

G- 18720

Name Tangent 99 Investors, LLC G-18720
By PO Box 80850
Address Portland, OR 97280

Application No. G- 18720
Permit No. G-18379
Certificate No. _____

FEES PAID

Date	Amount	Receipt No.
8/1/18	2200.00	127498
8-5-19	\$10.00	130464
2-20-2020	\$10.00	131972
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt No.
4/7/2020	\$10.00	VP050946

C2025

Priority Accepted 1, 2019
County LINN WM# 2

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT

Date

Completion 4/14/2025

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

REMARKS _____

MAP LOCATION _____

IN
Oregon

Water Resources Department
Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

CERTIFIED MAIL



7018 0680 0002 0041 4162

U.S. POSTAGE >> PITNEY BOWES



ZIP 97301 \$ 007.45⁰
02 4W
0000361800 MAR 19 2019

G-18720
Tangent 99 Investors LLC
PO Box 80850
Portland, OR. 97280

3/22

RECEIVED

APR 22 2019

OWRD

NIXIE 971 DE 1 0004/20/19

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 97301126673 *1579-01284-20-17

UNC
97301>1266

74
Oregon

Water Resources Department
Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

CERTIFIED MAIL®



7018 0680 0002 0041 4155

U.S. POSTAGE PITNEY BOWES



ZIP 97301 \$ 007.45⁰
02 4W
0000361800 MAR 19 2019

G-18720
Tangent Development Property LLC
~~Attn: George Mattia~~
1867 Mousebird Ave. NW
Salem, OR. 97304

Vacant

RECEIVED

APR 01 2019

OWRD

FWD
97301-1266

971 NFE 1 C18C6663/31/19
MATTIA RETURN TO SENDER
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER
BC: 97301126673 *1579-92722-31-17

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: Fiscal Services Section

DATE: March 27, 2020

FROM: Lisa Graham

RE: Request for Refund

APPLICATION: G 18720

RECEIPT #: 131972

Please prepare a refund in the amount of \$10.00, made payable to:

Name: FOUNDATION HOME GROUP

Address: 919 NE 19TH AVE SUITE 100

City: PORTLAND OR 97232

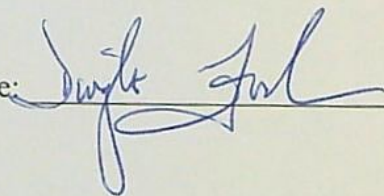
These funds are being paid or refunded as a result of (check one):

- ☐ Request for file to be Withdrawn
- ☒ Excess fees were collected for application
- ☐ Protest filing fees
- ☐ Standing fees
- ☐ Permit recording fees – Application denied
- ☐ Other: _____

46111
0204

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____



Date: 3-25-20

DATE REFUND WAS REQUESTED FROM AAS 4/7/2020

Mailing List for FO/Permit Copies

Application G-18720

Original mailed via to applicant:

TANGENT 99 INVESTORS LLC
PO BOX 80850
PORTLAND OR 97280

ATTN: GEORGE MATTIA
TANGENT DEVELOPMENT PROPERTY, LLC
1867 MOUSEBIRD AVE NW
SALEM OR 97304

Sent via auto email:

1. Applicant - george@gamindustries.com
2. Agent - Thomas J Kemper tkemper@kempercollc.com
3. WRD - Watermaster District #2, Lanaya F. Blakely
4. WRD - Mike McCord NWR

Copies sent to:

1. WRD - File # G-18720
2. ALO - James Gillespie: jimgillespie@kw.com

Application Specialist: Lisa Graham

Copies Mailed

By: TM
(SUPPORT STAFF)

on: 4/14/2020
(DATE)



Oregon

Kate Brown, 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 27, 2020

FOUNDATION HOME GROUP
919 NE 19TH AVE SUITE 100
PORTLAND OR 97232

REFERENCE: FILE G-18720

Dear Mr. Gillespie:

A refund check in the amount of \$10.00 will be sent separately. This refund results from remaining amount due being sent in on August 5, 2019 and again on February 20, 2020.

If you have any questions, please contact me at elisabeth.a.graham@oregon.gov.

Sincerely,

Lisa Graham
Water Right Application Specialist
Oregon Water Resources Department

cc: file

Oregon Water Resources Department
Water Right Services Division

Water Right Application G-18720 in the name)
of TANGENT 99 INVESTORS LLC)
)

FINAL ORDER

Summary: Order approving Application G-18720, as amended, and issuing Permit G-18379.

Authority

The application was processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410 and the Willamette Basin Program (OAR 690-502). These statutes and rules can be viewed on the following website: <https://www.oregon.gov/OWRD/programs/policylawandrules/Pages.default.aspx>.

The Department's main page is <https://www.oregon.gov/OWRD>.

This Final Order is issued pursuant to ORS 537.625 and OAR 690-310-0200.

FINDINGS OF FACT

1. On August 1, 2018, Tangent 99 Investors LLC submitted an application to the Department for a water use permit.
2. On March 19, 2019, the Department issued a Proposed Final Order recommending approval of the application. The protest period closed May 3, 2019 and no protest was filed.
3. The findings of fact in the Proposed Final Order are incorporated herein.

CONCLUSIONS OF LAW

1. The conclusions of law in the Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, will ensure the preservation of the public welfare, safety and health.

NOTE: 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.

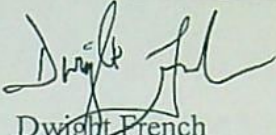
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a Final Order in other than contested case. This order is subject to judicial review under ORS 536.075 and ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to OAR 137-004-0080 you may 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.

ORDER

Application G-18720, as amended, is approved and Permit G-18379 is issued.

DATED APR 14 2020



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 Lisa Graham at Elisabeth.A.Graham@oregon.gov or 503-986-0808.
 - 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.
-

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TANGENT DEVELOPMENT PROPERTY, LLC
1867 MOUSEBIRD AVE NW
SALEM OR 97304

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

APPLICATION FILE NUMBER: G-18720

SOURCE OF WATER: A WELL (LINN 62055/L126664) IN LAKE CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 3.71 ACRES

MAXIMUM RATE: 0.22 CUBIC FOOT PER SECOND

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: AUGUST 1, 2018

AUTHORIZED POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
12 S	4 W	WM	1	SE SE	55 FEET NORTH AND 665 FEET WEST FROM SE CORNER, SECTION 1

The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, 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 under this right, together with the amount secured under any other right existing for the same lands, 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 nursery use 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 under this right, together with the amount secured under any other right existing for the same lands, 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.

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q	Acres
12 S	4 W	WM	1	SE SE	1.84
12 S	4 W	WM	12	NE NE	1.87

1. Water Use Measurement, Recording, and Reporting Condition:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Static Water Level Condition:

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

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

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

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and

- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

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

3. Well Identification Tag Condition:

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

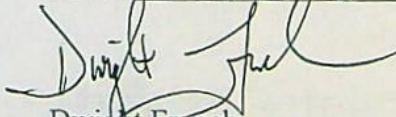
STANDARD CONDITIONS

- 1. 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.
- 2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
- 3. If substantial interference with surface water or 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.

4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
5. 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.
6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
7. 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.
8. 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.
9. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
11. 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.

Issued APR 14 2020



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



Oregon
Kate Brown, Governor

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

NOTICE TO PERMITTEE

Carefully review the appeal rights included on the first page of your final order. In some cases, if OWRD receives a request for reconsideration or petition for judicial review within 60 days of the date the final order was served, OWRD may take action to withdraw or modify the final order, or issue a final order denying your application.

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.oregon.gov/owrd/Pages/pubs/forms.aspx>, 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.

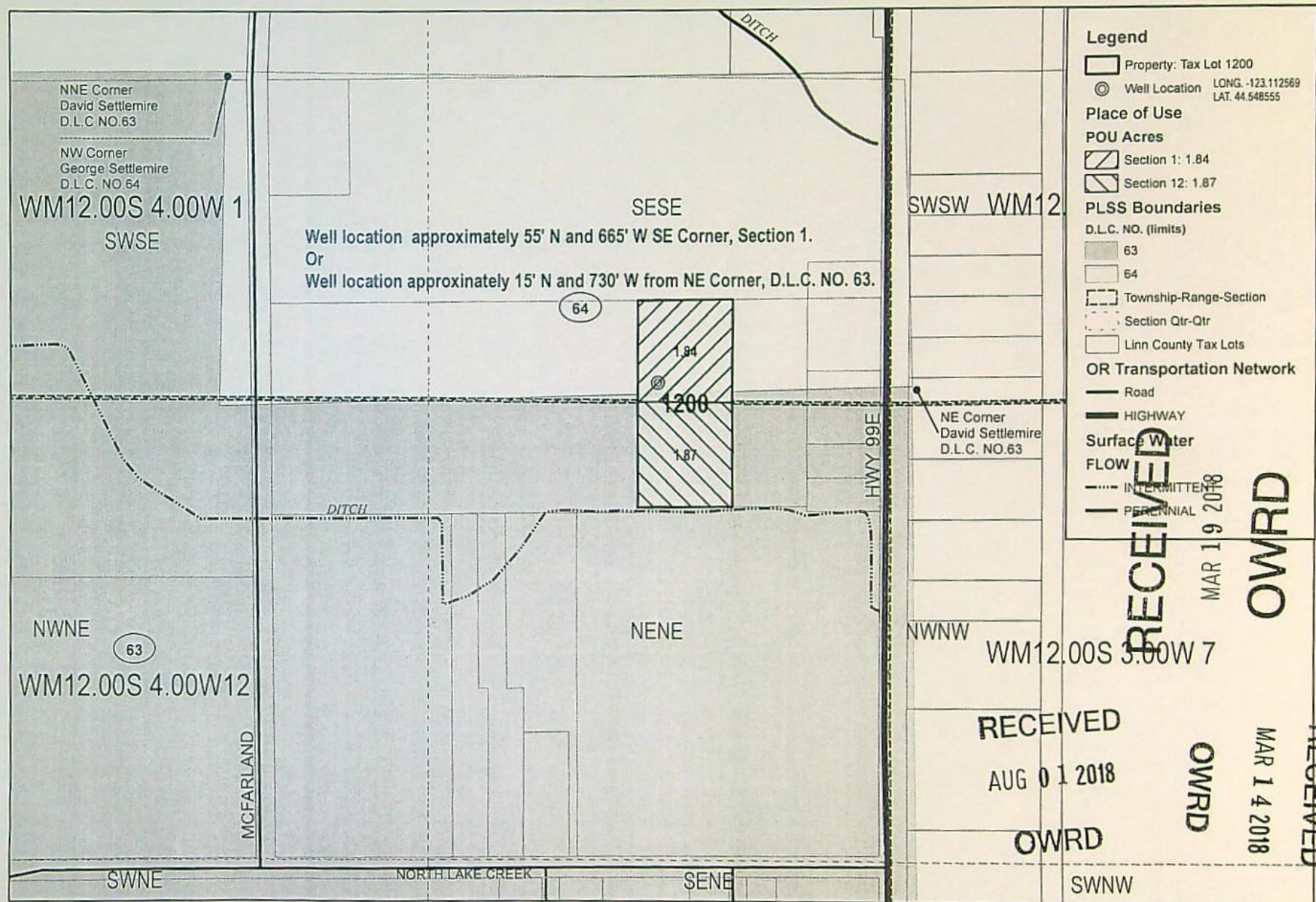
PERMIT CONDITION FORMS: This permit may specify conditions that require you to submit a form to the Department. These forms are available from the Oregon Water Resources Department web site at <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>.

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.

For Question, please call our customer service desk at 503-986-0801.

T.12S, R.4W, SECTIONS 1 & 12, W.M.
LINN COUNTY



Coordinate System: OCRS Eugene NAD 1983 2011 TM Feet Intl
Projection: Transverse Mercator
Datum: NAD 1983 2011
Units: Foot

References
GIS Spatial Data Layers: Oregon Spatial Data Library
Website: <http://spatialdata.oregonexplorer.info/geoportal/>

0 100 200 400 600 800 1,000
Feet

1 inch = 400 feet



RECEIVED
MAR 19 2018
OWRD

RECEIVED
AUG 01 2018
OWRD

RECEIVED
MAR 14 2018
OWRD

027249

FEB 20 2020

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

OWRD

Water Right Application G-18720 in the)
name of TANGENT 99 INVESTORS LLC) PROPOSED FINAL ORDER
)

Summary: The Department proposes to issue an order approving Application G-18720 as amended, and a permit consistent with the attached draft permit.

Prior to the issuance of a permit, if one is issued the Department must receive the following:

- The remaining permit recording fees in the amount of \$10.00. A check should be made out to the Oregon Water Resource Department or OWRD.
- Documentation that the proposed use complies with the local acknowledged comprehensive land-use plan. Please submit documentation from the relevant planning jurisdiction that either a) the proposed use is allowed outright or b) that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded.

Please include the application number on any documents submitted.

Authority

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410, and the Willamette Basin Program OAR 690-502. These statutes and rules can be viewed on the Oregon Water Resources Department's website:

<http://www.oregon.gov/owrd/pages/law/index.aspx>

The Department's main page is <http://www.oregon.gov/OWRD/pages/index.aspx>

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 if:

- a) 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);
- b) Water is available;
- c) The proposed use will not injure other water rights; and
- d) The proposed use complies with the rules of the Commission. ORS 537.621(2); OAR 690-310-0150(2)(b)

Final Order Checklist for Standard Applications

Reminder: use a different colored pen for changes and Date and Initial changes.

Application #: G-18720 Applicant: TANGENT DEVELOPMENT PROPERTY LLC

Basin # 2

☒ Name and/or address changed or assignment received? ☒ No ☐ Yes

☒ PFO Date 3.19.19 Protest Period Ended 5.3.19

☒ Well construction meets minimum standards? ☐ NA ☒ Yes ☐ No (deny)

☒ PFO conclusions require modification due to typos, errors or omission of conditions: ☒ No ☐ Yes

If so: _____

☒ If PFO requires modification; include FO MOD hearing rights ☒ NA ☐ Yes

☒ Municipal Use? ☒ NA ☐ for MU - change construction finding to 20 years in Permit

Copy to: ☒ WM2 ☐ SW Section (If SW, GW w/PSI, or SWW (include copy of yellow sheet))

☐ Agent _____

☐ CWRE _____

☐ A.L.O. _____

☐ Commenter(s) _____

☐ Kerri Cope if MU or QM (PERMIT ONLY)

☐ Ann Reece (if application is for an Irrigation District)

Was a standing paid for? ☐ No ☐ Yes (if yes and no protest, refund standing fee) _____

EXAM FEE REQUIRED	_____	RECORDING FEE REQUIRED	_____
EXAM FEE PAID	_____	RECORDING FEE PAID	_____
STILL OWED	_____	STILL OWED	_____

FO w/Draft permit: still need ☒ FO w/ Permit # G-18379

FO to deny
Refund \$ _____

Recording Fees

Easement

Storage Water Contract

Approved Dam Plans & Specs

Land Use Approval

refund \$10-

Name: Elisabeth A. Graham Date Completed: 3.3.2020 Peer Reviewer: *af* Date: 3/4/2020

Manager: _____ Date: *amm 3/11/20*

The purpose of this checklist is to be used as a working document by the 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.

Reminder: use a different colored pen for changes and Date and Initial changes.

PFO Checklist for Standard Application

Application # G-18720 Applicant: TANGENT 99 INVESTORS LLC
Basin # 2 WM 2

IR requested additional information? ☒ NA ☐ Yes

Add'l info received? ☒ NA ☐ Yes

IR Date DEC 7, 2018 Noticed on DEC 11, 2018 Comment Deadline JAN 11, 2018

Electronic /Written comments? ☒ No ☐ Yes Comment Eval? ☒ NA ☐ No ☐ Yes

Allowed Use/Rate/Season IR NU 0.02 cfs 3.71 ac Limit: 1/40 Duty: 5.0
0.220 cfs
0.15 cfs

GW Rev ☐ NA ☐ will likely be available ☐ will not likely be available ☒ will, if conditioned

☒ No PSI ☐ Yes PSI WELL Has PSI with

PSI caused from: ☐ 1/4 mile ☐ > 5CFS ☐ Instream Q ☐ > 1% of 80% ☐ Interference > 25%

Groundwater Conditions: Large LN

Well construction meets minimum standards? ☐ NA (proposed well) ☒ Yes ☐ No (propose to deny)

Conditions NU = Large
☐ Small ≤ 0.1 CFS ≤ 9.2 AF ☐ Medium > 0.1 CFS but < 0.25 CFS. > 9.2 AF but < 100 AF ☒ Large ≥ 0.25 CFS ≥ 100 AF

SWW ☒ NA ☐ above ☐ within If GW, add 7J ☐

SW availability ☒ NA ☐ 80% ☐ 50%

Division 33 ☒ NA ☐ No
☐ UPPER COLUMBIA (not allowed 4/15 - 9/30) OAR 690-033-0120 (DIV331)
☐ LOWER COLUMBIA OAR 690-033-0220 (DIV332)
☐ STATEWIDE OAR 690-033-0330 (DIV333)
☐ UPPER COLUMBIA AND STATEWIDE (DIV334)
☐ LOWER COLUMBIA AND STATEWIDE (DIV335)

* Land Use ☐ allowed outright ☐ decision obtained ☒ being pursued ☐ not being pursued

MU or QM: ☒ NA ☐ change construction condition to 20 years in Draft Permit

* Needed before permit: ☐ NA ☒ Fees ☒ LU ☐ easement ☐ plans/ specs ☐ storage contract

Changes from IR determinations

new LLC address

Notes

Specialist: Barbara J. Page Date: 2/5/19 Peer Reviewer: [Signature] Date: 2/5/19
Section Mgr Team Lead: allyssa Date: 3/2

Copy to:

☐ NCR

☒ WM 2

☒ Agent

☐ CWRE

☐ A.L.O.

☐ Commenter(s)

☐ SW Section (If SW, GW w/PSI, or SWW (include copy of yellow sheet))

Thornat Kemper

EXAM FEE REQUIRED

RECORDING FEE REQUIRED

EXAM FEE PAID

RECORDING FEE PAID

STILL OWED

STILL OWED

0

10⁻

The purpose of this check list is to be used as a working document by the 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 for Standard Application

Reminder: use a different colored pen for changes and Date and Initial changes.

Application #: G-18720 Applicant TANGENT 99 INVESTORS LLC

Basin # 2 Priority Date: August 1, 2018 WM #2

Requested Use/Rate/Season 0.22 cfs YR NU (3.81 ac) Limit 1/40 Duty 0.15 cfs

Allowed use/Rate/Season 0.09 cfs YR NU on 3.81 ac Limit 1/40 Duty 5.0

ORS 538 prohibits use ☒ No ☐ Yes (stop processing and return app and fees)

GW Rev: ☐ NA ☒ will likely be available... ☐ will not likely be available... ☐ will, if properly condition...

☒ No PSI OR ☐ well _____ has PSI with _____

PSI caused from: ☐ 1/4 mile ☐ > 5 CFS ☐ Instream Q ☐ > 1% of 80% ☐ Interference > 25%

☐ Reduce rate to avoid PSI _____

☒ GW conditions large & 7N

Well construction meets minimum standards? ☒ Yes ☐ No (propose to deny) ☐ NA (proposed well)

Conditions _____

☐ Small ≤ 0.1 CFS, ≤ 9.2 AF ☐ Medium > 0.1 CFS but < 0.25 CFS, > 9.2 AF but < 100 AF ☒ Large ≥ 0.25 CFS, ≥ 100 AF

- use at least Medium for: Siltcoos Lake, stored water contract, and Sandy Basin ground water.
- use Large for: Tenmile Lake, NU or other temp control, and gov. entities, HC exceptions; and if GW in South Salem Hills, or 10+ acres in Stage Gulch CGWA; Large-7g, Large-7i for 7g/7i.

SWW: ☒ NA ☐ above ☐ within _____ If GW, add 7J ☐

Preponderance of Evidence? ☒ NA ☐ Yes If interference, check and print WARS tables

Use is ☒ allowed ☐ not allowed ☐ limited ☒ OAR ☐ Compact 690-502-0160

**SW availability ☒ NA ☐ 80% ☐ 50% _____ WID: _____

☐ Use DWF's 6/21/05 non-standard W/A memo if the source is: trib to Drews Res, Snake R, Columbia R, North Umpqua R below Rock Cr, or within drainages of Lost R, Chehalem Cr, or Champoege Cr (including Mission Cr and Case Cr)

DIVISION 33: ☒ NA ☐ Yes (If Yes, ☐ UPPER COLUMBIA (not allowed 4/15 - 9/30) OAR 690-033-0120)

POU conflict? ☒ No ☐ No, different sources ☐ No, make up a deficiency in rate ☐ No, existing not at max. rate ☐ Yes _____

Use is supplemental, checked for primary rights w/ diff source ☒ NA ☐ No ☐ yes, limits _____

App w/in a District boundary ☒ No ☐ Yes, cc: _____

* Land use: ☐ allowed outright ☐ not allowed ☒ being pursued ☐ not being pursued ☐ decision obtained ☐ receipt only ☐ N/A

MU or QM: ☒ NA ☐ change construction finding to 20 years

☐ Kerri reviewed Form M and added recommendations _____

Storage contract ☒ NA ☐ BOR ☐ Doug Co ☐ Corp of Eng ☐ needed ☐ obtained # _____

POD is within North Umpqua or Tenmile Lake for domestic use and the spreadsheet was updated ☒ NA ☐ Yes

Forms ☒ NA ☐ HC except (receipts/well logs attached) ☐ spring description ☐ Form M

** Print hard copy for file

Application #: G-18720 Applicant TANGENT 99 INVESTORS LLC

✓ Authorized agent specified ☐ No ☒ Yes Thomas Kemper

✓ Copy to ☐ SWR ☒ WM #2 ☐ ALO
☐ NCR ☒ Agent ☐ City _____
☐ District (w/in 5-mile muni wells)
☐ SW Section (if SW, GW with PSI, or SWW (include copy of yellow sheet))
☐ CWRE _____
☐ Division 33 – Upper Columbia (Northwest Power and Cons Council, National Marine Fisheries, Indian Tribes (CTUIR, WST), and USFWS)
☐ DOA Food Safety Division (bottled water)
☐ DOGAMI & DSL (mining/wetlands)
☐ Any appropriate local government

✓ Fees	<u>0.22</u>	CFS	Base	<u>1340-</u>	
		AF	Up to 1 CFS	<u>350-</u>	
			Add'l CFS @ \$350/CFS		
		<u>1</u> well(s)/POD(s)	Up to 20 AF @ \$35/AF		
			Add'l AF @ \$1.20/AF		
		<u>1</u> use(s)	Add'l <u> </u> POD/POA <u> </u> use +		
			Exam Fee Required	<u>1690-</u>	Rec Fee Req'd <u>520-</u>
			Exam Fee Paid	<u>(1690-)</u>	Rec Fee Paid <u>(510-)</u>
			Still Owed/Refund	<u>0</u>	Owed before Permit <u>10-</u> *

✓ App/map meet min. required ☒ Yes ☐ No ☐ ALO info ☐ map ☐ legal _____

✓ Req'd before PFO: ☒ NA ☐ LU approve/pursue ☐ ALO info ☐ exam fees

✓ Req'd before permit: ☐ NA ☐ recording fees ☐ LU ☐ easement ☐ plans/specs ☐ storage contract

✓ Letter format: ☒ good ☐ limited ☐ bad ☐ bad w/ rate reduction opportunity

✓ Scanned images exist for application form and map

Name: Barbara J. Poage Date Completed: 11/28/18 Peer Reviewer _____ Date: _____

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.

Groundwater Application Review Summary Form

Application # G- 18720

GW Reviewer J. Hackett Date Review Completed: November 14, 2018

Summary of GW Availability and Injury Review:

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

Summary of Potential for Substantial Interference Review:

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

Summary of Well Construction Assessment:

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

SI 11/14/18

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

MEMO

November 14, 2018

TO: Application G- 18720

FROM: GW: J. Hackett
(Reviewer's Name)

SUBJECT: Scenic Waterway Interference Evaluation

☐ YES

The source of appropriation is within or above a Scenic Waterway

☒ NO☐ YES

Use the Scenic Waterway condition (Condition 7J)

☒ NO

☐ Per ORS 390.835, the Groundwater Section is **able** to calculate ground water interference with surface water that contributes to a Scenic Waterway. The calculated interference is distributed below.

☐ Per ORS 390.835, the Groundwater Section is **unable** to calculate ground water interference with surface water that contributes to a scenic waterway; **therefore, the Department is unable to find that there is a preponderance of evidence that the proposed use will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway.**

DISTRIBUTION OF INTERFERENCE

Calculate the percentage of consumptive use by month and fill in the table below. If interference cannot be calculated, per criteria in 390.835, do not fill in the table but check the "unable" option above, thus informing Water Rights that the Department is unable to make a Preponderance of Evidence finding.

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

MEMO

OK
J. Jeffery

To: Kristopher Byrd, Well Construction and Compliance Section Manager
From: Joel Jeffery, Well Construction Program Coordinator
Subject: Review of Water Right Application G-18720
Date: November 19, 2018

The attached application was forwarded to the Well Construction and Compliance Section by Water Rights. Josh Hackett reviewed the application. Please see Josh's Groundwater Review and the Well Log.

Applicant's Well #1 (LINN 62055): Based on a review of the Well Report, Applicant's Well #1 seems to protect the groundwater resource.

The construction of Well #1 may not satisfy hydraulic connection issues.

WATER SUPPLY WELL REPORT -
continuation page

LINN 62055

WELL I.D. LABEL# L126664

START CARD # 214640

ORIGINAL LOG #

8/25/2017

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
								
								
								

Material	From	To	Amt	sacks/lbs
----------	------	----	-----	-----------

(5) BORE HOLE CONSTRUCTION

BORE HOLE

[illegible]

					Calculated		
					Calculated		
					Calculated		
					Calculated		
					Calculated		

FILTER PACK

From	To	Material	Size

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
--------------	-----	---	------	----	-------	-----	-------	-----	------

(7) PERFORATIONS/SCREENS

Perf/	Casing/	Screen			Scrn/slot	Slot	# of	Tele/
Screen	Liner	Dia	From	To	width	length	slots	pipe size

[illegible]

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
---------------	----------	-----------------------	---------------

Water Quality Concerns

From	To	Description	Amount	Units
------	----	-------------	--------	-------

(10) STATIC WATER LEVEL

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
----------	------	----	----------	----------	-----------

[illegible]

(11) WELL LOG

Material	From	To
----------	------	----

[illegible]

Comments/Remarks

All work performed by Michael Allendorfer. Trainee# 8888803

PUBLIC INTEREST REVIEW FOR GROUNDWATER APPLICATIONS

TO: Water Rights Section Date November 14, 2018
 FROM: Groundwater Section J. Hackett
 SUBJECT: Application G- 18720 Supersedes review of
 Reviewer's Name
 Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

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

A. GENERAL INFORMATION: Applicant's Name: Tangent 99 Investors, LLC County: Linn

A1. Applicant(s) seek(s) 0.22 cfs from 1 well(s) in the Willamette Basin, subbasin

A2. Proposed use Irrigation/Nursery Seasonality: Year-Round

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	LINN 62055	1	Alluvium	0.22	12S/4W-1 SE-SE	55' N, 665' W fr SE cor S 1
2						
3						
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	245	25	21	8/15/2017	120	0-20	0-120		60-120?*	100		A

Use data from application for proposed wells.

A4. Comments: *No perforations noted on driller's log. Assumed 60'-120' to coincide with water-bearing zone.

A5. ☒ Provisions of the Willamette Basin rules relative to the development, classification and/or management of groundwater hydraulically connected to surface water ☐ are, or ☒ are not, activated by this application. (Not all basin rules contain such provisions.)
 Comments: The applicant's well is not within 1/4 mile of any perennial surface water features so the pertinent basin rules (OAR 690-502-0240) do not apply.

A6. ☐ Well(s) # , , , , tap(s) an aquifer limited by an administrative restriction.
 Name of administrative area:
 Comments:

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

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

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

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

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

B3. **Groundwater availability remarks:** The applicant's well is in an area underlain by thick alluvial fan deposits referred to as the Lebanon Fan by Woodward et al., (1998). These deposits are composed of coarse to fine sediments that reach > 140 ft thick and are considered to be a very productive aquifer system within the Willamette Valley. Locally, the aquifer is confined by 10-20 feet of silt and clay (Willamette Silt). The thickness of these deposits and their overall high transmissivity suggest little concern of negative impacts from the proposed use.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

C. GROUNDWATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040**C1. 690-09-040 (1): Evaluation of aquifer confinement:**

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Alluvium	☒	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Basis for aquifer confinement evaluation: Nearby well logs and general information in USGS publications indicate semi-confined to confined conditions locally.

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	Calapooia River	230	200	9400	☒	☐	☐	☐	☒
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: Published water table maps indicate that groundwater flows toward, and discharges into, the Calapooia River. Smaller creeks in the immediate area are not perennial.

Water Availability Basin the well(s) are located within: Calapooia R. > Willamette R – AB Mouth (ID# 76)

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?
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

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?
		☐			☐		☐		☐
		☐			☐		☐		☐
		☐			☐		☐		☐
		☐			☐		☐		☐

Comments: The applicant's well is not within 1 mile of a perennial surface water source.

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

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

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

Basis for impact evaluation: Impacts to the Calapooia River were not evaluated because the maximum requested rate (0.22 cfs) is less than 1% of the lowest monthly 80% exceedance flow in the river.

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

C5. ☐ If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or groundwater use under this permit can be regulated if it is found to substantially interfere with surface water:

- i. ☐ The permit should contain condition #(s) _____;
- ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions: _____

References Used: Herrera, N. B., Burns, E. R., and T. D. Conlon. 2014. *Simulation of Groundwater Flow and the Interaction of Groundwater and Surface Water in the Willamette Basin and Central Willamette Subbasin*. Oregon. USGS Scientific Investigations Report 2014-5136

Gannett, M. W. and R. R. Caldwell. 1998. *Geologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington*. USGS Professional Paper 1424-A.

Hunt, B. 1999. *Unsteady Stream Depletion from Ground Water Pumping*. Journal of Hydrologic Engineering. Vol 8(1). 12-19

Woodward, D. G., M. W. Gannett, and J. J. Vaccaro. 1998. *Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washington*. USGS Professional Paper 1424-B.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: _____ Logid: _____

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

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

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

_____D4. ☐ Route to the Well Construction and Compliance Section for a review of existing well construction.

Water Availability Tables

CALAPOOIA R > WILLAMETTE R - AB MOUTH
WILLAMETTE BASIN

Water Availability as of 10/29/2018

Watershed ID #: 76 ([Map](#))

Exceedance Level: 80% ▼

Date: 10/29/2018

Time: 4:05 PM

Water Availability Calculation

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

Month	Natural Stream Flow	Consumptive Uses and Storages	Expected Stream Flow	Reserved Stream Flow	Instream Flow Requirement	Net Water Available
JAN	592.00	3.37	589.00	0.00	20.00	569.00
FEB	650.00	3.32	647.00	0.00	20.00	627.00
MAR	575.00	2.24	573.00	0.00	20.00	553.00
APR	423.00	1.95	421.00	0.00	20.00	401.00
MAY	234.00	18.30	216.00	0.00	20.00	196.00
JUN	111.00	12.80	98.20	0.00	20.00	78.20
JUL	49.00	19.60	29.40	0.00	20.00	9.42
AUG	26.00	14.10	11.90	0.00	20.00	-8.09
SEP	22.70	7.36	15.30	0.00	20.00	-4.66
OCT	29.60	1.92	27.70	0.00	20.00	7.68
NOV	133.00	2.39	131.00	0.00	20.00	111.00
DEC	499.00	3.33	496.00	0.00	20.00	476.00
ANN	404,000.00	5,500.00	398,000.00	0.00	14,500.00	384,000.00

Detailed Report of Instream Flow Requirements

Instream Flow Requirements in Cubic Feet per Second

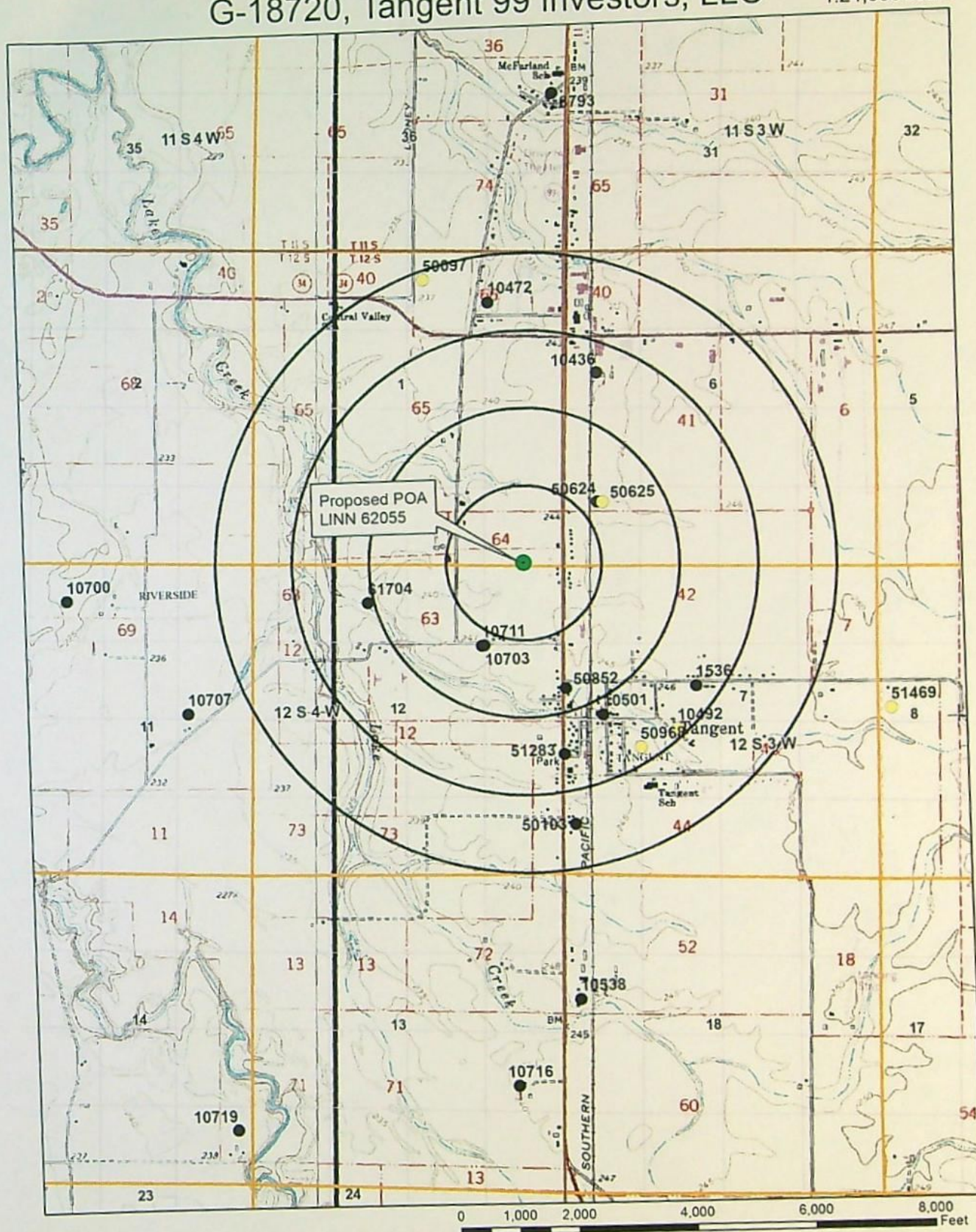
Application #	Status	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
MF76A	CERTIFICATE	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00
Maximum		20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00	20.00

Application G-18720

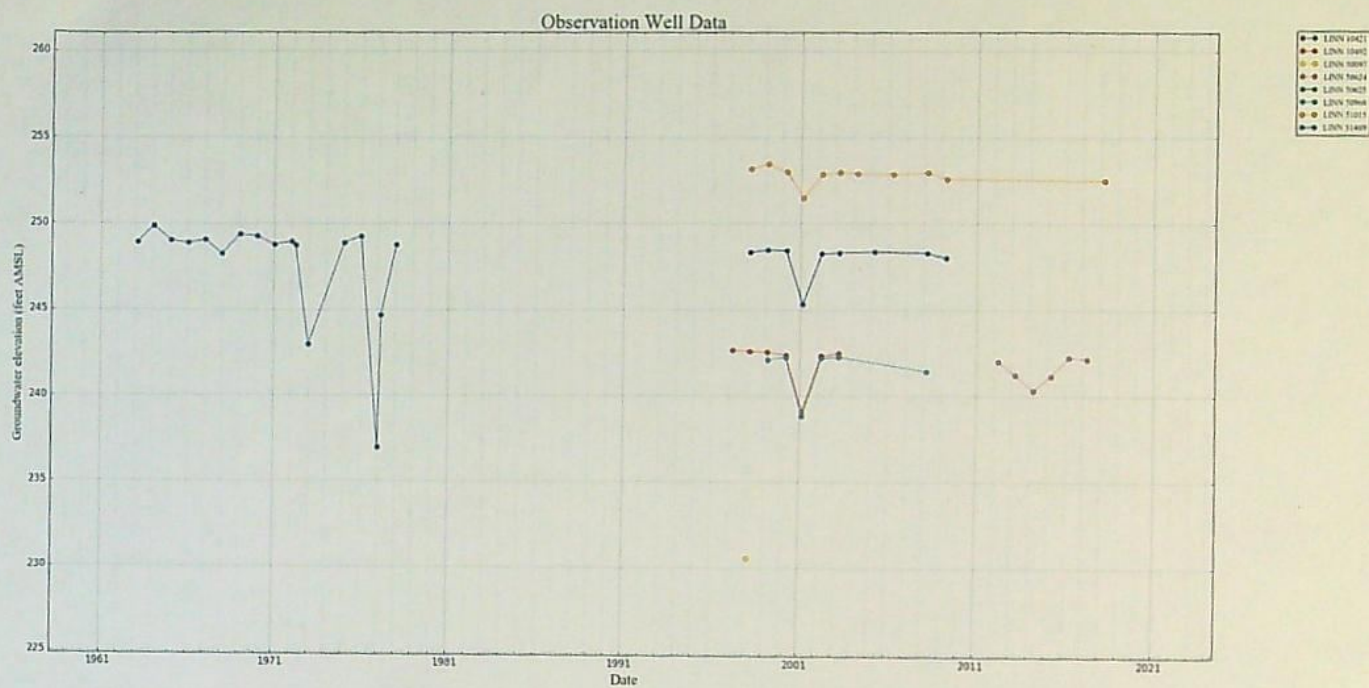
Well Location Map

G-18720, Tangent 99 Investors, LLC

1:24,000 scale



Water-Level Trends in Nearby Wells



E-2**Standard Application Completeness Checklist**

Yes No

For use with Groundwater and Surface Water Applications Only

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

For use by WRD staff only

Application G-18720 County Linn Priority Date 8/1/18
Township 12S Range 4W Section 1
Amount 100gpm Use Irrigation 3.71 AC WM Dist. # 2
Applicant Name Tangent 99 Investors LLC.
Receipt No. 127498 Caseworker Assigned: ☒ Barbe ☐ Kim ☐ Lisa ☐ Scott

☒ Applicant/Organization Name and Mailing Address☒ Signature of all applicants (include title or authority of representative if applicant is an organization or corporation). *Applicant's agent may NOT sign application.☒ Property ownership: Does the applicant own all the land for the proposed project? ☒ Y ☐ N

If No:

☐ The affected landowner's name(s) and mailing address(s) must be listed☐ A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.☒ For a SW Application: Source of water must be indicated.☐ If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)

NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application, Exp. Secondary (E2)(ORS 537.147).

☐ If for stored water not under contract, is the source authorized under a permit, certificate, or decree?Permit or Certificate issued ☐ Y ☐ N Permit or Certificate # _____☒ For a GW Application: Well Development Tables completed and/or a well log report included (if existing)☐ Division 33, Public Interest Information (Sensitive, Threatened, Endangered, Fish Species)☒ Proposed water use☒ Amount of water from each source in GPM, CFS, or AF☒ Period of use indicated☒ If for supplemental irrigation, primary acreage or underlying permit or certificate number listed
(Primary and Supplemental Irrigation counts as 2 uses)☒ Water Management Section (Estimates if the water system has not been designed)☐ Resource Protection Section (N/A for Groundwater)☒ Project schedule (If system is already completed, indicate "existing.")

24/4

- ☒ Supplemental data sheets enclosed (if needed)
 - ☐ Form M (Municipal or Quasi-Municipal)
 - ☐ Spring Description Sheet (if source is a spring)
- ☒ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.*
- ☒ A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.

TBP

- ☒ The proposed source **IS / IS NOT** (circle one) restricted or withdrawn from further appropriation. *NOTE: If it is withdrawn under ORS 538, return application and fees.*
- ☒ The **map** must meet all the minimum requirements of OAR 690-310-0050.
 - ☒ Township, Range, Section
 - ☒ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - ☒ Place of use, 1/4-1/4's and tax lot clearly identified
 - ☒ Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - ☒ Location of *each* diversion point or well by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - ☒ Reference corner on map
 - ☒ North Directional Symbol
 - ☒ Number of acres per 1/4 1/4 if for irrigation, nursery, or agriculture

☒ **Fees: Print out from Fee Calculator**

Total Fees	\$ <u>2,210.00</u>
Fee Paid	\$ <u>2,200.00</u>
Amount Due	\$ <u>10.00</u>

Reviewed by: E.G. Date: 8/2/18

GRAHAM Elisabeth A * WRD

From: Georgia Edwards <Georgia@cityoftangent.org>
Sent: Monday, March 02, 2020 2:07 PM
To: GRAHAM Elisabeth A * WRD
Subject: RE: Tangent Water Use Permit G-18720

This Conditional Use Permit was approved awhile back. I can't read the circle red ink box, but I believe it is asking if the CUP was obtained, and it has been. They are still working on a building permit that just need some information from the property owner to be completed.

Georgia Edwards
City Manager
P.O. Box 251
Tangent, OR 97389
541-928-1020
Fax 541-928-4920

email: georgia@cityoftangent.org

DISCLOSURE NOTICE: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

From: GRAHAM Elisabeth A * WRD <Elisabeth.A.Graham@oregon.gov>
Sent: Monday, March 2, 2020 1:59 PM
To: Georgia Edwards <Georgia@cityoftangent.org>
Subject: FW: Tangent Water Use Permit G-18720
Importance: High

Hi Georgia,

I wanted to reach out to you on a Land Use Form that I am having a hard time accepting. I have also attached a PDF of pertinent information.

In the image below, The Department will need either:

1. The yellow highlighted box checked and an ordinance number.
2. The red circled box checked and the Obtained box checked.

This Land Use Form is the last item these folks need to move forward with a Permit.

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____

☒ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Conditional Use Permit	Done ?	☒ Obtained	☒ Being Pursued
		☐ Denied	☐ Not Being Pursued
		☐ Obtained	☐ Being Pursued
		☐ Denied	☐ Not Being Pursued
		☐ Obtained	☐ Being Pursued
		☐ Denied	☐ Not Being Pursued
		☐ Obtained	☐ Being Pursued
		☐ Denied	☐ Not Being Pursued

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

The City does not provide water

RECEIVED

RECEIVED

AUG 01 2018

MAR 19 2018

Please let me know if you have any questions or concerns.

Link to application: https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snr_id=197422

Thank you,

Lisa Graham

Water Right Caseworker

725 Summer St NE Suite A | Salem OR 97301 | Phone 503-986-0808



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Jim Gillespie <jim@jamesagillespie.com>

Sent: Friday, January 10, 2020 5:47 PM

To: GRAHAM Elisabeth A * WRD <Elisabeth.A.Graham@oregon.gov>

Cc: Jeni Anderson <jenianderson@kw.com>; 'Kevin Jacoby' <kevin@jacobylawllc.com>; George Mattia <george@gamindustries.com>; georgia@cityoftangent.org; angela (angela@greenbloomcannabis.com) <angela@greenbloomcannabis.com>

Subject: Tangent Water Use Permit

Lisa,

Thank you for working through the permit with me today.

I sent the document to Georgia at the City of Tangent and she resigned is after checking the box.

What is the process now in order to finalize the water use permit?

Again, I so appreciate your patience.

Thank you

Jim

James Gillespie

Director
KW Commercial
Portland Central
Oregon Principal Broker
503-890-5775
jimgillespie@kw.com

Jeni Anderson

Executive Assistant
Foundation Real Estate Group
971-222-1601
jenianderson@kw.com

Oregon Water Resources Department
Water Right Services Division

Water Right Application G-18720 in the)
name of TANGENT 99 INVESTORS LLC)
)

PROPOSED FINAL ORDER

Summary: The Department proposes to issue an order approving Application G-18720 as amended, and a permit consistent with the attached draft permit.

Prior to the issuance of a permit, if one is issued the Department must receive the following:

- The remaining permit recording fees in the amount of \$10.00. A check should be made out to the Oregon Water Resource Department or OWRD.
- Documentation that the proposed use complies with the local acknowledged comprehensive land-use plan. Please submit documentation from the relevant planning jurisdiction that either a) the proposed use is allowed outright or b) that an approved land-use decision has been obtained, and that either no administrative appeals were received, or all such appeals have concluded.

Please include the application number on any documents submitted.

Authority

The application is being processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410, and the Willamette Basin Program OAR 690-502. These statutes and rules can be viewed on the Oregon Water Resources Department's website:

<http://www.oregon.gov/owrd/pages/law/index.aspx>

The Department's main page is <http://www.oregon.gov/OWRD/pages/index.aspx>

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 if:

- a) 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);
- b) Water is available;
- c) The proposed use will not injure other water rights; and
- d) The proposed use complies with the rules of the Commission. ORS 537.621(2); OAR 690-310-0150(2)(b)

All four criteria must be met for a proposed use to be presumed to ensure the preservation of the public welfare, safety and health. When the criteria are met and the presumption is established the Department must further evaluate the proposed use, any comments received information available in its files or received from other interested agencies and any other available information to determine whether the presumption is overcome. OAR 690-310-0140

If the Department determines that the presumption is established and not overcome, the Department shall issue a Proposed Final Order recommending issuance of the permit subject to any appropriate modifications or conditions.

FINDINGS OF FACT

Application History

1. On August 1, 2018, Tangent 99 Investors LLC filed a complete application for the following water use:

Source	A WELL (LINN 62055/L126664) IN LAKE CREEK BASIN
Use	NURSERY USE ON 3.71 ACRES
Rate	0.22 CUBIC FOOT PER SECOND (CFS)
County	LINN COUNTY
Place of Use	SECTION 1, TOWNSHIP 12 SOUTH, RANGE 4 WEST, W.M.

2. On December 7, 2018, the Department mailed the applicant notice of its Initial Review, determining that "The appropriation of 0.09 CFS of water from a well (LINN 62055/L126664) in Lake Creek Basin for nursery use on 3.81 acres is allowable January 1 to December 31 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.
3. On December 11, 2018, 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 obtaining future notices and a copy of the Proposed Final Order.
4. The Initial Review erroneously stated the proposed place of use as 3.81 acres. Let the record reflect the proposed place of use is correctly identified as 3.71 acres.
5. The Initial Review erroneously stated the standard allowable duty for nursery use as 1/40th CFS per acre, being 0.09 CFS for nursery use on 3.71 acres. Let the record reflect the standard allowable rate for nursery use is 0.15 CFS per acre, being 0.56 CFS; therefore, the requested rate of 0.22 CFS is acceptable.

Presumption Criteria (a) - Consistency with Basin Program

6. Uses included in nursery use are included in irrigation and agriculture uses, both of which are allowed under the Willamette Basin Program (OAR 690-502-0160). ORS 537.621(3)(b); OAR 690-310-0150(2)(b)

Presumption Criteria (b) - Water Availability

7. An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. Groundwater will likely be available within the capacity of the resource, and if properly conditioned (and if authorized), the proposed use of groundwater will avoid injury to existing groundwater rights. ORS 537.621(3)(c); OAR 690-310-0150(2)(c)

Presumption Criteria (c) - Injury Determination

8. The proposed use, if authorized, will not injure other water rights. ORS 537.621(3)(d); OAR 690-310-0150(2)(e)

Presumption Criteria (d) - Whether the use complies with rules of the Commission

9. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates an approved land-use decision is being pursued. ORS 537.621(3)(b); OAR 690-310-0150(2)(b)
10. The proposed groundwater use is not located within a designated critical groundwater area. ORS 537.620(4)(a), 537.621(3)(a); OAR 690-310-0150(2)(a)
11. The Department has determined that the proposed groundwater use will not have the potential for substantial interference with surface water. ORS 537.621(3)(b); OAR 690-009-0040(4)
12. The proposed use complies with rules of the Water Resources Commission not otherwise described above.

Determination of Presumption that a proposed groundwater use will ensure the preservation of the public welfare, safety and health

Based on the review of the presumption criteria (a)-(d) above, the presumption has been established. ORS 537.621(2); OAR 690-310-0150(2)(g)

Further evaluation of the proposed use

13. No comments were received by the close of the comment period. OAR 690-310-0140(3)(a)
14. Information available in Department files, received from other interested agencies, and other available information does not provide a preponderance of evidence that the proposed use would not ensure the preservation of the public welfare, safety, and health under ORS 537.525. OAR 690-310-0140(3)

Other Criteria and Requirements

15. The proposed use is not located within or above a state scenic waterway, as designated under ORS 390.826. 537.621(3)(a); OAR 690-310-0150(2)(a)
16. The amount requested, 0.22 CFS, is in excess of the standard rate for the proposed use. ORS 537.621(3)(c); OAR 690-310-0150(2)(d)
17. The applicant did not propose any methods to measure the amount of water diverted, prevent damage to aquatic life and riparian habitat, prevent discharge of contaminated water to a surface

stream, or to prevent damage to public uses of any affected surface waters. Measures addressing these requirements will be conditions of water use in the permit. OAR 690-310-0150(2)(j)

CONCLUSION OF LAW

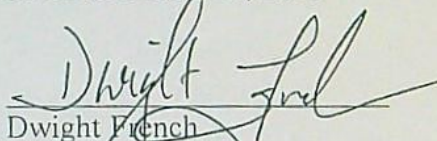
1. The proposed use, as conditioned, would ensure the preservation of the public welfare, safety, and health as described in ORS 537.525.

NOTE: 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.

PROPOSED ORDER

The Department recommends approval of Application G-18720 as amended, and issuance of a permit consistent with the attached draft permit.

DATED March 19, 2019



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

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for groundwater), you can protest this Proposed Final Order. Protests must be received by the Water Resources Department no later than **May 3, 2019**. Protests must be in writing and 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 the 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;
- To affect the Department's determination that the proposed use in this application will, or will not, ensure the preservation of the public welfare, safety and health as described in ORS 537.525, ORS 537.621(2)(b) requires that a protest demonstrate, by a preponderance of evidence any of the following: (a) One or more of the criteria for establishing the presumption are, or are not, satisfied; or (b) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected, and specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected;
- If you are the applicant, a protest fee of \$410 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$810 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.

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for groundwater), persons other than the applicant who support a Proposed Final Order can request standing for purposes of participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **May 3, 2019**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the Proposed Final Order as issued;
- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and

- A standing fee of \$230. If a hearing is scheduled, an additional fee of \$580 must be submitted along with a petition for party status.

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 either:

- 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.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a prima facie case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an agency representative may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

-
- If you have any questions about statements contained in this document, please contact Barbara Poage at Barbara.J.Poage@oregon.gov or 503-986-0859.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
 - Address any correspondence to :

Fax: 503-986-0901

Water Right Services Division
 725 Summer St NE, Suite A
 Salem, OR 97301-1266
-

DRAFT

This is not a permit.

DRAFT

STATE OF OREGON

COUNTY OF LINN

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

TANGENT DEVELOPMENT PROPERTY, LLC
1867 MOUSEBIRD AVE NW
SALEM OR 97304

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

APPLICATION FILE NUMBER: G-18720

SOURCE OF WATER: A WELL (LINN 62055/L126664) IN LAKE CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 3.71 ACRES

MAXIMUM RATE: 0.22 CUBIC FOOT PER SECOND

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: AUGUST 1, 2018

WELL LOCATION:

TwP	Rng	Mer	Sec	Q-Q	Measured Distances
12 S	4 W	WM	1	SE SE	55 FEET NORTH AND 665 FEET WEST FROM SE CORNER, SECTION 1

The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, 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 under this right, together with the amount secured under any other right existing for the same lands, 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 nursery use 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 under this right, together with the amount secured under any other right existing for the same lands, 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:

Twp	Rng	Mer	Sec	Q-Q	Acres
12 S	4 W	WM	1	SE SE	1.84
12 S	4 W	WM	12	NE NE	1.87

1. Measurement Devices, and Recording/Reporting of Annual Water Use Conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Annual Measurement Condition:

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

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

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

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

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

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

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

3. Well Identification Tag Condition:

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

STANDARD CONDITIONS

1. 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.
2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
3. If substantial interference with surface water or 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.
4. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
5. 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.
6. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
7. 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.
8. 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.
9. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
10. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

11. 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.

Issued

DRAFT - THIS IS NOT A PERMIT

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

Mailing List for PFO Copies

Application G-18720

PFO Date March 19, 2019

Original mailed via CERTIFIED MAIL to applicant:

TANGENT 99 INVESTORS LLC
PO BOX 80850
PORTLAND OR 97280

ATTN: GEORGE MATTIA
TANGENT DEVELOPMENT PROPERTY LLC
1867 MOUSEBIRD AVE NW
SALEM OR 97304

Copies Mailed

By: TM
(SUPPORT STAFF)

on: 3/19/2019
(DATE)

5/3/2019
Protest/ Standing Dates
checked

SENT VIA AUTO EMAIL:

1. WRD - Lanaya Blakely - # 2

SENT VIA EMAIL:

2. Agent – Thomas Kemper, tkemper@kempercollc.com

Copies sent to:

3. WRD - File # G-18720

Application Specialist: Barbara Park Poage



Water Right Application Initial Review

December 7, 2018

TANGENT 99 INVESTORS LLC
PO BOX 80850
PORTLAND OR 97280

Reference: Application G-18720

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

Initial Review Preliminary Determinations (Oregon Administrative Rule (OAR) 690-310-0080)

1. Application G-18720 proposes the appropriation of 0.22 cubic foot per second (CFS) of water from a well (LINN 62055/L126664) in Lake Creek Basin for year-round nursery use on 3.81 acres.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Uses included in nursery use are included in irrigation and agriculture use, both of which are allowed under the Willamette Basin Program (OAR 690-502-0160).
4. Groundwater will likely be available within the capacity of the resource, and if properly conditioned (and if authorized), the proposed use of groundwater will avoid injury to existing groundwater rights.
5. The Department has determined, based upon OAR 690-009, that the proposed groundwater use will not have the potential for substantial interference with any surface water source.
6. The proposed use is not located within or above any state or federal scenic waterway.
7. The point of appropriation is not located within a critical, limited, or withdrawn groundwater area.
8. Documentation has been submitted from the relevant land-use planning jurisdiction that indicates an approved land-use decision is being pursued. ORS 537.621(3)(b); OAR 690-310-0150(2)(b)
9. The application proposed a limit that is higher than the general basin-wide standard of 1/40th CFS per acre for nursery use, but did not demonstrate to the satisfaction of the Department the need for a higher limit. If you would like to pursue a permit for a higher limit, please submit additional information to demonstrate the need for the higher limit by **January 10, 2019**.

The Department will evaluate any information received prior to the next step of processing. If the Department does not receive additional information, the limit will be restricted to 1/40th CFS per acre, or 0.09 CFS for nursery use on 3.81 acres.

Summary

The appropriation of 0.09 CFS of water from a well (LINN 62055/L126664) in Lake Creek Basin for nursery use on 3.81 acres is allowable January 1 to December 31 of each year.

Because of the favorable determinations described herein, Application G-18720 can move to the next phase of the water-rights application review process, which includes a public interest review.

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

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

Proceed

If you choose to proceed with the application you do not have to notify the Department. The application will be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

Withdraw

You may withdraw the application and receive a refund (minus a \$260 processing fee per application). You must notify the Department **in writing** by **December 21, 2018**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If a Permit is Issued it will Likely Include the Following Conditions:

1. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
2. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.
3. **Measurement Devices, and Recording/Reporting of Annual Water Use Conditions:**
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual report which includes the recorded water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

4. Annual Measurement Condition:

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

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

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

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

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

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or

- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

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

5. Well Identification Tag Condition:

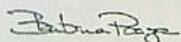
Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including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

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

If you have any questions:

Feel free to contact me at Barbara.J.Poage@oregon.gov or 503-986-0859 if you have any questions regarding the contents of this letter or the application. Please include the application number in all correspondence. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Barbara Poage, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Barbara Poage
Water Right Application Specialist
Oregon Water Resources Department

Enclosures: Application Process Description and Stop Processing Request Form

G-18720
WAB: no psi

APPLICATION FACT SHEET

Application File Number: G-18720

Applicant: TANGENT 99 INVESTORS LLC

County: LINN

Watermaster: Lanaya Blakely, 2, NWR

Priority Date: August 1, 2018

Source: A WELL (LINN 62055/L126664) IN LAKE CREEK BASIN

Use: NURSERY USE

Quantity: 0.22 CUBIC FOOT PER SECOND

Basin Name & Number: Willamette, #2

WAB: CALAPOOIA R > WILLAMETTE R - AB MOUTH

Well Location:

Twtp	Rng	Mer	Sec	Q-Q	Measured Distances
12 S	4 W	WM	1	SE SE	55 FEET NORTH AND 665 FEET WEST FROM SE CORNER, SECTION 1

Place of Use:

Twtp	Rng	Mer	Sec	Q-Q	Acres
12 S	4 W	WM	1	SE SE	1.84
12 S	4 W	WM	12	NE NE	1.87

PUBLIC NOTICE DATE: December 11, 2018

14 DAY STOP PROCESSING DEADLINE DATE: December 21, 2018

30 DAY COMMENT DEADLINE DATE: January 10, 2019

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

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

1. Pre-application considerations

- Follow instructions in the application packet.
- If you have questions about completing an application or would like to arrange a pre-application conference contact the Department's Water Rights Customer Service Group at (503) 986-0801.

2. Application filing

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

3. Initial Review (IR)

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

4. Proposed Final Order (PFO)

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

5. Final Order (FO)

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

The protest process

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

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

Permit holder responsibilities

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

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

- Stop processing deadline is within 14 days of Initial Review.
- Applicant notification to withdraw Water Right Application **G-18720**.
- After reviewing the Initial Review for my application, I request that processing be stopped and the fees be refunded (minus a \$260 processing fee.) I understand that without a valid permit I may not legally use the water as requested in my application.

Signature _____ Date _____

Signature _____ Date _____

- Under ORS 537.150 (5) and 537.620 (5) timely submission of this request authorizes that the water right application process be stopped and all filing fees (except \$260 examination fee) be returned.
- This notice must be received at Water Resources Department by:

December 21, 2018

- Return the notice to:

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

STOP PROCESSING REQUEST FORM

FOR GROUNDWATER, SURFACE WATER AND REGULAR RESERVOIR APPLICATIONS

- Stop processing deadline is within 14 days of Initial Review.
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- After reviewing the Initial Review for my application, I request that processing be stopped and the fees be refunded (minus a \$260 processing fee.) I understand that without a valid permit I may not legally use the water as requested in my application.

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Signature _____ Date _____

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December 21, 2018

- Return the notice to:

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

Mailing List for IR Copies

Application G-18720

IR Date: December 7, 2018

Original and map mailed to applicant:

TANGENT 99 INVESTORS LLC
PO BOX 80850
PORTLAND OR 97280

Copies Mailed

By: Tm
(SUPPORT STAFF)

On: 12/7/2018
(DATE)

SENT VIA AUTO EMAIL:

1. WRD – Watermaster Lanaya Blakely # 2

SENT VIA EMAIL:

2. Agent – Thomas Kemper, tkemper@kempercolle.com

IR, Map, and Fact Sheet Copies sent to:

1. WRD - File G-18720

Application Specialist: Barbara Park Poage

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **127498**

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

INVOICE # _____

RECEIVED FROM: Foundation Home Group LLC APPLICATION G-18720
BY: _____ PERMIT _____
CASH: ☐ CHECK: # 660602377 OTHER: (IDENTIFY) Cashier's Check TRANSFER _____

TOTAL REC'D \$ 2,200.00

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

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$ _____	0202 \$ _____
0203 GROUND WATER	\$ <u>1690.00</u>	0204 \$ <u>510.00</u>
0205 TRANSFER	\$ _____	

WELL CONSTRUCTION

EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219 \$ _____
LANDOWNER'S PERMIT		0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **127498**

DATED: 8-1-18 BY: CW Weltrich

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **131972** 725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: Foundation Home Group, LLC APPLICATION 6-18720
BY: _____ PERMIT _____
TRANSFER _____

CASH: ☐ CHECK: # 2340 OTHER: (IDENTIFY) _____
TOTAL REC'D \$ 10.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$ _____
0203 GROUND WATER \$ 0204 \$ 10.00
0205 TRANSFER \$ _____

WELL CONSTRUCTION EXAM FEE LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____
0210 MONITORING WELLS \$ _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO AC

0233 POWER LICENSE FEE (FW/WRD) _____
0231 HYDRO LICENSE FEE (FW/WRD) _____
HYDRO APPLICATION _____

TREASURY OTHER / R

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

RECEIPT: **131972** DATED: 2-20-2020 BY: Gilberti

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **131972** 725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: Foundation Home Group, LLC APPLICATION 6-18720
BY: _____ PERMIT _____
TRANSFER _____

CASH: ☐ CHECK: # 2340 OTHER: (IDENTIFY) _____
TOTAL REC'D \$ 10.00

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 \$ _____
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TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
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LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

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0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) _____ \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) _____ \$ _____
HYDRO APPLICATION _____ \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **131972** DATED: 2-20-2020 BY: Gilberti

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 130464

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

INVOICE # _____

RECEIVED FROM: Foundation Home Group, LLC
BY: _____

APPLICATION 6-18720
PERMIT _____
TRANSFER _____

CASH: ☐ CHECK: # 2264 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 10.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:
0201 SURFACE WATER EXAM FEE \$ _____ RECORD FEE \$ _____
0203 GROUND WATER \$ _____ 0202 \$ _____
0205 TRANSFER \$ _____ 0204 \$ 10.00

WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ LICENSE FEE \$ _____
LANDOWNER'S PERMIT 0219 \$ _____
0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST

0211 WELL CONST START FEE \$ _____
0210 MONITORING WELLS \$ _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACT

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: 130464

DATED: 8/5/19 BY: Bilali

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 130464

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

INVOICE # _____

RECEIVED FROM: Foundation Home Group, LLC
BY: _____

APPLICATION 6-18720
PERMIT _____
TRANSFER _____

CASH: ☐ CHECK: # 2264 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 10.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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4270 WRD OPERATING ACCT

MISCELLANEOUS 46111
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WELL CONSTRUCTION
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LANDOWNER'S PERMIT 0219 \$ _____
0220 \$ _____

OTHER (IDENTIFY) _____

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OTHER (IDENTIFY) _____

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HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: 130464

DATED: 8/5/19 BY: Bilali

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Application for a Permit to Use Groundwater



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

RECEIVED

AUG 01 2018

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Tangent 99 Investors, LLC			PHONE (HIM)
PHONE (WK) 503-740-7454	CELL	FAX	
ADDRESS PO Box 80850			
Portland	STATE OR	ZIP 97280	E-MAIL* tkemper@kempercolle.com

OWRD

Organization Information

NAME Tangent 99 Investors, LLC			PHONE 503-740-7454	FAX
ADDRESS PO Box 80850			CELL	
CITY Portland	STATE OR	ZIP 97280	E-MAIL* tkemper@kempercolle.com	

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

AGENT / BUSINESS NAME Thomas J Kemper			PHONE 503-740-7454	FAX
ADDRESS PO Box 80850			CELL	
CITY Portland	STATE OR	ZIP 97280	E-MAIL* tkemper@kempercolle.com,	

Note: Attach multiple copies as needed

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

RECEIVED

MAR 14 2018

By my signature below I confirm that I understand:

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

OWRD

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MAR 19 2018

OWRD

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

Applicant Signature

Thomas J Kemper, Managing Member
Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use

App. No. 648720

Permit No.

Date

Revised 07/2017

Ground Water

SECTION 2: PROPERTY OWNERSHIP

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

☒ Yes

☒ There are no encumbrances.

☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☐ No

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

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

NA

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
126664	Lake Creek		

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

Well just installed. Attached is Water Supply Well Report

RECEIVED

MAR 14 2018

OWRD

RECEIVED

RECEIVED

AUG 01 2018

OWRD

MAR 19 2018

OWRD

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 100gal/minute (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
12666 4	☐	☒	126664	☐	6	118.5				Black sand/gravel course	120	100	16
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

Revised 8/1/2017

Ground Water

RECEIVED

AUG 01 2018

OWRD

RECEIVED

MAR 19 2018

OWRD

WR

OWRD/RD

MAR 14 2018

RECEIVED

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation/nursery	Year round	16

For irrigation use only:Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: _____ Acres Supplemental: _____ Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s): _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____

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

SECTION 5: WATER MANAGEMENT**A. Diversion and Conveyance**

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

☒ Pump (give horsepower and type): 3HPGoulds 35GS30 35GPM wet end _____☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. _____

B. Application MethodWhat equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)**C. Conservation**Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

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SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

NA

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If you would like to store groundwater in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUNDWATER FROM THE RESERVOIR

NA

If you would like to use stored groundwater from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): _____

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USE OF STORED GROUNDWATER	PERIOD OF USE

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SECTION 8: PROJECT SCHEDULE

MAR 14 2018

Date construction will begin: NA already existing

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Date construction will be completed: _____

Date beneficial water use will begin: _____

SECTION 9: WITHIN A DISTRICT

I DO NOT BELIEVE THIS SHOULD
BE CHECKED

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: Tangent 99 Investors, LLC
First Last

Mailing Address: PO Box 80850,
Portland, OR 97280
City State Zip

Daytime Phone: 503-740-7454

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A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
12S	4W	1SE	1/4	1200	EFU	☐ Diverted	☐ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Linn

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B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 100 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe:

Cannabis grow

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of Page 3. →

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form **must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed.** The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that **your application will not be approved without land use approval.**

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Conditional Use Permit		☐ Obtained ☐ Denied	☒ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

The City does not provide water

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Name: Georgia Edwards Title: City Manager

Signature: Georgia Edwards Phone: 541-928-1020 Date: 2-5-2018

Government Entity: City of Tangent

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

RECORDING REQUESTED BY:



220 6th Ave SW, Ste 100
Albany, OR 97321

AFTER RECORDING RETURN TO:

Order No.: 471817060313-RS
Tangent 99 Investors, LLC, an Oregon limited liability company
PO Box 80850
Portland, OR 97280

SEND TAX STATEMENTS TO:

Tangent 99 Investors, LLC, an Oregon limited liability company
PO Box 80850
Portland, OR 97280

APN: 0226213
Map: 12S04W01-00-01200

LINN COUNTY, OREGON		2017-14007
D-WD		08/04/2017 08:38:00 AM
Stn=0 S. WILSON		\$15.00 \$11.00 \$10.00 \$20.00 \$19.00
		\$75.00
I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk's records.		
Steve Druckenmiller - County Clerk		

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Kaufman Storage, LLC, Grantor, conveys and warrants to Tangent 99 Investors, LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

All of that tract sold to Darwin Kaufman and Charles Kaufman per Microfilm Volume 629, Page 372, Linn County Microfilm Records, and a portion of that tract conveyed to Darwin Kaufman and Charles Kaufman per Microfilm Volume 302, Page 141, Linn County Microfilm Records, lying in the Southeast quarter of Section 1 and the Northeast quarter of Section 12, Township 12 South, Range 4 West, Willamette Meridian, Linn County, Oregon, being more particularly described as follows:

Beginning at a 1/2 inch iron rod on the West right of way line of Pacific Highway 99E, said rod being North 89°41'58" West 1.97 feet, North 0°15'43" East 289.47 feet, and South 89°47'00" West 40.00 feet from the Southeast corner of said Section 1, said rod also being the Northeast corner of that tract conveyed to Darwin H. and Donna H. Kaufman per Microfilm Volume 233, Page 604, said Microfilm Records; thence, along the Kaufman North line and extension thereof, South 89°47'00" West 403.17 feet to a 5/8 inch iron rod at the true point of beginning; thence South 00°16'29" West 197.27 feet to a 5/8 inch iron rod; thence South 00°14'34" West 394.68 feet to a 5/8 inch iron rod on the North line of a 15.00 foot strip of land conveyed to Donald and Judith Stockton per Microfilm Volume 768, Page 163, said Microfilm Records; thence, along said Stockton North line, South 89°52'30" West 307.57 feet to the West line of first mentioned Kaufman tract; thence, along said West line, North 00°15'44" East 591.46 feet to the Northwest corner thereof; thence, along the North line and extension thereof, North 89°47'00" East 307.49 feet to the point of beginning.

TOGETHER WITH an easement for ingress and egress granted by instrument recorded January 20, 2005, in Microfilm Volume 1669, Page 201, Records for Linn County, Oregon.

ALSO TOGETHER WITH a roadway and public utility easement, as reserved in document recorded July 24, 2007, as Recorder's No. 2007-17758, Records for Linn County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FIVE HUNDRED SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$565,000.00). (See ORS 93.030).

Subject to:

Terms and provisions of easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Owners of the subject property
Purpose:	Non-exclusive easement for ingress and egress
Recording Date:	January 20, 2005
Recording No:	Volume 1669, Page 201
Affects:	Appurtenant access easement

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	PacifiCorp, an Oregon corporation
Purpose:	Underground electric distribution and communication lines
Recording Date:	June 13, 2013
Recording No:	2013-09781
Affects:	Northeasterly portion of property - See sketch attached to document for approximate location

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN

AFTER RECORDING RETURN TO
TICOR TITLE: 471817060313

X

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STATUTORY WARRANTY DEED

(continued)

VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 8/2/17

Kaufman Storage, LLC

BY: [Signature]
Darwin H. Kaufman
Chief Member

BY: [Signature]
Lisa Rowe
Member

BY: [Signature]
Devin Rowe
Member

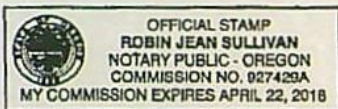
BY: _____
Kimberly Blagg
Member

BY: _____
Adam Blagg
Member

State of OR
County of Linn

This instrument was acknowledged before me on 8/2/2017 by Adam Blagg, as Member for Kaufman Storage, LLC; Darwin H. Kaufman, as Chief Member for Kaufman Storage, LLC; Kimberly Blagg, as Member for Kaufman Storage, LLC and Lisa Rowe, as Member for Kaufman Storage, LLC.

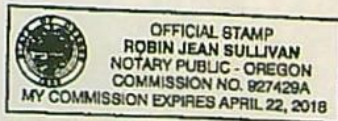
[Signature]
Notary Public - State of Oregon
My Commission Expires: 4/22/2018



State of OR
County of Linn

This instrument was acknowledged before me on 5/26/2017 by Devin Rowe, as Member for Kaufman Storage, LLC

[Signature]
Notary Public - State of Oregon
My Commission Expires: 4/22/2018



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STATUTORY WARRANTY DEED

(continued)

VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: _____

Kaufman Storage, LLC

BY: _____
Darwin H. Kaufman
Chief Member

BY: _____
Lisa Rowe
Member

BY: _____
Devin Rowe
Member

BY: _____
Kimberly Blagg
Member

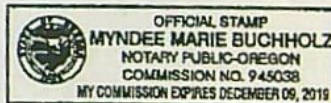
BY: _____
Adam Blagg
Member

State of Oregon
County of Clackamas

This instrument was acknowledged before me on 8.2.2017 by Adam Blagg, as Member for Kaufman Storage, LLC, Darwin H. Kaufman, as Chief Member for Kaufman Storage, LLC, Kimberly Blagg, as Member for Kaufman Storage, LLC and Lisa Rowe, as Member for Kaufman Storage, LLC.

Myndee Marie Buchholz
Notary Public - State of Oregon

My Commission Expires: 12.9.2019

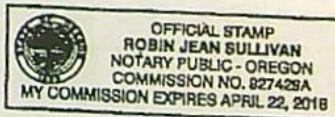


State of OR
County of Linn

This instrument was acknowledged before me on 5/26/2017 by Devin Rowe, as Member for Kaufman Storage, LLC

Devin Rowe
Notary Public - State of Oregon

My Commission Expires: 4/22/2018



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WATER SUPPLY WELL REPORT -
continuation page

LINN 62055

WELL . LABEL# L126664

START CARD # 214640

ORIGINAL LOG #

8/25/2017

(2a) PRE-ALTERATION

[illegible]

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL			sacks/
Dia	From	To	Material	From	To	lbs
					Calculated	
					Calculated	
					Calculated	
					Calculated	

FILTER PACK			
From	To	Material	Size

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
--------------	-----	---	------	----	-------	-----	-------	-----	------

[illegible]

(7) PERFORATIONS/SCREENS

[illegible]

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
---------------	----------	-----------------------	---------------

Water Quality Concerns

[illegible]

(10) STATIC WATER LEVEL

[illegible]

(11) WELL LOG

Material	From	To
RECEIVED	RECEIVED	
AUG 01 2018	MAR 19 2018	
OWRD	OWRD	
	RECEIVED	
	MAR 14 2018	
	OWRD	

Comments/Remarks

All work performed by Michael Allendorfer. Trainee# 8888803

G-18720

Section 2 - To be Completed by Local Jurisdiction

Site Location:

☒ Inside city limits ☐ Inside UGB ☒ Outside UGB

Name of Jurisdiction:

City of Tangent

Property Zoning of
Proposed Premises:

Exclusive Farm Use (EFU)

- ☐ The proposed land use has been reviewed and is prohibited.
☐ The proposed land use has been reviewed and is not prohibited.

If the proposed land use is allowable only as a conditional use, permits are required as noted below.

Comments:

A Conditional Use Permit is required for this property. It is expected to be received soon

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MAR 19 2018 MAR 14 2018

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Name of Reviewing Local Official (print):

Georgia Edwards

Title:

City Manager

Date:

2-5-2018

Email:

georgia@cityoftangent.org

Phone:

541-928-1020

Signature:

Georgia Edwards

Check this box if there are attachments to this form:

☐

REMINDER: Local jurisdictions are NOT required to begin processing LUCS forms until January 4, 2016 at 8:30 AM

March 9, 2018

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

RE: Application for a Permit to Use Groundwater

Subject: Application for a Permit to Use Groundwater
33274 Hwy 99E
Tangent, OR 97389

This application is being sent from Keller Williams – Portland Central. We are representing Thomas Kemper and helping with the application process to obtain a permit for the use of groundwater at the property listed above. If we are missing information or if some of the information we have sent is unclear please contact Amanda Hagstrom by phone or email. Thank you for time.

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Sincerely,
KW Commercial - Portland Central
919 NE 19th Ave, Suite 100

Amanda Hagstrom
Executive Assistant
Office: (971) 222-1601
Mobile: (541) 554-2600
amandalee@kw.com

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kw PORTLAND
CENTRAL
KELLERWILLIAMS REALTY

Jim Gillespie | Real Estate Broker | jimgillespie@kw.com | 503-890-5775
919 NE 19th Ave, Ste 100 | Portland, Oregon 97232

G-10720



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.Oregon.gov/OWRD

July 6, 2018

Thomas J. Kemper
Tangent 99 Investors, LLC
P.O. Box 80850
Portland, Or. 97280

Dear Thomas,

The Water Resources Department has received your application for a permit to use surface or ground water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the enclosed checklist.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801.

Sincerely,

Edward P. Gosse
Water Rights Customer Service

Cc: OWRD Fiscal

This review is based only on the completeness of your application(s). Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made. Fees may change.

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Q-10720



Application Completeness Checklist

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



Fees:

N.S.F Check.

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**Oregon Water Resources Department**
Ground Water Application[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Thursday, August 2, 2018

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,210.00

OWRD Fee Schedule

Fee Calculator Version B20170117

\$10.00
Sum.

G-18720

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July 31st, 2019

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

RE: Pending application – APPLICATION G-18720

Subject: Pending Fees; Outstanding balance
33274 Hwy 99E
Tangent, OR 97389

This check is being sent from Keller Williams-Portland Central. We are representing Thomas Kemper and helping with the application process to obtain a permit for the use of groundwater at the property listing above. The Proposed Final Order was issued on 3-19-2019 and there was a mandatory 45-day Protest period, ending 5/3/2019. No protest was filed. There is 1 outstanding item left in order to write the permit, and it is a balance of \$10.00. Here attached is a \$10.00 check. Please reach out to Cheyenne Reynolds by phone or email if you have any questions.

Sincerely,
Cheyenne Reynolds
Executive Assistant
Mobile: (772) 807-0080
cheyennePDX@kw.com



Oregon Water Resources Department
Ground Water Application

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

Today's Date: Thursday, August 2, 2018

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	.
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,210.00

OWRD Fee Schedule

Fee Calculator Version B20170117

\$10.00
Sum

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AUG 05 2019
OWRD

G-1070

