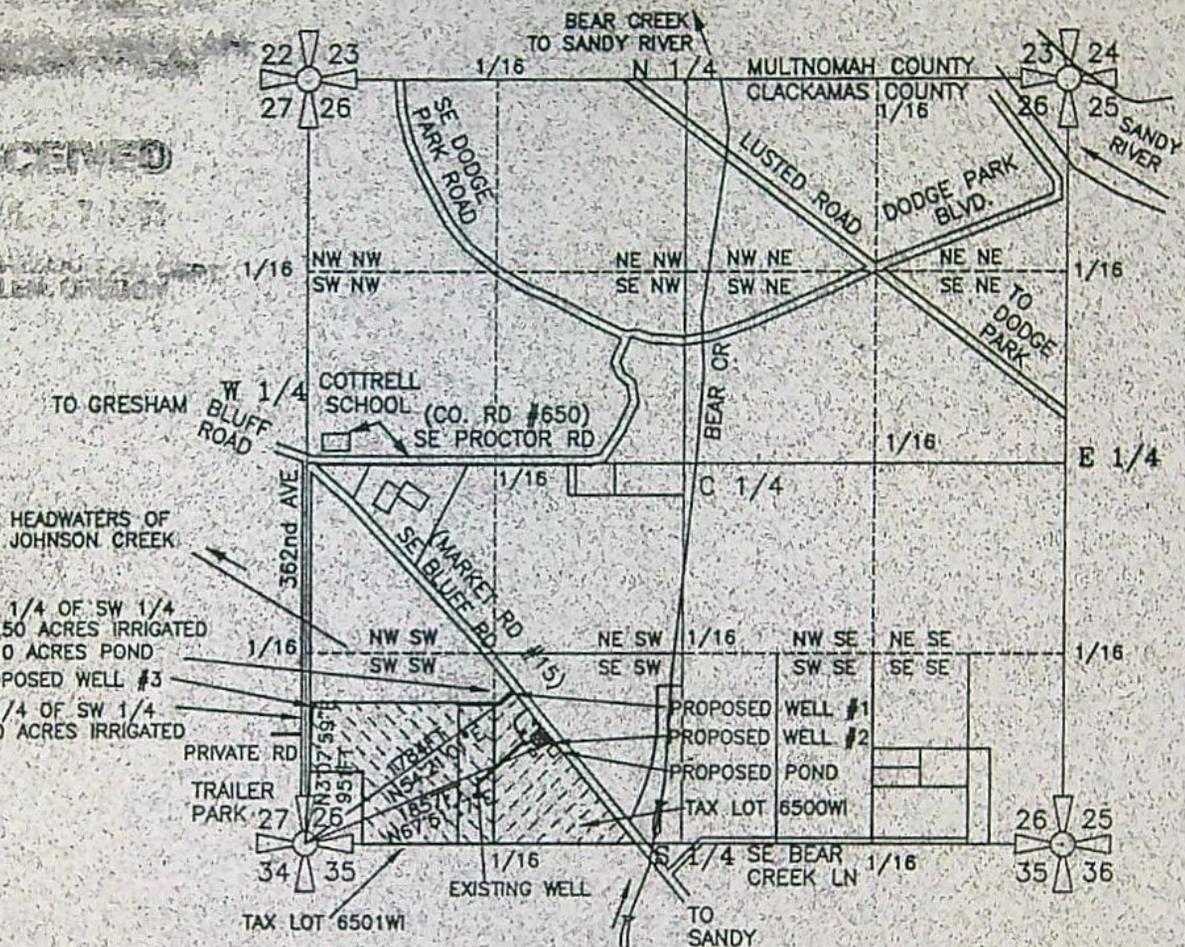
JUL 17 2003

WATER RESOURCES DEPT.
SALEM, OREGON

CORPORATE
BOUNDARY LINE
DONATION LAND
CLAIM (DLC #)
SANDY 7.5 MIN. QUAD
ASSESSOR MAP 1S 4E 26 & INDEX

SE 1/4 of the SW 1/4 of SECTION 26
SW 1/4 of the SW 1/4 of SECTION 26
TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
CLACKAMAS COUNTY, OREGON

RECEIVED



IRRIG. WELLS: #1, #2 & #3

IRRIG. WELL #1 IS 1040 FEET NORTH AND 1450 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26. (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON)

IRRIG. WELL #2 IS LOCATED 700 FEET NORTH & 1720 FEET EAST OF SOUTHWEST CORNER OF SECTION 26. (WELL IS LOCATED IN THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON)

IRRIG. WELL #3 IS LOCATED 950 FEET NORTH & 50 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 26. (WELL IS LOCATED IN THE SOUTH WEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WM, CLACKAMAS COUNTY, OREGON)

SEC. 1/4 1/4	ACRES IRRIG.	CFS (APPROX. GPM)
26 SW SW	24.50 AC IRRIG	0.306 CFS (137 GPM)
26 SE SW	12.50 AC IRRIG	0.156 CFS (70 GPM)
26 SE SW	0.10 AC POND	0.001 CFS (0.50 GPM)
TOTAL IRRIG.	37.00 ACRES	0.462 CFS (207 GPM)

Certified Water Right Examiner
#156
Edward A. Crane
Edward A. Crane
May 17, 1988
STATE OF OREGON

Renewal 12/31/2001
Signed 9.25.2001



SURVEYED SEPT. 20, 2001
BY EDWARD A. CRANE, CWRE

PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A GROUNDWATER PERMIT G-

DATE
SEPT. 2001
PROJECT NO.
400-001



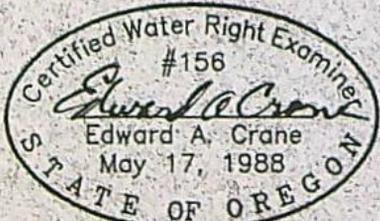
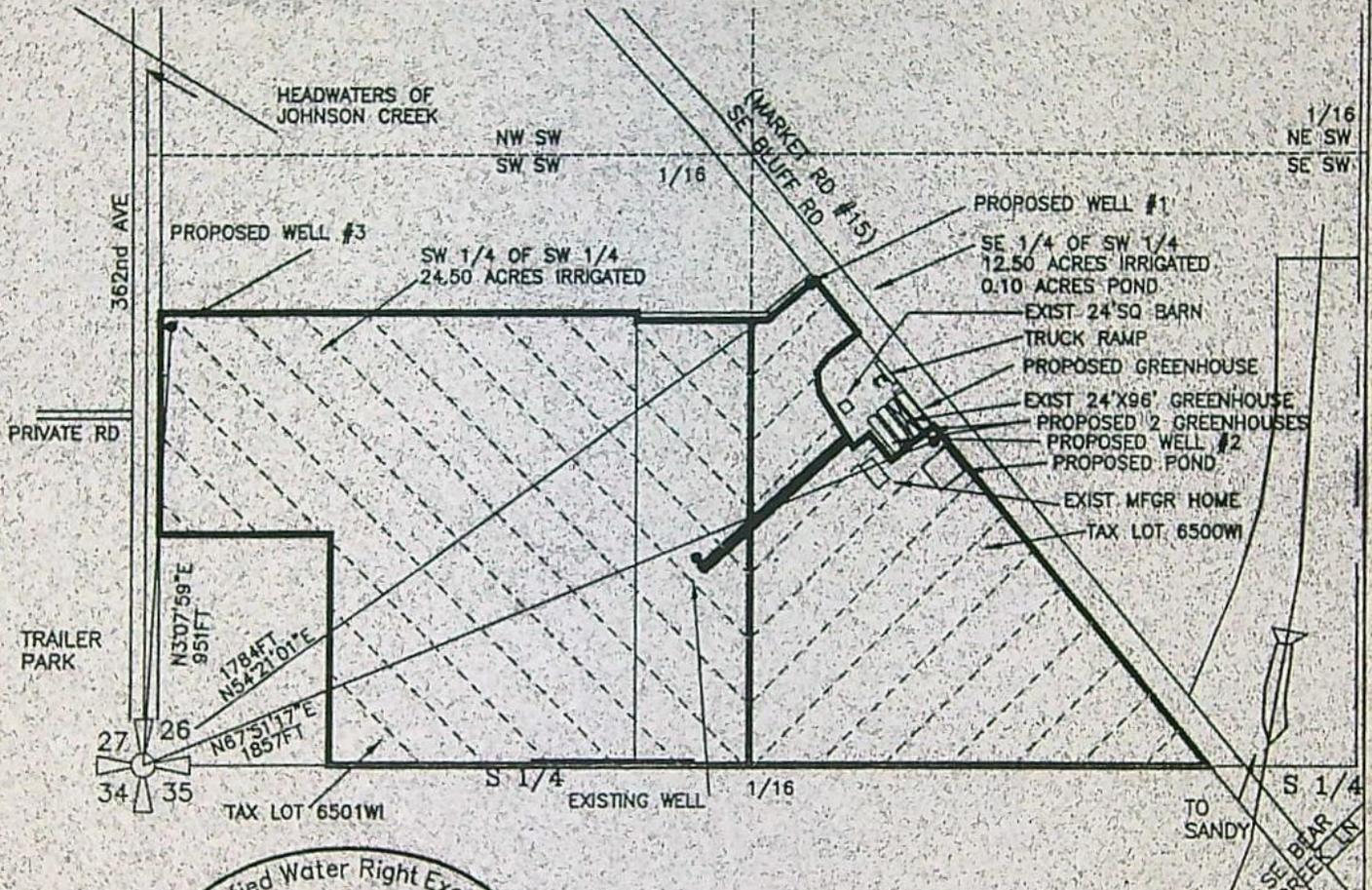
CRANE & MERSETH
Engineering/Surveying
SUITE 70
6566 SE LAKE ROAD
MILWAUKIE, OREGON 97222
BUS: (503) 654-2005
FAX: (503) 654-2575

APPLICATION FOR PERMIT NUMBER G-
PERMIT NUMBER G- IN THE NAME OF:
BARRY & LEE ANN COOK
37621 SE BEAR CRK LN (TEL: 503-668-8349)
BORING, OR 97009 (FAX: 503-668-)

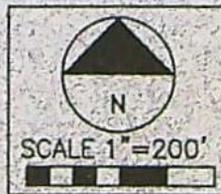
SHEET
1/2

app no G-16050

SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



Signed 9.25.2001
 Renewal 12.31.2001
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



PREPARATION OF THIS MAP WAS FOR THE PURPOSE
 OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS
 ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS
 OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A
 GROUNDWATER PERMIT G-

DATE SEPT. 2001	 CRANE & MERSETH <i>Engineering/Surveying</i> SUITE "D" 6566 SE LAKE ROAD MILWAUKEE, OREGON 97222 BUS: (503) 654-2005 FAX: (503) 654-2575	APPLICATION FOR PERMIT NUMBER G-	SHEET
PROJECT NO. 400-001		PERMIT NUMBER G-	IN THE NAME OF: BARRY & LEE ANN COOK 37621 SE BEAR CRK LN (TEL: 503-668-8349) BORING, OR 97009 (FAX: 503-668-)

app no G-116050



Crane & Merseth Engineering/Surveying

6566 S.E. Lake Road, Suite D • Milwaukie, OR 97222-2138 • Phone: (503) 654-2005 • Fax: (503) 654-2575

September 25, 2001

Manager Appl. & Permit Section
Oregon Water Resources Department
158 12th Street, NE
Salem, OR 97310-0210

RECEIVED

JUL 17 2003

WATER RESOURCES DEPT.
SALEM, OREGON

**SUBJECT: Barry and Lee Ann Cook Groundwater Application – SE Bluff Road
OWRD Groundwater Permit Application for 3 Wells**
Well #1: SE SW, Sec. 26, T1S, R4E of WM, Clackamas Co.
Well #2: SE SW, Sec. 26, T1S, R4E of WM, Clackamas Co.
Well #3: SW SW, Sec. 26, T1S, R4E of WM, Clackamas Co.
Appl. for 0.462 cfs (207 gpm) on 37.00 acres
Crane & Merseth Project No. 400-001

Dear Sir/Madam:

Enclosed is the "Application for a Permit to Use Ground Water" from Barry and Lee Ann Cook doing business as "Diamond Nursery". They have an existing 6" residential well that is used for expanded residential uses such as an ½ acre lawn and garden type use. They would now like grow nursery stock on their land and are applying for General Nursery Irrigation from March 1st to October 31st and for General Agriculture / Temperature Control uses from November 1st to the end of February of each year.

Irrigation water will be directly applied to a combination of in-ground nursery stock, sawdust holding beds, shade houses and greenhouses through a system of underground transmission and distribution pipelines with Rainbird rotating sprinklers. They will also use some hand-set and drip irrigation systems. Their property is located on the southwesterly side of SE Bluff Road, which is situated northwest of the city of Sandy. They are also filing for water rights on land they lease and currently use for in-ground nursery stock. They will be sending the Dept. a copy of the lease, permission to file the application, easement agreement for pipelines and location proposed Well #3.

I personally inspected on September 18, 2001 both the sites of the residential and proposed irrigation wells. Attached are the Ground Water Application with Application Maps and the irrigation "Form I" along with the two signed planning forms. Please contact Barry or Lee Ann Cook about the existing/proposed irrigation system or if you have any questions about their nursery/agricultural use property for any other items.

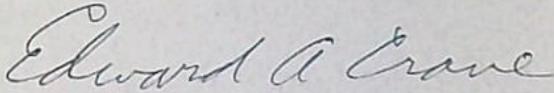


Barry and Lee Ann Cook
OWRD Groundwater Application
Page 2

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I'd be available to answer any questions or concerns that you may have about the Application for a Ground Water Permit or Application Map and can be reached at 503-654-2005 by telephone and 503-654-2575 for facsimile (Fax).

Sincerely,
CRANE & MERSETH ENGINEERING/SURVEYING



Edward A. Crane, CWRE
Vice President

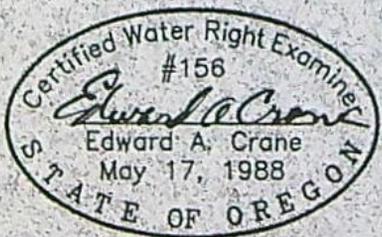
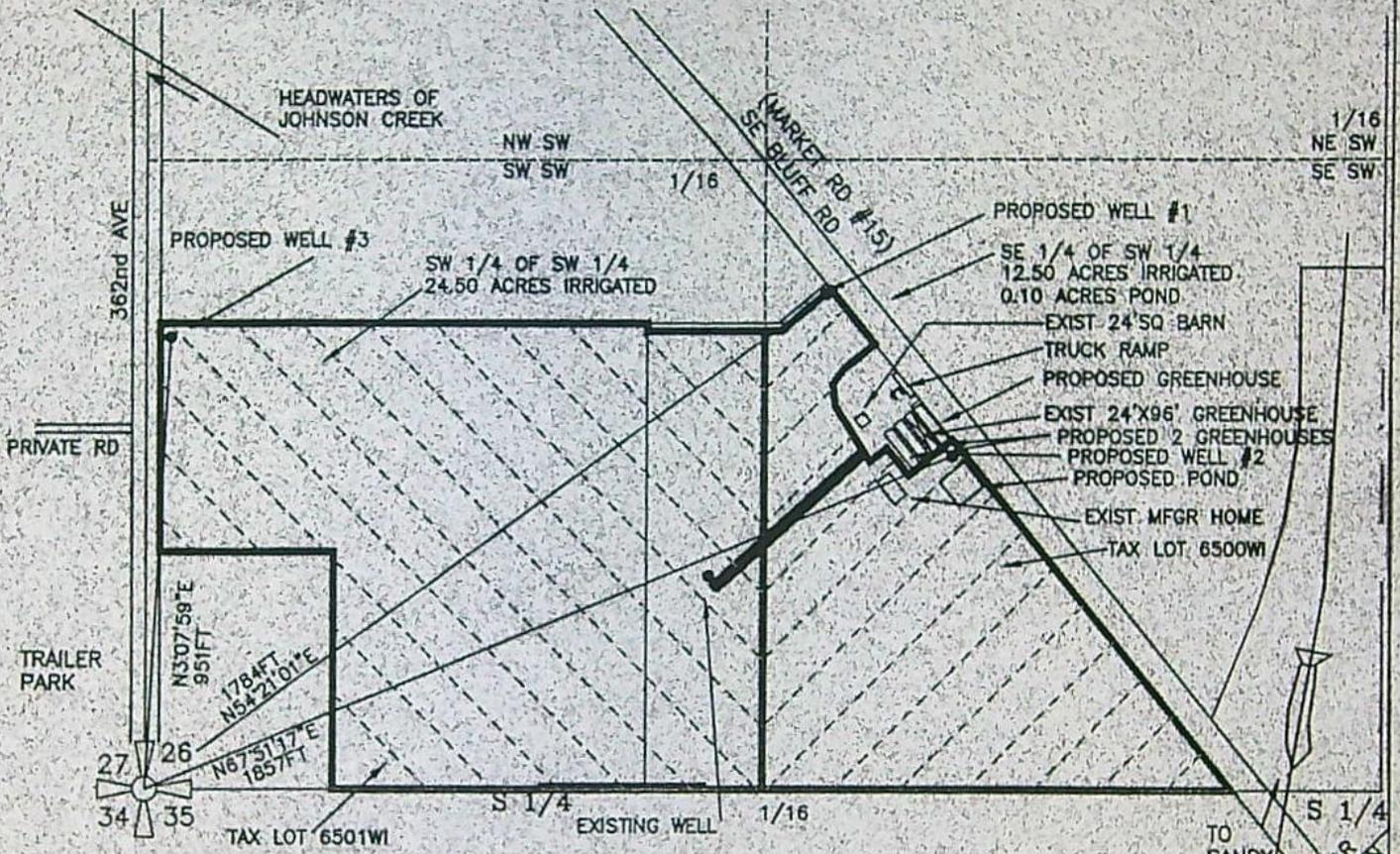
Attachments

L:\WP_PROJ400-001\OWRD1.DOC

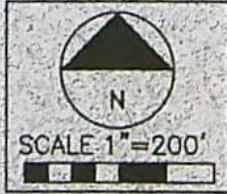
cc: Barry and Lee Ann Cook
37621 SE Bear Creek Lane
Boring, OR 97009

Tel: 503-668-8349
Fax: 503-668-5532
Tel: 503-668-7669

SE 1/4 of the SW 1/4 of SECTION 26
 SW 1/4 of the SW 1/4 of SECTION 26
 TOWNSHIP 1 SOUTH, RANGE 4 EAST of the WM
 CLACKAMAS COUNTY, OREGON



Signed 9.25.2001
 Renewal 12.31.2001
 SURVEYED AUGUST 17, 2001
 BY EDWARD A. CRANE, CWRE



PREPARATION OF THIS MAP WAS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

APPLICATION FOR A
 GROUNDWATER PERMIT G-

DATE SEPT. 2001		CRANE & MERSETH <i>Engineering/Surveying</i> SUITE 20 6566 SE LAKE ROAD MILWAUKIE, OREGON 97222 BUS: (503) 654-2005 FAX: (503) 654-2575	APPLICATION FOR PERMIT NUMBER G- PERMIT NUMBER G- IN THE NAME OF:	SHEET 2/2
PROJECT NO. 400-001		BARRY & LEE ANN COOK 37621 SE BEAR CRK LN (TEL: 503-668-8349) BORING, OR 97009 (FAX: 503-668-)		

L:\WP_PROD\400-001\40000181280 8/22/2001.dwg

STATE OF OREGON
WATER RESOURCES DEPARTMENT

158 12TH ST. N.E.
 SALEM, OR 97301-4172
 378-8455 / 378-8130 (FAX)

RECEIPT # **61416**

INVOICE # _____

RECEIVED FROM: Diamond Nursery LLC

APPLICATION G 16050

BY: _____

PERMIT _____

TRANSFER _____

CASH: CHECK: # 2148 OTHER: (IDENTIFY)

TOTAL REC'D \$575.00

0401 TREASURY 0417 WRD MISC CASH ACCT

0407	COPIES		\$
_____	OTHER: (IDENTIFY)	_____	\$
_____	OTHER: (IDENTIFY)	_____	\$

0427 WRD OPERATING ACCT

MISCELLANEOUS

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	EXAM FEE	\$ <u>400.00</u>	0204	RECORD FEE	\$ <u>175.00</u>
0205	TRANSFER	EXAM FEE	\$			

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE	\$	0219	LICENSE FEE	\$
	LANDOWNER'S PERMIT			0220	LICENSE FEE	\$
_____	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 (FWWRD)		\$
0231	HYDRO LICENSE FEE (FWWRD)		\$
_____	HYDRO APPLICATION		\$

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **61416**

DATED: 7/2/03 BY: Connie Vance

Standard Application "Completeness" Checklist

Application: G-16050

Priority Date: 7/17/03

Use(s): IRRIGATION

37 ACRES

Rate: .668 CFS

County: CLACKAMAS

Township: SEE MAP

Range: SEE MAP

Section: SEE MAP

POD ¼¼: SEE MAP

POU ¼¼: SEE MAP

Minimum Requirements (OAR 60-310-040)

OK Applicant/Organization Name, Mailing Address', and Telephone Numbers. If applicant is other than a private landowner, Organizations section must be completed.

OK Source *and* tributary listed

OK Property ownership indicated? If applicant does not own all the land, is the affected landowners name and mailing address listed? (Including: Lands, not owned by applicant, upon which the source is located ...or... any Lands, not owned by applicant, which are crossed by the diversion works.) NOTE: An easement or agreement DOES NOT need to be submitted at this time, but will be required before a permit will be issued.

OK If a groundwater application...is the groundwater development section completed?

OK Proposed Use of the water.... Is each proposed use identified?

OK Has the appropriate "Supplemental Form" for each proposed use been completed?

OK Form I (Irrigation)

NA Form M (Municipal or Quasi-Municipal)

NA Form R (Mining)

NA Form Q (Commercial or Industrial)

NASpring Description Sheet (if source is a Spring)

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

OK Acreage being proposed, if applicable.

OK Season being requested by applicant.

FROM

Bobby K. Cook
37621 SE Bear Cr. Ln.
Boring, OR ZIP 97009

TO

Water Resources Dept.
State of Oregon
158 12th St. N.E.
Salem, OR ZIP 97310

NEW APPLICATION ROUTE SLIP

RECEIPTING
POST CARD SENT 8-13-03
DATA CENTER 8-13-03
GROUND WATER YES NO
10/27/03
DGM

ANITA HUFFMAN EXT. 229

CORY ENGEL EXT. 324

JERRY GAINEY EXT. 458

KERRY LEFEVER EXT. 276

RUSS KLASSEN EXT. 266

A "Standard Reservoir" storing 9.2 acre-feet or more of water and has a dam height of 10.0 feet or greater needs to have a copy of the application & supplemental forms routed to "JOHN FALK."

ATT: WATER RIGHTS
SUPPORT...>>>>

Mark contents of Application File; Update Powerbuilder with caseworker, etc.;
Route to filing cabinet.



Oregon

Water Resources Department
725 Summer St NE Suite A
Salem, OR 97301-1271

ADDRESS SERVICE REQUESTED

PRESORTED
FIRST CLASS



NO SUCH
NUMBER
IN GRESHAM

*Part in F. de
9-16050*

RECEIVED

MAR 18 2004

WATER RESOURCES DEPARTMENT
SALEM, OREGON

*Resent
to
3/22/04
JCB*

~~WYSTAN BROWN
34780 SE 362ND AVENUE
GRESHAM OR 97080~~

Boring

97009

Oregon

Water Resources Department

725 Summer St NE Suite A

Salem, OR 97301-1271

ADDRESS SERVICE REQUESTED

PRESORTED
FIRST CLASS



PS NET#1
8009371

0.57

U.S. POSTAGE

~~WYSTAN BROWN
34780 SE 3RD AVENUE
BORING OR 97009~~

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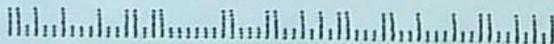
JUL 19 2004

WATER RESOURCES DEPT
SALEM, OREGON

NT 8

- 
- Not Deliverable As Addressed
 - Unable To Forward
 - Insufficient Address
 - Moved, Left No Address
 - Unclaimed Refused
 - Attempted - Not Known
 - No Such Street Number
 - Vacant Illegible
 - No Mail Receptacle
 - Box Closed - No Order
 - Returned For Postage
 - Postage Due _____

97301/1266



DIAMOND NURSERY LLC

Oregon Water Resources Department

Water Application

7/9/2003

2148

575.00

RECEIVED

JUL 17 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Checking

Barry Cook - Water Application

575.00

G-16050

BARRY COOK
37621 SE BEAR CREEK LANE
BORING OR 97009

G-16050

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