

R-7

FILE#: R 76927

CHRISTINA R VAERETTI
RANOW, WILLIAM E
PO BOX 1506
SANDY, OR 97055

Application No. R-76927

Permit No. _____

Certificate No. 70836

Stream Index, Page No. _____

HB
2153

FEES PAID

Date	Amount	Receipt No.
1-4-95	\$50.	29030

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

Date filed _____

Priority _____

Action suspended until _____

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning _____

Date for completion _____

Extended to _____

Date for application of water _____

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

T-9210 Δ USE V. 56 p. 2256

MEMORANDUM

DATE: Mon 2-4 RE: (201) 2002

TO:

DAN NELSON

503-663-3348 x

COPIES?

AM # R-76927

CERT x HB 2153

NO PERMIT

SIGNED: WR -

TOPS FORM 4150

☐ PLEASE REPLY ☐ NO REPLY NEEDED

This is a June 1990 Flight of TIS, R4E, sec. 25 & 26. Gill R. Thompson, PA (CFSA) 12-30-94

Application No. R-76927
Permit No.

TEST DATE NO. 7738

23 24
26 25

24 19
25 30



A2151

T1390
1/8.0
2/4.3
3/25.6
4/5.6
T1332

T1516

RECEIVED
JAN - 4 1995
WATER RESOURCES DEPT.
SALEM, OREGON

26
35

25 30
36 31

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN CHARACTER OF USE

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 9210 submitted by

DAN NELSON dba HANS NELSON AND SONS NURSERY, INC.
31020 SE WAYBILL ROAD
BORING, OREGON 97009-9427.

The right to be modified, as evidenced by Certificate 70836, was perfected under Application R-76927 with a date of priority of JANUARY 1, 1993. The right allows the storage of A SPRING IN AN UNNAMED RESERVOIR, a tributary of the SANDY RIVER, for WILDLIFE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.0 ACRE FEET.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

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

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The reservoir is located as follows:

SW¼ SW¼
SECTION 25

TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described above.

The applicant proposes to change the character of use from STORAGE FOR WILDLIFE to STORAGE FOR MULTIPLE PURPOSES; INCLUDING, BUT NOT LIMITED TO NURSERY USE AND AGRICULTURAL USE.

This order corrects a scrivener's error in found in Certificate 70836. The ¼,¼ was omitted in the location description of the reservoir.

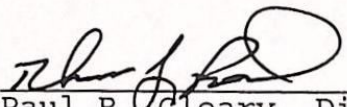
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2004.

Certificate 70836 is cancelled. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed DEC 30 2002.


Paul R. Cleary, Director

HB-2153

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DEC 30 1994

WATERMASTER
HILLSBORO, ORApplication No. P-76927State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) Christina R. Varette & William E. Rannow
 (Please print or type - use dark ink)
 Mailing Address: P.O. Box 1506
Sandy Oregon 97055 668-5325
 City State Zip Daytime Phone No.

I (We) make application for a permit to construct unnamed reservoir and store
 the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: Spring (on Property),
 a tributary of SANDY RIVER.
 If not in channel of a stream, state how it is to be filled: _____

2. THE DAM: The maximum height of the structure will be 6' feet above stream bed
 or ground surface at the centerline.
 The dam will be (check one) ☒ earthfill, _____ concrete, _____ flashboard, _____ other.
 If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: _____

2' diameter Metal pipe, located 5' above
bottom of embankment. Overflow only.

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum
 diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: WILDLIFE

4. THE AMOUNT OF WATER to be stored is: 5.0 acre-feet.
The area submerged by the reservoir, when filled, will be 1.0 acres,
and the maximum depth of water will be 5.0' feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. No Spillway Just over Flow Pipe

6. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin Completed

Proposed date construction work will be completed _____

Proposed date water use will be completed _____

NOTE: Prior to issuance of a permit, it will be necessary to submit a map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the property on which the water is to be used. The legal description may be copied from your deed, title insurance policy, or land sales contract.

7. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

8. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? YES. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

RECEIVED
JAN - 4 1995
WATER RESOURCES
SALEM, OREGON

REMARKS: _____

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Christina R. Vauritti
Signature

12-30-94
Date

William E. RANNO
Signature
by CRV

12-30-94
Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources _____ Wm #18,
Oregon, on the 30th day of Dec, 1994, at _____ o'clock, _____ M.

APPLICATION NO: R-76927



Oregon

John A. Kitzhaber, M.D., Governor

K76927
Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

August 12, 2002

Dan L. Nelson
Hans Nelson & Sons Nursery Inc.
31020 SE Waybill Rd
Boring, OR 97009-9427

REFERENCE FILE: S-85058

Dear Mr. Nelson:

On August 12, 2002, the Department received your request for an Administrative Hold for 180 days to complete the transfer of water rights.

The Department will not take further action on this file until **February 10, 2003**. If you are ready to proceed before that date, please notify the Department.

In addition, the information regarding ownership of the lands involved under your applications G-15710 and S-85058 has been noted and the files will be processed accordingly.

If you have any questions, please give me a call at (503)378-8455 extension 229 or e-mail me at Anita.M.HUFFMAN@ wrd.state.or.us.

Sincerely,

Anita M. Huffman
Senior Water Right Technician

cc: Watermaster District 20
Ed Crane, CWRE

STATE OF OREGON
COUNTY OF Clackamas

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

CHRISTINA R VAERETTI
RANNO, WILLIAM E
PO BOX 1506
SANDY, OR 97055

confirms the right to store the waters of
A SPRING, A TRIBUTARY OF SANDY RIVER IN AN UNNAMED RESERVOIR
for WILDLIFE.

The right to store and use these waters was perfected under Reservoir Application R-76927.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 5.0 ACRE-FEET

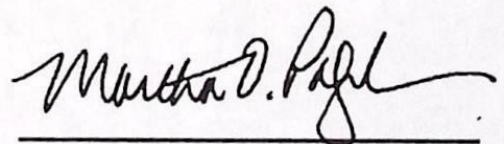
Located as follows:

1/4 1/4 SECTION 25, TOWNSHIP 1 SOUTH, RANGE 4 EAST WM.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with
a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary
for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of
use listed above.

WITNESS the signature of the Water Resources Director, affixed **FEBRUARY 27, 1996.**



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70836

STATE OF OREGON
COUNTY OF Clackamas

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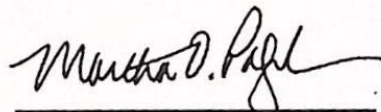
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use listed above.

WITNESS the signature of the Water Resources Director, affixed **FEBRUARY 27, 1996.**



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70836

T-9210 AUSE

Application No. 8-76927

Permit No.

CHRISTINA R VAERETTI
RANNO, WILLIAM E

Name ... PO BOX 1506

Address SANDY, OR 97055

Assigned

Address

Beginning construction

Completion of construction

Extended to

Complete application of water

Extended to

Description of Water Use

to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Use fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Christina R. Vaeretti, William E. Rannow
 Address: P.O. Box 1506
Sandy, Oregon 97055
 Phone: 503 668-5325

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 JAN - 4 1995
 WATER RESOURCES DEPT
 SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

Irrigation (crop type, golf course, nursery or greenhouse): ~~_____~~

Livestock (type of livestock, feedlot, slaughterhouse): — 0 —

Residential (# units, single or multi-family, # lots if partition or subdivision): ~~_____~~

Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____

Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____

Institutional (i.e., school, library, etc.): _____

Mining (aggregate, metal, open pit, placer, etc.): _____

Recreation (park, campsite, pond, etc.): _____

Fish and Wildlife (pond, hatchery, etc.): _____

Hydropower (dam, reservoir, power generating or transmitting facilities): _____

Other (Name and list key characteristics): ~~_____~~

Application No. R-76927
 Permit No.

Indicate sources for the proposed water use below:

Indicate the estimated quantity of water the use will require:

Surface Water
 Name sources

Spring

Cubic feet per second.

Gallons per minute.

5 Acre-Feet

(approx 1 acre pond)

Reservoir or pond ☒

Ground Water

Name Christina VAercetti
William Rannow

Tax Lot 1S 4E 25
TL # 02000

Copy this form
Date Stamp Applicant

2153 MINIMUM APPLICATION REQUIREMENTS

HB 2153 NOTICES: (ORS 537.141(d))

1. Notice of Exempt Reservoir Form, including:
 - ☒ Source of water
 - ☒ max height of dam
 - ☒ max depth of reservoir
 - ☒ max volume of reservoir
2. ☒ Map showing the location of the reservoir and the Township, Range and Section.
3. ☒ Evidence that the reservoir existed prior to January 1, 1993; examples of evidence include:
 - notarized affidavit by landowner or other knowledgeable person
 - construction receipts
 - dated aerial photo

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DEC 30 1994

WATERMASTER
HILLSBORO, OR

RECEIVED
JAN - 4 1995
WATER RESOURCES
SALEM, OREGON

HB 2153 APPLICATIONS FOR PERMITS: (ORS 537.400(d))

1. Completed application for a Permit to Construct a Reservoir, with "HB 2153" written at the top
2. Fee: \$ 50⁰⁰
amount
3. ☒ Map showing the location of the reservoir and township range, and section
4. Evidence that the reservoir was constructed prior to 1993. (see above)
5. ☒ Land use information form completed by a county planning official (city official if inside city limits)

I, DARRELL HEDIN, Assist Watermaster certify that the above listed minimum
(name) (title)
information was submitted to me at the District # 18 Watermaster
office on 12-30-94.
(date)

Darrell Hedin
signature

12-30-94
date

Note to applicant: Enclose this form in the mail with your materials. It must be postmarked on or before January 3, 1995. The Water Resources Department assumes no liability for the safe transfer of your materials to our Salem office via U.S. mail service.

Mail to: Applications, O.W.R.D, 158 12th Street NE, Salem OR 97310

Application No R-76927
Permit No.

PRE-TR APPLICATION PROCESSING OUTLINE

Application File #

R-76927

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

3/31/95

CM

Name and mailing address of applicant

Source of water

Quantity of water

Map showing location of POD & POU

Use of water

Names and addresses of legal owners

Signature of applicant

Oath

Application date stamped per money receipt date

Land use approved ☒ pending ☐

If reservoir < 5 AF \$ 50; if > 5 AF \$

HB 2153/HB 2107 APPLICATION -- SEE REVERSE

Route to Data Center (Unless 2153/2107)

DATA CENTER

Stream Code

Entered into WRIS

SUPPORT SERVICES

3/23/95

OK

3/24/95

OK

3/22/95

OK

Stamp contents with application number

Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file

Place label on file and calender card

APPLICATION SECTION

Stream Indexed Basin #

Plat Carded and copy made YES NO

If dam is over 10 feet or storage exceeds 9.2

AC-FT, route file to Dam Safety Section

TR CASEWORKER

TR Checklist complete YES NO

Within Irrigation District

District Notified

District excerpt received

TR Mailed DATE

Public Interest Checklist complete

Management Codes

REMARKS:

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

(date & initials) NOTICE OF EXEMPT RESERVOIR form (or letter
if prior to April 8, 1994).

Appropriate map (see item 1 on form).

Evidence that reservoir existed before
January 1, 1993 (one or more of the following: dated aerial
photo, NOTARIZED affidavit, dated map from agency, construction
receipts or other documentation).

Items 2, 3, 4, 5, and 6 are completed.

Signature (and title, if applicable)

HB 2153 - non-exempt existing ponds (large, on-channel)

Complete Minimum Requirements to File on reverse, except before
routing to Data Center, change priority date to 1/1/1993. Also,
confirm the following:

7/1

Receipt of evidence that reservoir existed
before January 1, 1993 (one or more of the following: dated
aerial photo, NOTARIZED affidavit, dated map from agency,
construction receipts or other documentation)

HB 2107 - wetland, stream restoration and storm water
management

Complete Minimum Requirements to File on reverse EXCEPT DO NOT
ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the
following:

Name/address of adjacent property owner
within 1/4 mile

Map with scale not less than 2 in.=1 mi.

CWRE map if > 10 feet dam or > 9.2 AF

Description of proposed use

Condition addressed

Resulting benefits

Public notices (circle) #1 #2

R-76927

PREPARED BY

FEB 27 1995

DATE
SALEM, OREGON

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s R77134, 77119, R76927, R76930, _____

Send to: Charles Ciecko
Metro Regional Parks & Greenspaces
600 NE GRAND AVE
Portland, OR 97232

Please include specific comments or concerns. Use additional sheets if necessary.

- Eligibility under HB 2153
- Interference w/ in-stream water rights - certificated or Application pending
- ~~Hydrological Connection~~

Return to:
Oregon Water Resources Department
158 12th ST NE
Salem, Oregon 97310

This Comment corresponds to the
FEB/15/1995 Public Notice.

REFERENCE: File(s) - R-76927

The proposed rules, if adopted, could limit the issuance of new water right permits in certain areas of the state. If and when the Commission adopts these rules, new criteria or restrictions may be imposed on water use applications received after:

July 17, 1992, for use of water in the Upper Columbia/Snake Basin (above Bonneville Dam), including the mainstem Columbia and Snake Rivers and the Hood, Deschutes, John Day, Umatilla, Grande Ronde, Powder, Malheur and Wyehe Basins;

April 8, 1994, for use of water in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin; and

June 3, 1994, for use of water in all Oregon basins.

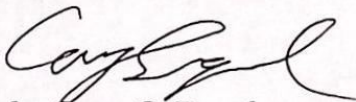
When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, the demands of prior right holders and other conditions to conform the water use to particular standards.

Please contact the Water Rights Information Group (WRIG) if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,



Mr. Cory C. Engel
Water Rights Research Assistant
Water Rights/Adjudication Division

cc: CWRE

February 9, 1995

CHRISTINA R VAERETTI
RANNO, WILLIAM E
PO BOX 1506
SANDY, OR 97055

WATER
RESOURCES
DEPARTMENT

REFERENCE: File # R-76927;

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Your application will be considered under House Bill 2153 enacted by the 1993 Oregon Legislature. You may continue the storage of water while a decision is pending on your application.

After an application has been accepted for filing, public notification of the application is made, followed by a mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. In general, the Department works through Oregon's 18 river basins on a rotating schedule, processing applications in the order in which they have been received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo specialized analysis called a technical review and a public interest review. Until your application is reviewed, it is not possible to determine whether your particular proposed water use will be recommended for a permit.

Technical Reviews are processed in accordance with Oregon Administrative Rules. The Water Resources Commission is considering the adoption of rules to protect stream flows for fish species. This action is being contemplated in response to current and future Endangered Species Act fish listings, including many runs of salmon, steelhead and resident fish throughout the state.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

OK 96-218

29030

NAME <i>Christina R. Vaerette</i>		SHIP TO	
ADDRESS		ADDRESS	
CITY, STATE, ZIP <i>asp</i>		CITY, STATE, ZIP	
ORDER NUMBER <i>R-76927</i>	TERMS	DATE <i>1-4-95</i>	
WHEN SHIP	HOW SHIP	SALESMAN	
QUANTITY	DESCRIPTION	PRICE	AMOUNT
	<i>HB 2153</i>	<i>\$50.</i>	
BUYER: <i>D. Bushnell</i>			

KEEP THIS SLIP FOR REFERENCE

FILE#: R 76927

CHRISTINA R VAERETTI
RANNO, WILLIAM E
PO BOX 1506
SANDY, OR 97055

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