

ASSIGNED

FILE#: S 80212

GLENN WALTERS NURSERY INC.
PO BOX 280
BANKS, OR 97106

ASSIGNED

ASSIGNED

Application No. 80212Permit No. 52052

Certificate No. _____

Stream Index, Page No. 2C

Date filed _____

Priority _____

Action suspended until FPD C20

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning 8-26-97Date for completion 10-1-98

Extended to _____

Date for application of water 10-1-99Extended to 10/1/2020

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date Certificate issued _____

FEES PAID

Date	Amount	Receipt No.
4-21-95	\$200.00	123640
4-12-96	500.00	001402
7-16-15	\$575.00	116608
4-21-16	85.00	119559
4-3-2025	120.00 Cert. Fee	144899

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
4/21/2016	ASSIGNED HORTIFRUIT IMPORTS INC c/o SARBANAND ENTERPRISES LLC 7375 NORTHWEST ROY RD CORNELIUS OR 97113			

REMARKS

See G-14045, R-80211

1/24/2017 Munger Hortifruit North America, LLC
786 Road 188 Delano, CA 93215

PO 52052

2

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REMARKS

See G-14045, R-80211

1/24/2017 Munger Hortifruit North America, LLC
786 Road 188 Delano, CA 93215

PO 52052

FROM
PROP.
CENT
CART

Request for Assignment



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Aribel Beck, on behalf of Munger Hortifrut North America LLC

(Name of Current Holder of Record)

786 Rd 188

(Mailing Address)

Delano

(City)

CA

(State)

93215

(Zip)

(Phone #)

- ☒ hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)
- ☐ hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)
- ☐ hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # R-80212; Permit # S-52052; Transfer Order # _____;

Limited License # _____; Groundwater Statement # _____;

as filed in the office of the Water Resources Director, to:

Schefflin Krueger, LLC

(Name of New Owner)

PQ Box 32

(Mailing Address)

North Plains OR 97133

(City)

(State)

(Zip)

(Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

N/A I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 6 day of March, 2025.
(Day) (Month) (Year)

Signature of Current Holder of Record [Signature]

Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 144899

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

Assign - Approve
WFB 4-3-2025
Received
MAR 20 2025

OWRD



LETTER OF TRANSMITTAL

To: Mary Bjork

Address: 725 Summer Street NE, Suite A
Salem, OR 97301-1266

From: Kimberly Grigsby, GSI Water Solutions, Inc

Attachments: See below

Date: March 14, 2025

Date of Publication	Number of Copies	Description
March 2025	3	Requests for Assignment on behalf of Schefflin Krueger, LLC
	1	Check for \$360
~Thank you~		

Received
MAR 20 2025
OWRD

BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Thursday, April 3, 2025 9:39 AM
To: MILLS Michele * WRD
Cc: BJORK Mary F * WRD
Subject: Receipt #144899 Update
Attachments: Receipt 144899.pdf

Hi Michelle,

I'm finally getting back to an item from last week. As mentioned the attached receipt has been updated to correctly reflect the correct application numbers. Please update the yellow and buff copies.

Additionally, I've captured the receipt number information on the file fronts that was missing for G-14045, R-80211 and S-80212.

Thanks,

Mary F. Bjork

Water Right Services Program Analyst
Oregon Water Resources Department
725 Summer Street NE, Suite A Salem, OR 97301
Phone 503-979-9895 (work cell)
mary.f.bjork@water.oregon.gov

HOLMES Codi N * WRD

From: Kim Grigsby <kgrigsby@gsiws.com>
Sent: Friday, February 28, 2025 12:57 PM
To: HOLMES Codi N * WRD
Cc: RATCLIFFE Katie S * WRD; FRENCH Dwight W * WRD; CLARK Gerald E * WRD
Subject: Proposed cancellation of Permit R-11750
Attachments: Oregon Water Resources Dept Certified Letter Re App R80211 Permit R11750.pdf

Importance: High

All,

Richard Krueger is the owner of the land associated with Permit R-11750. As an oversight, the permit was not assigned to him when he purchased the property, and he has not been receiving communications from the Department about this permit. He received the attached draft order of cancellation yesterday. He hired GSI Water Solutions to assist him with his water rights today.

I am requesting on behalf of Mr. Krueger that OWRD not move forward with cancelling Permit R-11750. We will be assisting Mr. Krueger with assignment of the permit, and will determine how to either resolve the issue with the COBU filed for this permit or request an extension of time, as appropriate.

Please contact me if you have any questions about this request.

Sincerely,
Kim

PS Dwight – Happy last day of work. I hope you will thoroughly enjoy your retirement!

Kimberly Grigsby
Principal Water Resources Consultant
mobile: 503.351.1912
1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333
GSI Water Solutions, Inc. | www.gsiws.com
pronouns: she, her

Mailing List for Proposed Certificate

Application: S-80212

Permit: S-52052

Certificate:

Permit/Certificate Holder:

MUNGER HORTIFRUT NORTH AMERICA LLC
786 RD 188
DELANO CA 93215

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 18 (auto email)
2. File

Other persons to receive copies: (include map):

- 1.

Copies Mailed	
by: <u>TM</u>	(STAFF)
on: <u>2.11.2025</u>	(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Date Mailed: FEB 11 2025

Reference: Application S-80212 Permit S-52052

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The proposed certificate does NOT include the use of stored water due the proposed cancellation of Permit R-11750. If the issues for R-11750 are resolved, a new proposed certificate will be issued to include the use of stored water as initially allowed under permit S-52182.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you have any questions please contact Codi Holmes at codi.n.holmes@water.oregon.gov or 503-979-3184.

Sincerely,

Dwight French
Administrator
Water Right Services

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUNGER HORTIFRUT NORTH AMERICA LLC
786 RD 188
DELANO CA 93215

confirms the right to the use of water perfected under the terms of Permit S-52052. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS AND TILE DRAIN, A TRIBUTARIES OF DAIRY CREEK

PURPOSE or USE: AGRICULTURE USES USE OF 69.0 ACRES

MAXIMUM RATE: 5.72 CUBIC FEET PER SECOND FROM LIVE FLOW

PERIOD OF USE: DECEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: APRIL 21, 1995

The point of diversion is located as follows:

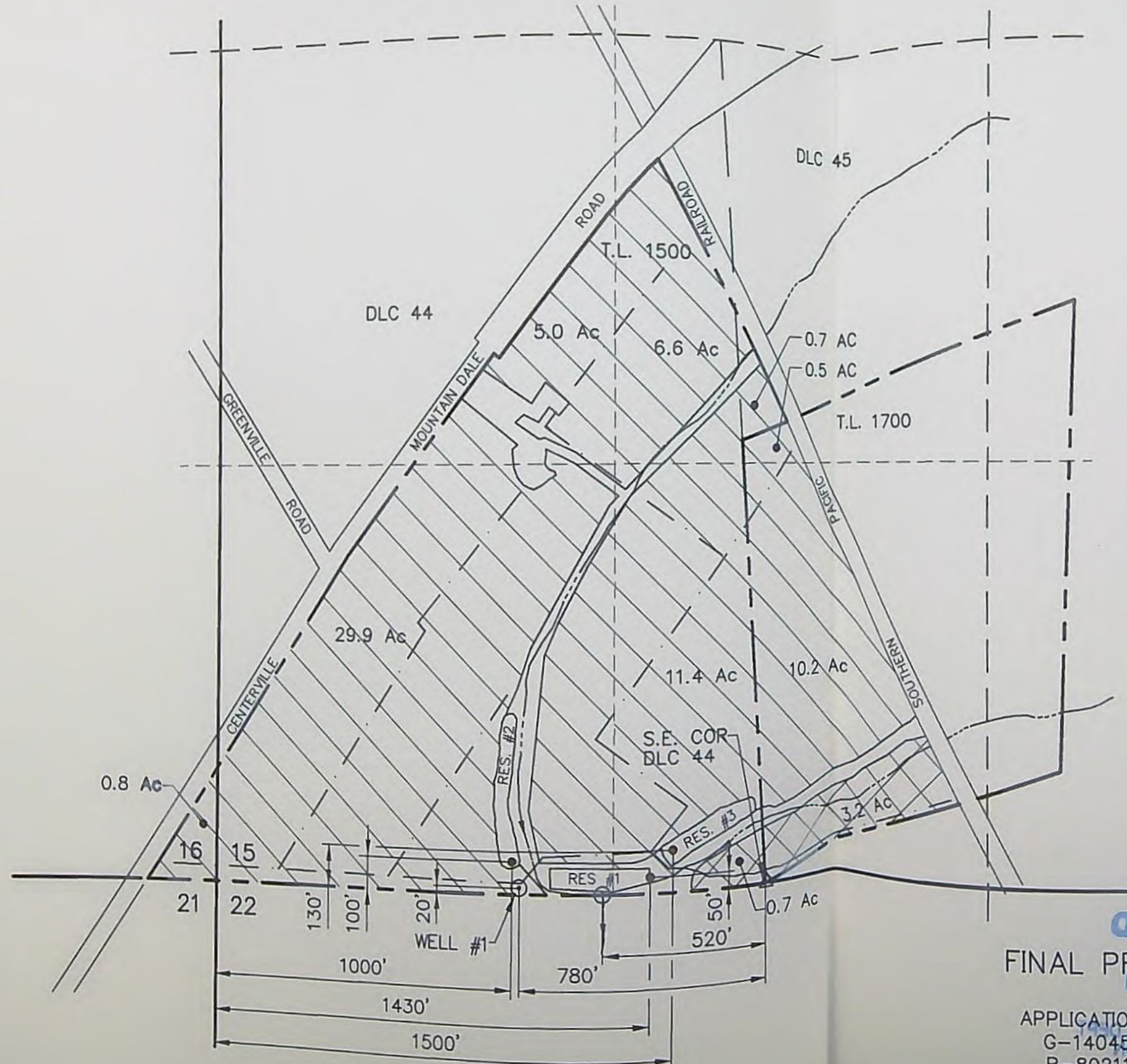
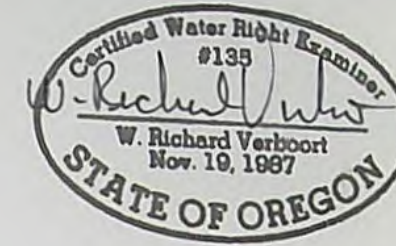
Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
1 N	3 W	WM	15	SW SW	44	LIVE FLOW - 520 FEET WEST FROM SE CORNER, DLC 44

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

SECTION 15 & 16, T.1 N., R.3 W., W.M.
WASHINGTON COUNTY, OREGON



SCALE: 1"=400'

MAP BASE:
ASSESSORS MAP
TVD MAP

AGRICULTURAL USE
PERMITS G-13030,
52052, R-11750

IRRIGATION
PERMIT G-13030

PREPARATION OF THIS MAP IS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF
THE WATER RIGHT ONLY. THERE IS NO INTENT
TO PROVIDE DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES.

RECEIVED
FINAL PROOF SURVEY

APPLICATIONS PERMITS
G-14045 G-13030
R-80211 R-11750
S-80212 52052

SURVEYED AUGUST 28, 2000

GLENN WALTERS NURSERY, INC.

P.O. BOX 280
BANKS, OR 97106

SHEFFLIN FARM

date	08/2000
by	WRV JER
designed	WRV
drawn	JER
checked	WRV
drawing no.	00-B-13
sheet no.	1 / 1

VERBOORT ENGINEERING
AGRICULTURE - CIVIL - WATER RESOURCES
HILLSBORO, OREGON

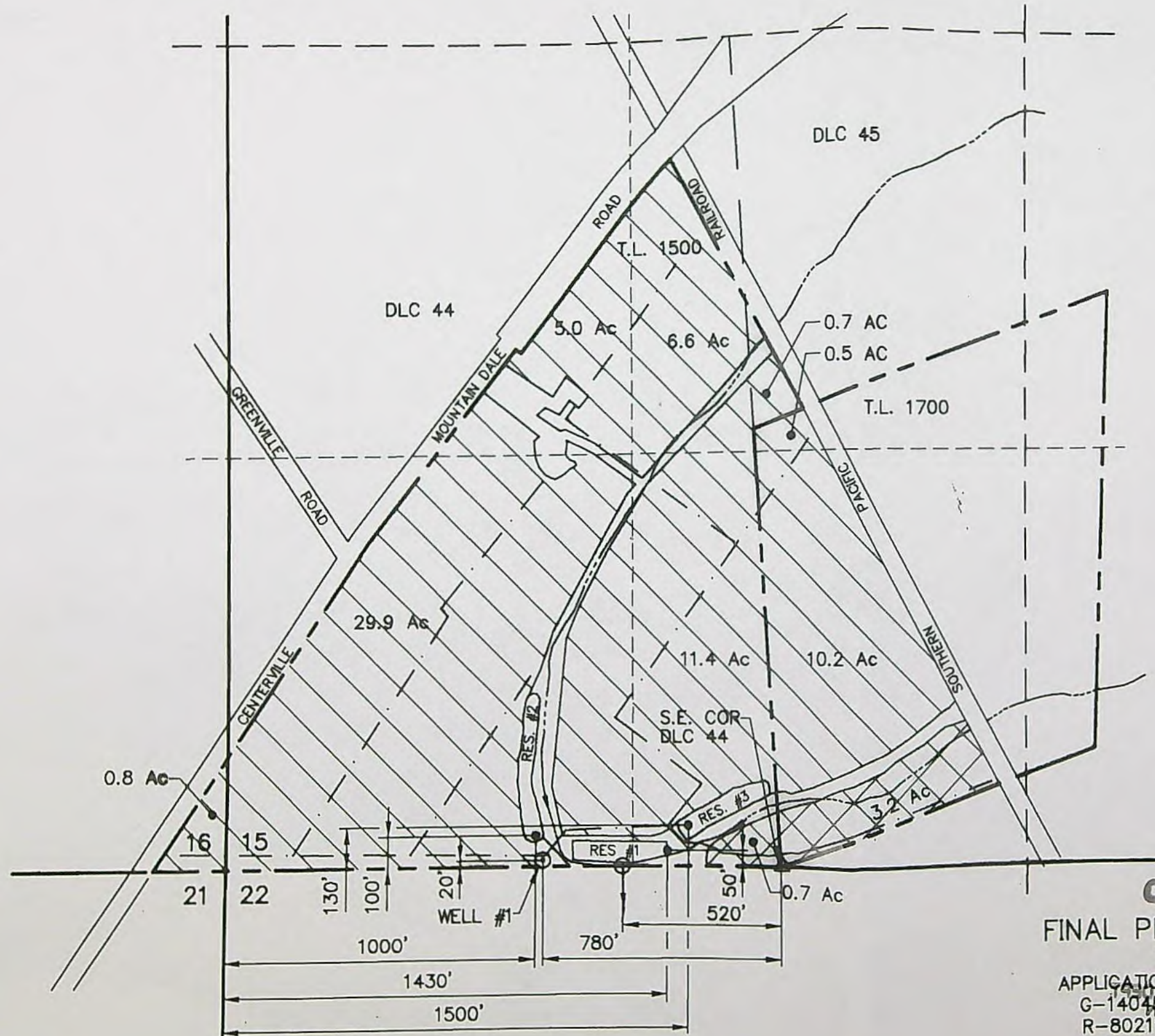
SECTION 15 & 16, T.1 N., R.3 W., W.M.
WASHINGTON COUNTY, OREGON



GLENN WALTERS NURSERY, INC.

P.O. BOX 280
BANKS, OR 97106

SHEFFLIN FARM



SCALE: 1"=400'

MAP BASE:
ASSESSORS MAP
TMD MAP

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PERMITS G-13030,
52052, R-11750

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PERMIT G-13030

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FINAL PROOF SURVEY
UNDER

APPLICATIONS PERMITS
G-14045 G-13030
R-80211 R-11750
S-80212 52052

SURVEYED AUGUST 28, 2000

designed	drawn	checked	drawing no.	sheet no.
WRV	JER	WRV	00-B-13	1/1
by	WRV	JER	08/2000	08/2000
data	WRV	JER	08/2000	08/2000

VERBOORT ENGINEERING
AGRICULTURE · CIVIL · WATER RESOURCES
HILLSBORO, OREGON

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUNGER HORTIFRUT NORTH AMERICA LLC
786 RD 188
DELANO CA 93215

confirms the right to the use of water perfected under the terms of Permit S-52052. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS, TILE DRAIN, AND TWO UNNAMED RESERVOIRS, TO BE CONSTRUCTED UNDER APPLICATION R-80211, PERMIT R-11750, TRIBUTARIES OF DAIRY CREEK

PURPOSE or USE: AGRICULTURE USES USE OF 69.0 ACRES

MAXIMUM RATE: 5.72 CUBIC FEET PER SECOND FROM LIVE FLOW AND 10.8 ACRE-FEET OF STORED WATER ONLY

PERIOD OF USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: APRIL 21, 1995

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
1 N	3 W	WM	15	SW SW	44	LIVE FLOW - 520 FEET WEST FROM SE CORNER, DLC 44
1 N	3 W	WM	15	SW SW	44	RESERVOIR #2 - 100 FEET NORTH AND 100 FEET EAST FROM SW CORNER, SECTION 15
1 N	3 W	WM	15	SW SW	44	RESERVOIR #3 - 130 FEET NORTH AND 1500 FEET EAST FROM SW CORNER, SECTION 15

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1N	3 W	WM	15	NE SW	45	1.2
1N	3 W	WM	15	NE SW	44	6.6
1N	3 W	WM	15	NW SW	44	5.0
1N	3 W	WM	15	SW SW	44	29.9
1N	3 W	WM	15	SE SW	44	12.1
1N	3 W	WM	15	SE SW	45	13.4
1N	3 W	WM	16	SE SE	44	0.8

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report that includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall be required to comply with state and federal water quality standards.

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

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

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

PERMIT

MEMO - Proof to Satisfaction

PROP - live flow
only

Application # <u>580212</u>	Permit #	Permit Amendment (T-FILE)#
WRD Reviewer (CW)	Date	
WRD Peer Reviewer (PR) <u>J Skans</u>	Date <u>Dec 24</u>	
Related Files:		

CW	PR	RESEARCH
☐	☒	Organize: file in chronological Order; Pull following items from paper file:
		☐ CBU Report/Map ☐ App (Permit) Map ☐ Assignment ☐ Extension ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☐ Fish Screen Doc ☐ Pump Test ☐ SWL (paper) ☐ Water Use Charts ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☐ Permit Amendment ☐ n/a
		Electronic Application Folder:
☐	☒	☐ Create CBU folder ☐ Create Work Packet folder
☐	☒	Scan: Above documents into "CBU Folder"
☐	☒	Save other docs electronically: save these in the Work Packet folder per naming conventions
		☐ Permit ☐ Transfer Order ☐ POU Report (conflict) ☐ Water Use Report ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☐ SWL (GW) ☐ OrMap Tax Lot Map ☐ Ownership Report ☐ BLM Map ☐ n/a ☐ n/a ☐ n/a ☐ n/a
		☐ PT Approve/Deny ☐ Dam Safety ☐ Mitigation ☐ Others ☐ n/a ☐ n/a ☐ n/a ☐ n/a
☐	☒	Search :
☐	☒	☐ Interactive Mapper ☐ AOI ☐ Map and TaxLot New Owner & Address: ☐ n/a ☐ n/a
		Research Comments:

AGUSE 75.1 AC

REVIEW OF CLAIM: Comments on Second Page

8.02 CFS LIVE 1 13 AF Stored

Required By Permit/Order	Complied Y/N	CONDITIONS	NOTES:
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Fish Condition	
☒ Yes ☐ No ☐ n/a	☐ Y ☐ N	Meter/Measuring Device	Staff gauges meter installed 7/2015 per extension
☒ Yes ☐ No ☐ n/a	☐ Y ☐ N	Water Use Reporting	2019 first yr of use
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Pump Test	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	SWL (Month)	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Dam Safety	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Well Id	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Other: CHECK POINT	July 16 2020 - new owner > not submitted
☐ Yes ☐ No ☐ n/a	☐ Y ☐ N	C-date OCT. 1, 1999	Ext C-date 10-1-2020

REVIEW OF MAP: ☐ Yes ☐ No is a REVISED Map required?

CW	PR	Notes:
☐	☒	Verify POA/POD Location
☐	☒	Verify POU
☐	☒	POU clearly identified use type
☐	☒	DLC/GOV'T LOT

RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA PERMIT	POD/POA CLAIM	PERMITTED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
					AG 74 ¹ AC
			Pump 5.72 CFS		Devel. 69 ² AC

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
☐	☐	LETTER FOR CLARIFICATION	
☐	☐	DRAFT (PLEASE EXPLAIN)	
☐	☐	PROPOSED	
☐	☐	FINAL	
☐	☐	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW	
		☐ POA/POD/DAM TABLES/DESCRIPTIONS	☐ PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
☐	☐	SPELL CHECKED DOC	
☐		CERT NUMBER ISSUED	CERT #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW COMMENTS	
☐	☐	SPELL CHECKED DOC BEFORE FINAL CERTIFICATE PRINTED	

CASEWORKER REVIEW COMMENTS:

PEER REVIEWER COMMENTS:

STATE OF OREGON
COUNTY OF WASHINGTON
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION R-80211, PERMIT R-11750 TRIBUTARIES OF DAIRY CREEK

PURPOSE OR USE: AGRICULTURAL USE OF 74.1 ACRES

RATE/VOLUME OF USE: 8.02 CFS FROM LIVE FLOW AND 13.0 ACRE-FEET OF STORED WATER ONLY

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: April 21, 1995

POINT OF DIVERSION LOCATIONS: SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15, T1N, R3W, W.M.; RESERVOIR #2 - 100 FEET NORTH & 1000 FEET EAST; RESERVOIR #3 - 130 FEET NORTH & 1500 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 15; LIVE FLOW - 520 FEET WEST OF THE SE CORNER OF DLC 44

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 8.2 ACRES
NW 1/4 SW 1/4 6.2 ACRES
SW 1/4 SW 1/4 31.6 ACRES
SE 1/4 SW 1/4 27.3 ACRES
SECTION 15

SE 1/4 SE 1/4 0.8 ACRE
SECTION 16
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

SEE NEXT PAGE

Measurement, recording and reporting conditions:

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The permittee will be required to comply with state and federal water quality standards.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

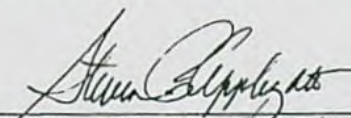
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

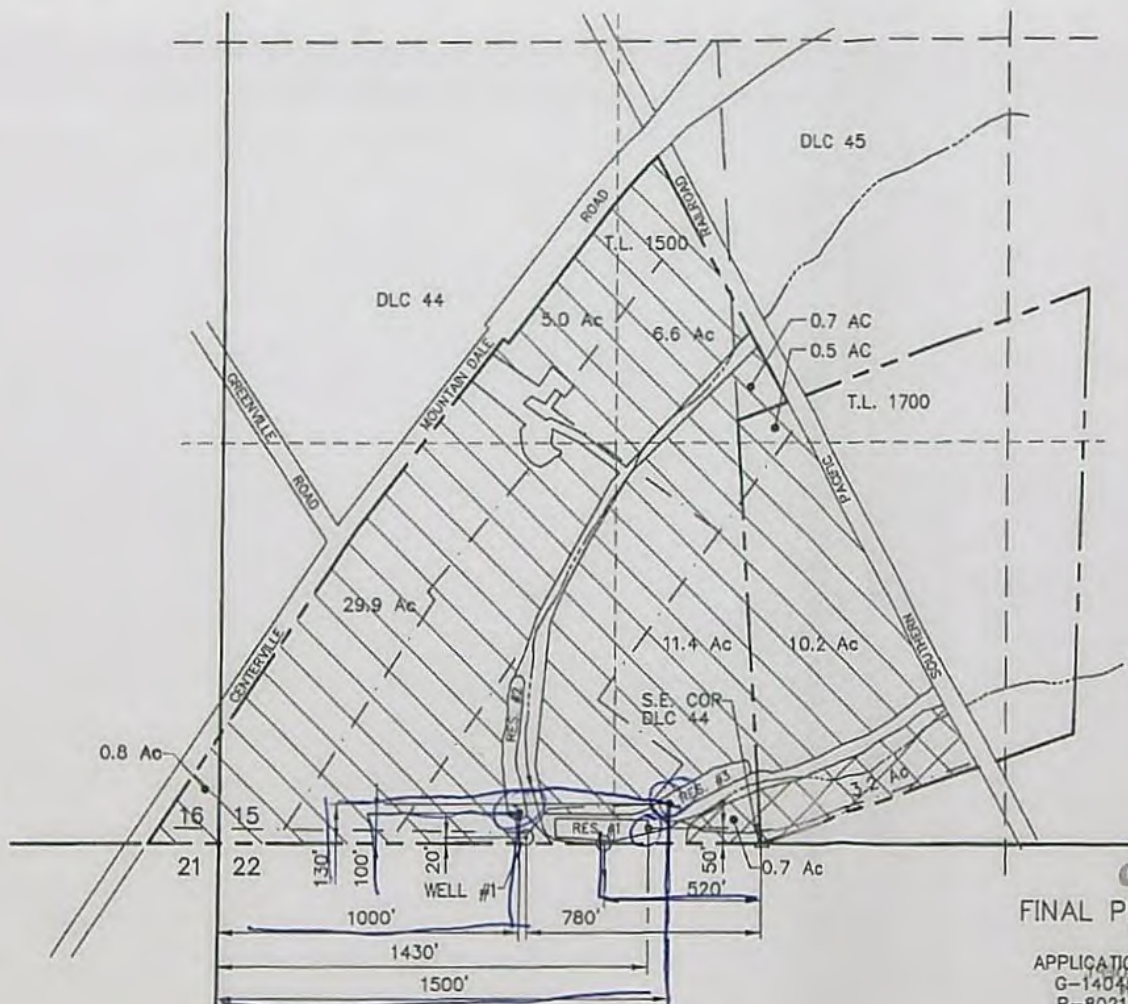
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued April 26, 1996


for Martha O. Pagel, Director
Water Resources Department

Certified Water Right Examiner
#133
W. Richard Verboort
W. Richard Verboort
Nov. 10, 1987
STATE OF OREGON



MAP BASE:
ASSESSORS MAP
TMD MAP

 A rectangular box filled with diagonal hatching lines from the top-left to the bottom-right.

AGRICULTURAL USE
PERMITS G-13030,
52052, R-11750

 IRRIGATION
PERMIT G-13030

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

FINAL PROOF SURVEY

APPLICATIONS	PERMITS
G-14045	G-13030
R-80211	R-11750
S-80212	52052

SURVEYED AUGUST 28, 2000

GLENN WALTERS NURSERY, INC.

P.O. BOX 280
BANKS, OR 97106

SHEFFLIN FARM

designed	WRV	08/2000
drawn	JER	08/2000
checked	WRV	08/2000
drawing no.	00-B-13	
sheet no.	1 / 1	

VERBOORT ENGINEERING
AGRICULTURE • CIVIL • WATER RESOURCES
HILLSBORO, OREGON

ODWR
w/ map

CLAIM OF BENEFICIAL USE
AND SITE REPORT

APPLICATIONS	PERMITS
G-14045	G-13030
S-80212	52052
R-80211	R-11750

INFORMATION

The permittee is Glenn Walters Nursery, Inc., P.O. Box 280, Banks, OR 97106. This nursery is referred to as the Shefflin nursery and is located as shown on the certificate map.

Mr. Jon Olson, Field Operations Manager, was interviewed on August 10th and 28th, 2000. He supplied information about the irrigation system, areas irrigated and water use. He assisted the CWRE in field checking the irrigated areas, locating the mainlines, obtaining information about the pump stations, measuring reservoir pump data while pumping (8-10) and operating the well pump (8-28).

The project area is an intensively managed container nursery. Water is used for irrigation and agricultural use.

SUMMARY

Groundwater has been used for development of 3.9 acres of irrigation and 69.0 acres of agricultural use. Surface water and stored water has been used for 69.0 acres of agricultural use. Reservoirs 2 and 3 have been constructed and have a combined storage of 10.8 acre feet.

The pump stations at reservoirs 2 and 3 can pump a combined rate of 5.72 cfs under normal sprinkler operating pressure.

The well can pump 180 gpm under normal sprinkler operating pressure and 230 gpm if pumped into the reservoirs for re pumping at the pump stations.

PURPOSE AND SOURCE

Permit G-13030 was issued for groundwater from one well in the Dairy creek basin. The permit was for 5.1 acres of irrigation and 74.1 acres of agricultural use.

Permits R-11750 and 52052 were issued for water from two unnamed drainage ways, tile drains, and reservoirs 2 and 3, all tributary to Dairy creek. The permits are for 74.1 acres of agricultural use.

RECEIVED

SEP 06 2000

WATER RESOURCES DEPT.
SALEM, OREGON

POINTS OF DIVERSION AND IRRIGATED AREA

The well location is the same as certificate 47972. The points of diversion (POD's) for the reservoirs are as located from a scaled photo purchased for this project. The pump stations (POD's) for reservoirs 2 and 3 are the same as the application map. The pump station (POD) for reservoir 1 has been changed to the east end of the lake to simplify the electrical and irrigation systems.

The mapped irrigated/agricultural use areas include the field container growing areas and also roadways and part of one building, where plants are stored and watered during shipping season.

It should be noted that reservoirs 2 and 3 fill from the unnamed drainage ways by flooding during the winter months. No additional diversion from the creek is used for these reservoirs. By doing this it is possible to maintain a higher water level in the reservoirs. This also allows all natural flows to bypass the reservoirs after the winter high water level drops.

SURVEY TIES

POD's were located as noted above and checked on a scaled color photo purchased for this project. The irrigated area was located in the same manner. This data was scaled onto a current assessors map. Reference to the section corner and DLC location data was obtained from the assessors map.

SYSTEM EQUIPMENT DATA

Buried PVC mainline is located as shown on the certificate map, and in other places not mapped (for clarity of the map). Field irrigation of containers is by semi-solid set laterals, generally PVC above ground pipe. Field irrigation is by 1/8"-diameter sprinklers spaced on 40'x40' centers, typically.

There are several acres of "hoop houses" on the nursery. These are covered with plastic during the colder parts of the year. At other times the covers are removed, leaving the "hoops" to support the irrigation system. Typically these are 1/8"-diameter overhead Nelson sprinklers on a 7.5'x10' foot spacing.

Each of the three ponds contains two 30 hp electric motors driving two centrifugal pumps. The well has a 20 hp electric submersible deep well turbine. Pump and motor data is as follows.

RECEIVED

SEP 06 2000

Pond #1

Two Marathon 30 hp electric motors, each with frame # 284JP. Two Berkeley centrifugal pumps, each model # B3ZTL. Operating pressure was 60 psi at the pumps.

This pond is covered under certificate 38605 for irrigation. The pond is also used for recovery of nursery runoff throughout the irrigation season. From a permit standpoint, its pump capacity does not "count" towards the rate permitted under 52052. Information is included as this is part of the overall system.

Pond #2

Two Marathon 30 hp electric motors, unable to read frame numbers. Two Berkeley centrifugal pumps, each model # B3ZTL. Operating pressure was 60 psi at the pumps.

Pond #3

Two Baldor 30 hp electric motors, each with frame # 284JP. Two Berkeley centrifugal pumps, each model # B3ZTL. Operating pressure was 60 psi at the pumps.

Groundwater water from the well can be pumped into any of the three ponds and then re-pumped to any point in the nursery. It can also be pumped directly to irrigate parts of the nursery, bypassing the ponds.

TVID

Water from Tualatin Valley Irrigation District can be discharged into any of the three ponds and then re-pumped to any point in the nursery, or applied directly under pressure provided by TVID.

COMPUTATIONS

Computations for storage capacity in reservoirs 2 and 3, for pump station capacities and well observations are attached. A copy of the flow rate test for the well, completed by Hillsboro Pump Service is also attached.

PERMIT CONDITIONS

R-11750

The pond areas and depths are as stated in the permit. Total storage is 10.8 acre feet.

A. A meter has not been installed. The reservoirs fill from high water during the winter months and there is no effective way to meter this flow. Other than this flooding, water is not diverted from the the unnamed drainage ways into reservoirs 2 and 3.

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SEP 06 2000

Water coming into reservoirs 2 and 3 from the tile lines is a mixture of drainage from rainfall and drainage from irrigation in the container nursery. The permittee is required by container nursery regulations and SB-1010 requirements to keep these flows out of public waters after May 1 each year.

Since the pump stations at reservoirs 2 and 3 continually recover and reuse water from the nursery, metering of these pumps would register multiple reuses of much of the same water. Such readings would not provide meaningful information.

B and C. Not applicable, see A.

A conduit/gate assembly is not required for off channel reservoirs (690-20-025(6)), ie reference to "instream".

Time requirements for construction and application have been met.

Permit 52052

A, B and C - see comments for R-11750.

Time requirements for construction and application have been met.

Permit G-13030

A. A Micrometer indicator/totalizer meter has been installed in the main pipeline near the well. It can meter flows going directly into the irrigation system or flows going to reservoirs 2 or 3 for re pumping.

B. The watermaster may have access to the meter with reasonable notice to the nursery manager.

C. This has not been required as of this time.

Static water levels for the well have been measured each year in March since the permit was issued, and reported to ODWR.

Time requirements for construction and application have been met.

The permittee will submit a more complete pump test, completed by others, as soon as the final data is available.

CERTIFICATION

The final proof survey and inspection of the use as found to be complete under the terms and conditions of Permits G-13030, 52052 and R-11750 was completed by me on August 24th, 2000.

RECEIVED

SEP 06 2000

WATER RESOURCES DIV
SALEM, OREGON

Certification, cont'd.

The facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

W. Richard Verboort, P.E.
Certified Water Rights Examiner



Glenn Walters Nursery, Inc. the permittee agrees to the findings of the CWRE and submits this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of our Permits G-13030, 52052 and R-11750.

Jon Olson, Field Operations Manager

Ben Rough, General Manager,
Glenn Walters Nursery, Inc.

date

9/5/00

date

ATT: 2-pages computations, 1-page well discharge data

RECEIVED

SEP 06 2000

WATER RESOURCES DEPT.
SALEM, OREGON

CERT FOR PERMITS 52052, R-11750 & G 13030

CKS W/ 1"=200'
PHOTO

VOLUME POND 2

FIELD MEASUREMENT 485' x 57' (0.63 AC)

DEPTH = 9' EST side slopes 0.5:1

$$\frac{485 \times 57 + 476 \times 48}{2} \times \frac{9}{43560} = \underline{5.22 \text{ AF}}$$

VOLUME POND 3

CKS W/ 1"=200'
PHOTO

FIELD 360' x AVE W = 80' (0.66 AC)

DEPTH = 9' EST side slope = 0.5:1

$$\frac{360 \times 80 + 351 \times 71}{2} \times \frac{9}{43560} = \underline{5.55 \text{ AF}}$$

$$\text{TOTAL} = \underline{10.77 \text{ AF}}$$

ROUND TO 10.8 AF

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WATER RESOURCES DEPT.
SALEM, OREGON

PUMP CAPACITY

PONDS 2-30 HP EACH

PONDS 2 & 3, 2x2x30 = 120 HP

PRESSURE AT PUMPS WHEN OPERATING
ON 840-00 = 60 PSI, ALL PUMPS



PUMPS, CONT'D

$$60 \text{ PSI} \times 2.31 = 138.6' \text{ head}$$

$$120 \text{ hp} = \frac{62.4 \times Q \times 138.6}{550 \times 0.75} = \underline{5.72 \text{ cfs}}$$

WELL PUMP

AS OBSERVED ON 8-28-00 APPROXIMATELY
1/2 HOUR AFTER 4 HOUR PUMP DOWN
TEST (by OTHERS)

well directly into Pond = 230 gpm

well directly into distribution (sprinkler)
system, 175-180 gpm with 60 PSI AT
well head.

NOTE

POND #1 has a PUMP CAPACITY of
2.86 cfs. THIS POND IS COVERED UNDER
Certificate 38605 for irrigation. POND #1
IS ALSO USED as a recycle POND.

RECEIVED

SEP 06 2000

WATER RESOURCES DEPT.
SALEM, OREGON



$$5.72/2 =$$



Hillsboro
Pump
& Service

PIPE & SUPPLY

598 BASELINE • CORNELIUS • 357-4217

FAX No. 357-3903

Date: 8-28-00

Name: Glenn Walters Nursery

Address: Schefflin Rd

City, State,
& Zip: _____

Location: Cornelius Schefflin Rd

Cornelius OR 97113

60 PSI

BRAD
by Phone
8-30-00

Time:

09:00	A m	180	G.P.M.
09:15	A m	180	G.P.M.
09:30	A m	180	G.P.M.
09:45	A m	180	G.P.M.
10:00	A m	180	G.P.M.
10:15	A m	180	G.P.M.
10:30	A m	180	G.P.M.
10:45	A m	180	G.P.M.

Time:

11:00	A m	180	G.P.M.
11:15	A m	180	G.P.M.
11:30	A m	180	G.P.M.
11:45	A m	180	G.P.M.
12:00	P m	180	G.P.M.
12:15	P m	180	G.P.M.
12:30	P m	180	G.P.M.
12:45	P m	180	G.P.M.

Comments: _____

Tester: Jim Rainwater

Official Signature: Brad Puri

RECEIVED

SEP 06 2000

WATER RESOURCES DEPT.
SALEM, OREGON



Hillsboro
Pump
Service

PIPE & SUPPLY

598 BASELINE-CORNELIUS-357-4217

FAX No. 357-3903

Date: 8-31-00

Name: Glenn Walters Nursery

Address: Cornelius Schefflin Rd

City, State,
& Zip: _____

Location: Cornelius Schefflin Rd

Cornelius, Or. 97113

Static Time: Before Pump run 31'

<u>09</u> : <u>30</u> <u>A</u> m	<u>210</u> <u>70'</u> G.P.M.
<u>09</u> : <u>45</u> <u>A</u> m	<u>210</u> <u>76'</u> G.P.M.
<u>10</u> : <u>00</u> <u>A</u> m	<u>210</u> <u>81'</u> G.P.M.
<u>10</u> : <u>15</u> <u>A</u> m	<u>200</u> <u>85'</u> G.P.M.
<u>10</u> : <u>30</u> <u>A</u> m	<u>200</u> <u>87'</u> G.P.M.
<u>10</u> : <u>45</u> <u>A</u> m	<u>200</u> <u>89'</u> G.P.M.
<u>11</u> : <u>00</u> <u>A</u> m	<u>200</u> <u>91'</u> G.P.M.
<u>11</u> : <u>15</u> <u>A</u> m	<u>200</u> <u>92'</u> G.P.M.

Time:

<u>11</u> : <u>30</u> <u>A</u> m	<u>190</u> <u>92'</u> G.P.M.
<u>11</u> : <u>45</u> <u>A</u> m	<u>190</u> <u>92'</u> G.P.M.
<u>12</u> : <u>00</u> <u>P</u> m	<u>190</u> <u>92'</u> G.P.M.
<u>12</u> : <u>15</u> <u>P</u> m	<u>190</u> <u>92'</u> G.P.M.
<u>12</u> : <u>30</u> <u>P</u> m	<u>190</u> <u>92'</u> G.P.M.
<u>12</u> : <u>45</u> <u>P</u> m	<u>190</u> <u>92'</u> G.P.M.
<u>01</u> : <u>00</u> <u>P</u> m	<u>210</u> <u>92'</u> G.P.M.
<u>01</u> : <u>15</u> <u>P</u> m	<u>210</u> <u>90'</u> G.P.M.

Comments: static Before startup 31'
static After startup 70'

Tester: Jim

Official Signature: _____

RECEIVED

SEP 06 2000

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

January 24, 2017

Munger Hortifrut North America, LLC
786 Road 188
Delano, California 93215

Reference: Application S-84961, Permit S-53878 – Application G-16456, Permit G-16176
Application S-80212, Permit S-52052 – Application R-80211, Permit R-11750
Application G-14045, Permit G-13030 – Application GR-3583, Registration GR-3292
Application GR-3582, Registration GR-3291 – Application GR-3581, Registration GR-3290
Transfer T-8919

The assignment from Hortifrut Imports Inc. c/o Sarbanand Enterprises, LLC to Munger Hortifrut North America, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Munger Hortifrut North America, LLC as the permit, registration and transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 122381 covering the recording fee is also enclosed.

These are not perfected water rights, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review them to be familiar with the conditions and timelines contained in therein.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 122381

cc: Watermaster 20
Sarbanand Enterprises, LLC
GSI - Corvallis
Data Center, OWRD (cover letter & request)
Files



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

1. Hortifrut Imports, Inc., c/o Sarbanand Enterprises, LLC

(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

7375 Northwest Roy Road

Cornelius OR 97113

(Mailing Address)

(City)

(State) (Zip)

(Phone #)

☒ hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;

☐ hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)

☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # S-80212

; Permit # S-52052

; Transfer #

-OR-

License #

; GR Statement #

; GR Certificate of Registration #

As filed in the office of the Water Resources Director, to:

Munger Hortifrut North America, LLC

(Name of New Owner)

786 Road 188

Delano

CA 93215

(661) 725-6458

(Mailing Address)

(City)

(State) (Zip)

(Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 15th day of DECEMBER, 20 16.

Applicant/Permit Holder

Applicant/Permit Holder

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 122381
For Director by Jerry Saucedo, Program Analyst in Water Rights Division

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$85.

RECEIVED BY OWRD

JAN 18 2017

SALEM, OR

Last updated: July 19, 2013

Request for Assignment

WR

7/19/2017
ASL
JS



Water Solutions, Inc.

January 11, 2017

Jerry Sauter
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Requests for Assignments for Nine Water Rights in the Name of Hortifrut Imports Inc. c/o Sarbanand Enterprises, LLC to Munger Hortifrut North America, LLC.

Dear Mr. Sauter,

Hortifrut Imports, Inc. recently conveyed properties and associated water rights to Munger Hortifrut North America, LLC. Nine water rights are currently associated with the property that was conveyed: Permits S-52052, S-53878, G-16176, G-13030, R-11750, Transfer T-8919, and Groundwater Registrations GR-3581, GR-3582 and GR-3583. Each of these rights is currently in the name of Hortifrut Imports, Inc. c/o Sarbanand, LLC.

I am enclosing a Request for Assignment by Proof of Ownership form for each of the above-described water rights, which request an assignment of the rights to Munger Hortifrut North America, LLC. Also enclosed is the deed for the properties showing the conveyance from Hortifrut Imports, Inc. to Munger Hortifrut North America, LLC., and a check in the amount of \$765. (\$85 x 9)

Please do not hesitate to call me at 541-753-0933 with questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ingria Jones", is written over a horizontal line.

Ingria Jones
Water Resources Specialist Intern

Enclosures: Requests for Assignments (9)
Check in the amount of \$765

RECEIVED BY OWRD

JAN 18 2017

SALEM, OR

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **122381**

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

INVOICE # _____

RECEIVED FROM: Munger Hortifruit
BY: North America, LLC

APPLICATION	*See below
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 1054 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 765.00

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	1. S-52052	46111 ← 9@85.00	\$
0410 RESEARCH FEES	2. S-53878		\$
0408 MISC REVENUE: (IDENTIFY)	3. G-16176		\$
TC162 DEPOSIT LIAB. (IDENTIFY)	4. G-13030	Assignment	\$
0240 EXTENSION OF TIME	5. R-11750		\$
	6. GR-3581		\$
	7. GR-3582		\$
	8. GR-3583		\$
	9. T-8919		\$
WATER RIGHTS:			RECORD FEE
0201 SURFACE WATER		0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		
WELL CONSTRUCTION			LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	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: **122381**

DATED: 1/18/17 BY: C. W. H. H. H.



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

Request for Assignment

RECEIVED BY OWRD
APR 21 2016
SALEM, OR

If for multiple rights, a separate form and fee for each right will be required.

I, Glenn Walters Nursery, Inc.

(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

7375 Northwest Roy Road

Cornelius

Oregon 97113

503-693-1125

(Mailing Address)

(City)

(State) (Zip)

(Phone #)

☒ hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;

☐ hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)

☐ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # S 80212; Permit # S 52052; Transfer # _____

-OR-

License # _____; GR Statement # _____; GR Certificate of Registration # _____

As filed in the office of the Water Resources Director, to:

Hortifrut Imports, Inc., c/o Sarbanand Enterprises, LLC

(Name of New Owner)

7375 Northwest Roy Road

Cornelius

OR 97113

(Mailing Address)

(City)

(State) (Zip)

(Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 14 day of 04, 20 16.

Applicant/Permit Holder Pat Blake

Applicant/Permit Holder _____

FILED
J3 4/21/2016

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 19359

For Director by Jerry Sauer, Program Analyst in Water Rights Division

The completed "Request for Assignment" form **must** be submitted to the Department along with the recording fee of \$85.

Last updated: July 19, 2013

Request for Assignment

WR



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

April 25, 2016

GSI Water Solutions, Inc.
147 SW Shevlin Hixon Drive, Suite 201
Bend, Oregon 97702

Reference: Application R-80221, Permit R-11750 – Application S-80212, Permit S-52052
Application G-14045, Permit G-13030 – Application G-16456, Permit G-16176
Application S-84961, Permit S-53878 – Application GR-3583, Registration GR-3292
Application GR-3582, Registration GR-3291 – Application GR-3581, Registration GR-3290
Transfer T-8919

The assignment from Glenn Walters Nursery, Inc. to Hortifrut Imports, Inc. c/o Sarbanand Enterprises, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Hortifrut Imports, Inc. c/o Sarbanand Enterprises, LLC as the permit, registration and transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 119559 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit(s) to be familiar with the conditions and timelines contained in the permit(s).

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 119559

cc: Watermaster 18
Glenn Walters Nursery
Hortifrut Imports, Inc.
Data Center, OWRD (cover letter & request)
Hydrographics
File

RECEIVED BY OWRD

APR 21 2016

SALEM, OR



Pat Blake

Chief Executive Officer

Office: (503) 716-1910
Fax: (503) 616-9010
pat.blake@gwnursery.com



7375 NW Roy Road
Cornelius, OR 97113
Toll Free: (866) 776-0774
www.gwnursery.com

Application # S-8012 Permit # S-52052

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

♦ **WRIG...**

Money Received on: 7-16-15

♦ **Extension Specialist...**

☐ Added to tracking spreadsheet

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

♦ **Codi Holmes...**

☒ Publish on Public Notice (initial 30-day comment): Date of notice 7-28-15

☒ Update WRIS Database

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

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

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **116608**

INVOICE # _____

RECEIVED FROM: Glenn Walters

BY: Nursery, Inc.

CASH: ☐ CHECK # 1000011042 OTHER: (IDENTIFY) ☐

APPLICATION S-80212

PERMIT _____

TRANSFER _____

TOTAL REC'D \$ 575.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ 575.00

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

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:

116608

DATED:

7/16/15

BY:

Main Andr

CHECK NO: 1000011042

PAYMENT DATE: 7/13/2015

VENDOR ID: VENDOR NAME:

OREG011 OREGON WATER RESOURCES DEPARTM

INVOICE NUMBER	INV DATE	BALANCE	DISCOUNT	INVOICE AMOUNT
G-071315	7/13/2015	\$575.00	\$0.00	\$575.00

TOTALS	\$575.00	\$0.00	\$575.00
--------	----------	--------	----------

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Extension PFO Checklist for Other than Muni or Quasi-Municipal

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

Application: S-80212 Permit: S-8 ⁵²⁰⁵² Permit Amendment? No ☒ Yes ☐ T- ☐ pending ☐ approved

Permit Holder's Name: Glen Walters Nursery, Inc

7375 NW Roy Rd
Attn: PAT BLAE
Cornelius, OR 97113

Permit Holder's Mailing Address: _____ email _____

Phone Number: 503-693-1125

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

Drainage Basin: 2 County: Washington Watermaster District: 18 Watermaster: Jack Constans
Mike McCor d

Date Permit was issued: April 26, 1996 Priority Date: April 21, 1995 Date of PN: 7-28-15

Source: two unnamed drainage ways, T. Le Drain and two unnamed Reservoirs
to be constructed under Application R-80211, Permit R-11750,

Use: Tributaries of Dairy Creek

"Q": 8.02 cfs from line flow and 13.0 Acre-Feet of stored way

Orig "A" Date: April 26, 1997 ✓ Orig "B" Date: 10/1/98 Orig "C" Date: 10/1/99

Extension request rec'd: July 16, 2015 Last Authorized "B" Date: 10/1/ Last Authorized "C" Date: 10/1/

Request Number (1, 2, 3...): 1 Proposed "B" Date: 10/1/2020 Proposed C Date: 10/1/2020

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☐	☐	meter after C date
☐	☒	submit water usage report
☐	☐	
☐	☐	PFO 9-1 Protest 10-16 FO 10-30
☐	☐	

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

Yes No

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

• Amount Invested to date: \$ 20,925 Estimated Remaining Cost: \$ _____

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

• Permit holder has beneficially used 3.27 ☒ cfs ☐ gpm ☐ af of the total permitted quantity of water on 45 acres
13 Af

GW REVIEW: Y ☒ MM
MITIGATION REVIEW: Y ☒ MM

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

29.1 remaining

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

Identify the closest surface water or localized water basin. _____
Ground Water Permits: Is the POA located...
Surface Water Permits: Is the POD located... Dairy Creek

- Yes No
- ☐ ☒ above a state scenic waterway? Name _____ Source: OWRD "Areas Above State Scenic Waterways" Map
- ☐ ☒ within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- ☒ ☐ within a sensitive, threatened or endangered species area Source: "/>gisdata/dev/projects/salmon/div33map.aml"
- ☐ ☒ within a critical or limited Ground Water Area? Name of area _____
- ☐ ☒ within a Withdrawn Area? Name of area _____
- ☐ ☒ in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- ☒ ☐ within an area ranking ☐ low / ☐ moderate / ☒ high / ☐ highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

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

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

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

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

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

☒ 5-year Progress Report Checkpoints (Years: July 1, 14
2020)

☐ Other: _____

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

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

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

☒ COBU Requirement - Surface Water - post July 9, 1987

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

☐ COBU Requirement - Ground Water - post July 9, 1987

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

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____

Reviewer's Name: M Bamberg-ek Date: 7-20-15



Oregon
Kate Brown, Governor

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

July 21, 2015

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: S-80212 (Permit S-52052)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

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

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

If you have questions concerning your extension of time application, please contact Machel Bamberger at (503) 986-0802. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.



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

Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

I, GLENN WALTERS NURSERY
NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

the holder of: Application Number 5-80212 Permit Number 5-52052 [OAR 690-315-0020(3)(b)]

****A separate application must be submitted for each permit as per OAR 690-315-0020(2). ****

7375 NW ROY RD
MAILING ADDRESS

CORNELIUS, OR 97113
CITY, STATE, ZIP

503-693-1125
PHONE

PAT.BLAKE@GWNURSERY.COM
E-MAIL ADDRESS

X I do hereby request that the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month 7 Day 15 Year 2015, be extended through October 1, Year 2016

Please Note. If the permit does specify a date when **construction** must be **completed**, you should request to extend both the time to apply water to full beneficial use **and** to complete construction. These dates are typically found on the permit above the signature of the Director.

and

☒ do hereby request that the time to complete construction of the water system, which now expires on Month 7 Day 15 Year 2015 be extended through October 1, Year 2020

Sign after completing the entire application, questions 1-11.

I am the permit holder, or have attached to this application written authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension. I have completed the entire application.

Signature

Date

Printed Name/Title

CEO

RECEIVED BY OWRD

MAIL COMPLETED and SIGNED APPLICATION with the \$575 STATUTORY FEE TO:

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

Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **\$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (using the link to the Water Rights Information System (WRIS). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (copy fees will apply).
- **Documentation** which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is at the following link: <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.
- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.
- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).
- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

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Questions to Complete this Application for Extension of Time

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

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

1. Did the "actual construction" of the water system/well drilling begin within the time specified in the permit? ☒ Yes ☐ No ☐ N/A, if not specified in this permit

Date "actual construction" began is: 1996

Describe details of construction: N/A

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

- 2-A. Please Describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].

TIP: The instruction sheet explains which typical conditions must be addressed here.

Condition Number: Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.

CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied
	4-3-15	INSTALLED METEERING DEVICES
	4-18-15	INSTALLED STAFF GAUGES

- 2-B. If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.

CHART-B

Condition Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
		HAD NO KNOWLEDGE OF THIS ISSUE
		SO AT THIS TIME EVERYTHING HAS BE
		COMPLETED. WE STILL NEED TO REPORT
		USAGE TO WATER RESOURCES DEPT FOR THE
		1-2 YRS THEN WE SHOULD BE IN COMPLIANCE

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

- 3-A. Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the original permitted time period.

CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

CHART-C

DATE	LIST & DESCRIBE WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED	COST*
9-6-2000	SURVEY COST	\$2500.00
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE FOR COMPLETE APPLICATION OF WATER	COST*
4-26-96	Date the permit was signed - find date above signature on last page of permit.	
	COMPLETED LAKES	\$18,000.00
4-26-97	Date the permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date.	
	BEGAN CONSTRUCTION	
10/1/98	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	
DATE	LIST & DESCRIBE WORK ACCOMPLISHED AFTER DATE FOR COMPLETE APPLICATION OF WATER UP TO NOW Complete if this is your first request for extension of time.	COST*
1999	NEW OWNERSHIP	
4/3/2015	INSTALLED METER	\$2500.00
4/18/2015	STAFF METERS	\$125.00
*Total Cost for Chart-C		

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

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JUL 16 2015

Page 4

SALEM, OR

IF this is your first Application for an Extension of Time, write NA in Chart D below and proceed to question 4 at the bottom of this page.

- 3-B) Provide evidence of physical progress made toward completion of the water system and progress toward making beneficial use of water within the most recent extension period.

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

CHART-D

DATE	LIST AND DESCRIBE WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD	COST*
N/A	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	
DATE	LIST AND DESCRIBE WORK ACCOMPLISHED AFTER THE LAST EXPIRED EXTENSION PERIOD UP TO NOW	COST*
N/A		
Total Cost of Chart-D		

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

4. ☒ [OAR 690-315-0020(3)(f)]
Cost of project to date: _____
 (The total combined cost from CHART-C and CHART-D)

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SALEM, OR

5. Provide evidence of the maximum rate (or duty, if applicable) of water actually diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.

TIP: Report the rate used to date in the same units of measurement as specified in the permit. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

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

Maximum measured rate used to date = 3.02 cfs (cubic feet per second)

or

Maximum measured rate used to date = 115 gpm (gallons per minute)

or

Acre-feet stored to date = 13 AF

5-B) For Ground Water Permit Extensions (e.g. G-XXXX):

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

CHART-E

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					If yes, provide the Permit, Certificate, or Transfer No.
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment? (See 5-C below)	Maximum measured rate used from this well -- under this permit only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	- -
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	- -
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	- -
		Yes ☐ No ☐			Yes ☐ No ☐		Yes ☐ No ☐	- -
Total measured rate from all wells utilized under this permit								

- 5-C) If the drilled location of a well is not authorized on this permit, please specify its location below, or provide a map showing its location. Has or will a Permit Amendment Application been/be filed? Yes ☐ No ☐

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

Well # _____: Actual location: _____

Well # _____: Actual location: _____

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SALEM, OR

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

6. Provide the total number of acres actually irrigated to date under this permit (if any).

Surface Water Permits: I have applied water to 48 acres for irrigation to date.

Ground Water Permits: I have applied water to 10 acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well # _____ Acres _____ Well # _____ Acres _____

Well # _____ Acres _____ Well # _____ Acres _____

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

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

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
	METERS	
	WATER USAGE	
	FULLY DEL	
	APPLY WATER TO REMAINING ACREAGE	
Year:	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	Estimated remaining total cost to complete the water development: [OAR 690-315-0020(3)(g)]	

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

9. Describe the reasons why the water development was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

9-A) Is the project of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit? If yes, describe.

NO

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JUL 16 2015

SALEM, OR

- 9-B) Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

NO

- 9-C) Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

NO

- 9-D) Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

YES THERE HAS BEEN A COUPLE CHANGES
OF OWNERSHIP IN THE PAST YEARS SO THE PAPER
WORK WAS NOT PASSED ON TO THE NEW OWNERS. ALSO
WE JUST GOT NOTIFICATION ON MARCH OF 2015 FOR THESE
[OAR 690-315-0020(3)(k)] REPAIRS

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time. Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

EXTENDED THE DATE

THE PROPERTY IS CURRENTLY FOR SALE SO WE
WOULD LIKE SOME TIME FOR NEW OWNERS TO GET THE
RATES + ACREAGE CORRECT FOR THEIR USAGE

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

WE ARE WORKING TO KEEP THESE WATER
RIGHTS IN ORDER TO KEEP VALUE FOR THE
PROPERTY

Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

RECEIVED BY OWRD

JUL 16 2015

SALEM, OR

STATE OF OREGON
COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION R-80211, PERMIT R-11750 TRIBUTARIES OF DAIRY CREEK

PURPOSE OR USE: AGRICULTURAL USE OF 74.1 ACRES

RATE/VOLUME OF USE: 8.02 CFS FROM LIVE FLOW AND 13.0 ACRE-FEET OF STORED WATER ONLY

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: April 21, 1995

POINT OF DIVERSION LOCATIONS: SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15, T1N, R3W, W.M.; RESERVOIR #2 - 100 FEET NORTH & 1000 FEET EAST; RESERVOIR #3 - 130 FEET NORTH & 1500 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 15; LIVE FLOW - 520 FEET WEST OF THE SE CORNER OF DLC 44

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 8.2 ACRES
NW 1/4 SW 1/4 6.2 ACRES
SW 1/4 SW 1/4 31.6 ACRES
SE 1/4 SW 1/4 27.3 ACRES
SECTION 15

SE 1/4 SE 1/4 0.8 ACRE
SECTION 16

TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

SEE NEXT PAGE

Application S-80212 Water Resources Department

PERMIT 52052

Measurement, recording and reporting conditions:

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The permittee will be required to comply with state and federal water quality standards.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

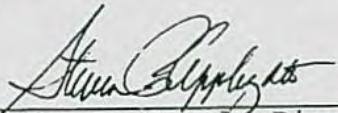
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued April 26, 1996


for Martha O. Pagel, Director
Water Resources Department

Application S-80212 Water Resources Department
Basin 02 Volume 20 DAIRY CREEK & MISC. & WELLS
MGMT CODE 3EW

PERMIT 52052
District 18

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit R-52052, Water Right Application R-80212)PROPOSED FINAL ORDER
in the name of Glenn Walters Nursery)

Permit Information

Application:	S-80212
Permit:	S-52052
Basin:	18 – Lower Willamette / Watermaster District 18
Date of Priority:	April 21, 1995
Source of Water:	Two unnamed drainage ways, tile drain and two unnamed reservoirs to be constructed under application R-80211, Permit R-11750, tributaries of Dairy Creek
Purpose of Use:	Agricultural use of 74.1 Acres
Maximum Rate:	8.02 cubic feet per second (cfs) from live flow and 13.0 Acre-Feet (AF) of stored water only

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

In summary, the Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 1998 to October 1, 2020.
- Grant an extension of time to apply water to full beneficial use from October 1, 1999 to October 1, 2020.¹
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

¹ Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use.

ACRONYM QUICK REFERENCE

Department – Oregon Water Resources Department

PFO – Proposed Final Order

cfs – cubic feet per second

gpm – gallons per minute

AF – acre-feet

AUTHORITY

Generally, see ORS 537.230 and OAR Chapter 690 Division 315.

ORS 537.230(3) provides in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

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

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

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

FINDINGS OF FACT

Background

1. Permit S-52052 was issued by the Department on April 26, 1996. The permit authorizes the use of up to 8.02 cfs of water from live flow and 13.0 AF of stored water from the two unnamed drainage ways, tile drain and two unnamed reservoirs to be constructed under application R-80211, Permit R-11750, tributaries of Dairy Creek, for irrigation of 74.1 acres. The permit specified actual construction was to begin by April 26, 1997, construction of the water system was to be completed by October 1, 1998, and complete application of water was to be made on or before October 1, 1999.

2. The permit holder, Glenn Walters Nursery, Inc., submitted an "Application for Extension of Time" to the Department on July 16, 2015, requesting the time to complete construction of the water system extended from October 1, 1998 to October 1, 2020 and the time to apply water to full beneficial use under the terms of Permit S-52052 be extended from October 1, 1999 to October 1, 2020. This is the first permit extension requested for Permit S-52052.
3. Notification of the Application for Extension of Time for Permit S-52052 was published in the Department's Public Notice dated July 28, 2015. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230², 537.248³ and/or 539.010(5)⁴.

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

4. On July 16, 2015, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

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

5. Actual construction of the water system began prior to the April 26, 1997 deadline specified in the permit. According to the permit holder, construction of the water delivery system began April 26, 1996.

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

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

6. As of July 16, 2015, the permit holder states the remaining work to be completed consists of completing construction of the water system; meeting all permit conditions; and applying water to full beneficial use, by appropriating the full rate of 8.02 cfs authorized by Permit S-52052 on the remaining 29.1 acres.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2020, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit S-52052 is both reasonable and necessary.

²ORS 537.230 applies to surface water permits only.

³ORS 537.248 applies to reservoir permits only.

⁴ORS 539.010(5) applies to surface water and ground water permits.

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

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

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

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

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

8. The permit holder states work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Actual construction of the water system began prior to the April 26, 1997 deadline specified in the permit. Construction began April 26, 1996.
 - b. Work was completed during the original development time frame under Permit S-52052. The permit holder states the two reservoirs were constructed.
 - c. Since October 1, 1999, the permit holder has installed meters and staff gauges.

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

9. According to the water user a maximum rate of 3.27 cfs of water from live flow and 13.0 AF from stored water has been appropriated for irrigation of 45.0 acres.
10. Beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied by October 1, 1999.

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

11. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the required annual reports of the amount of water used each month have not been received by the Department.
 - b. Beneficial use of water under this permit, therefore, has not yet been demonstrated. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

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

12. As of July 16, 2015, the permit holder states they have invested approximately \$20,925, which is the total projected cost for complete development of this project.

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

13. The Department has found good faith of the appropriator under Permit S-52052.

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

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

14. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit S-52052; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The points of diversion are tributaries of Dairy Creek, and are not located within a Withdrawn Area. Dairy Creek is not located within or above a state or federal scenic waterway, however, it is located within an area ranked "High" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The points of diversion are not in a location listed by the Department of Environmental Quality as a water quality limited stream.
15. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
16. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

- a. None have been identified.
17. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

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

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

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

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

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

20. According to the permit holder, unforeseen events extended the length of time needed to fully develop and perfect Permit S-52052, in that the permit holders were faced with ownership changes and incomplete paperwork, which restricted their ability to complete development of the project in a timely manner.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230(3).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.230 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2020⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that

⁵Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

the applicant has shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

6. As required by OAR 690-315-0050(6) and as described in Finding 17, above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit S-52052.

Continued on the following page

PROPOSED ORDER

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

Extend the time to complete construction of the water system under Permit S-52052 from October 1, 1998 to October 1, 2020.

Extend the time to apply water to beneficial use under Permit S-52052 from October 1, 1999 to October 1, 2020.

Subject to the following conditions:

CONDITIONS

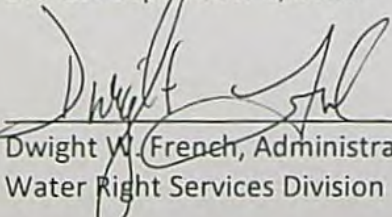
1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by July 16, 2020. *A form will be enclosed with your Final Order.*

(a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

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

DATED: September 1, 2015


Dwight W. French, Administrator
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **October 16, 2015**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active Duty servicemembers have a right to stay these proceedings under federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-7500 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.of.mil>

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- If you have any questions about statements contained in this document, please contact Corey A Courchane at (503) 986-0825.
 - 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 : Water Right Services Division
 725 Summer St NE, Suite A
Fax: 503-986-0901 Salem, OR 97301-1266
-

Mailing List for Extension PFO Copies

PFO Date: September 1, 2015

Copies Mailed

Application: S-80212

By: BO

Permit: S-52052

On: 9/1/15

Original mailed to Applicant:

Glenn Walters Nursery
7375 NW Roy Rd
Cornelius, OR 97113

Copies sent to:

1. WRD - App. File S-80212/ Permit S-52052

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving via e-mail (10 AM Tuesday of signature date)

(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 18, Jake Contans

CASEWORKER: CAC

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit S-52052, Water Right Application S-80212)FINAL ORDER
in the name of Glenn Walters Nursery)

Permit Information

Application:	S-80212
Permit:	S-52052
Basin:	18 – Lower Willamette / Watermaster District 18
Date of Priority:	April 21, 1995
Source of Water:	Two unnamed drainage ways, tile drain and two unnamed reservoirs to be constructed under application R-80211, Permit R-11750, tributaries of Dairy Creek
Purpose of Use:	Agricultural use of 74.1 Acres
Maximum Rate:	8.02 cubic feet per second (cfs) from live flow and 13.0 Acre-Feet (AF) of stored water only

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.230 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit S-52052 was issued by the Department on April 26, 1996. The permit called for actual construction to begin by April 26, 1997, completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. On July 16, 2015, Glenn

Walters Nursery submitted to the Department an Application for Extension of Time for Permit S-52052. In accordance with OAR 690-315-0050(2), on September 1, 2015, the Department issued a Proposed Final Order proposing to extend the time to complete construction from October 1, 1998 to October 1, 2020 and the time to apply water to full beneficial use from October 1, 1999 to October 1, 2020. The protest period closed October 16, 2015, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings in the Proposed Final Order dated September 1, 2015.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **July 16, 2020**. *A form is enclosed with this Final Order.*

(a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

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

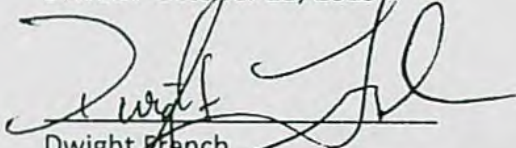
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application S-80212, Permit S-52052, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 1998 to October 1, 2020. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1999 to October 1, 2020.

DATED: October 23, 2015



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

Mailing List for Extension FO Copies

FO Date: October 23, 2015

Copies Mailed

Application: S-80212

By: KF

Permit: S-52052

On: 10/23/15

Original mailed to permit holder

Glenn Walters Nursery
Attn: Pat Blake
7375 NW Roy Rd
Cornelius, OR 97113

Copies sent to:

1. WRD - App. File S-80212/ Permit S-52052

Fee paid as specified under ORS 536.050 to receive copy:

2. None

Receiving notification via e-mail FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

3. WRD - Watermaster District 18, Jake Contans

If Progress Reports are included:
(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by CC Date 10-22-15

CASEWORKER: CAC

CLARK Gerry E

From: CLARK Gerry E
Sent: Monday, June 15, 2015 10:54 AM
To: 'Steve Howard'
Subject: RE: S-83833 Permit # S-53552 and S-80212 Permit # S-52052

Steve,

I looked at the cart where I store files that we have sent provided for additional time for permit holders to respond to proposed cancellation orders. Here is the status of four files that we have on hold for the Nursery along with the current hold dates:

Application R-80211, Permit R-11750	On hold to June 15, 2015
Application S-80212, Permit S-52052	On hold to June 15, 2015
Application S-80141, Permit S-52051	On hold to June 15, 2015
Application S-83833, Permit S-53552	On hold to July 1, 2015

In order to ensure that you have time to respond to all the above files, and in order to make them easier to track, I decided to extend the time to respond on all four of the above listed files until sometime after July 15, 2015.

If you have any concerns, or additional questions, please feel free to contact me.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Steve Howard [<mailto:steve.howard@gwnursery.com>]
Sent: Monday, June 15, 2015 9:20 AM
To: 'CLARK Gerry E'
Subject:

Good morning Gerry wondering if we can get two more weeks to get all of the permits problems taken care of on the Glenn Walters Nursery . I know you gave us till June 15th but I am still having contact problems with ODFW.I talked to the gentleman two weeks ago and still nothing yet . So today I have talked to his boss and we will see were that goes. He said that they are under staffed, and really busy but he will put attention himself to this matter.

App # S-83833 Permit # S-53552

Also for permit # S-52052 we are installing meters in the ponds next week , so could you give us two more weeks on this one also . All of these projects should be completed next week.

CLARK Gerry E

From: CLARK Gerry E
Sent: Tuesday, April 14, 2015 8:13 AM
To: 'Steve Howard'
Cc: Pat Blake
Subject: RE: extensions request

Steve,

Per your request, we will delay any further action until sometime after June 15, 2015, for this file also.

Please let me know if you have any questions.

Gerry

From: Steve Howard [<mailto:steve.howard@gwnursery.com>]
Sent: Tuesday, April 14, 2015 7:20 AM
To: 'CLARK Gerry E'
Cc: Pat Blake
Subject: RE: extensions request

I forgot to add one , could we do this one to.

App # S-80212
Permit # 52052

Thanks Steve

From: CLARK Gerry E [<mailto:gerald.e.clark@state.or.us>]
Sent: Monday, April 13, 2015 3:59 PM
To: Steve Howard
Subject: RE: extensions request

Steve,

Per your request, we will delay any further action until sometime after June 15, 2015.

Please let me know if you have any questions.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Steve Howard [<mailto:steve.howard@gwnursery.com>]

Sent: Monday, April 13, 2015 7:27 AM

To: CLARK Gerry E

Subject: extensions request

Good morning Gerry, I would like to know if I could get extensions on a couple more ?

App # S-80141 permit # S-52051 on this one still waiting new meter

App # R-80211 permit # R-11750 waiting to get staff meters installed

App # G-14045 permit # G-13030 waiting for the well to be reinstalled motor went out

Hoping to get another month or two to complete all of these.

Thanks Steve

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

S-80212
GLENN WALTERS NURSERY INC
PO BOX 280
BANKS OR 97106

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Wendy Dersham

☐ Agent

☒ Addressee

B. Received by (Printed Name)

Wendy Dersham

C. Date of Delivery

4-6-15

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

RECEIVED

APR 08 2015

OWRD

3. Service type

☒ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

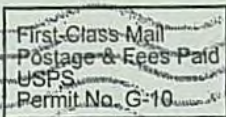
(Transfer from service label)

7012 2210 0000 1304 8979

UNITED STATES POSTAL SERVICE

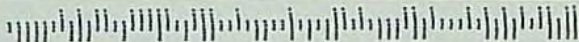
PERMIT NO. G-10

EX APR 2015 PM 3 L



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

WATER RESOURCES DEPARTMENT
WATER RIGHT SERVICES DIVISION
725 SUMMER ST NE, STE A
SALEM OR 97301-1266



7012 2210 0000 1304 8979

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

Postmark
Here

Sent To

S-80212

Street, Apt. No.;
or PO Box No.

City, State, ZIP+4

S-80212
GLENN WALTERS NURSERY INC
PO BOX 280
BANKS OR 97106

S-80212
GLENN WALTERS NURSERY INC
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BANKS OR 97106

S-80212
GLENN WALTERS NURSERY INC
PO BOX 280
BANKS OR 97106

Mailing List for Proposed Order of Certification

Scheduled Mailing Date:

Application: S-80212
Permit: S-52052

Permit Holder:

GLENN WALTERS NURSERY, INC
PO BOX 280
BANKS, OREGON 97106

Copies Mailed

by:

Connie Vance
(STAFF)

on:

MAR 27 2015
(DATE)

Copies of Order to be sent to:

1. Watermaster (Proposed Order): #18
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

6. W. RICHARD VERBOORT, CWRE
STUNTZNER ENGINEERING AND FORESTRY

PROPOSED



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Certified # 7012 22100000 13048979

Date Mailed: MAR 27 2015

NOTICE

Reference: Application S-80212 Permit S-52052

Enclosed is a proposed order of certification. The order proposes to cancel Permit S-52052.

If you do not agree with the proposed order, Oregon Administrative Rule 690-330-010(2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed order.

If you agree with the proposed order no response to this notice is required. Sometime after the 60 day period, the recorded order will be mailed to the permittee.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French

Water Right Services Division Administrator

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

Order of Certification in the Matter of
Cancellation of Permit S-52052

)
)
)

FINAL ORDER

Findings of Fact

1. Application S-80212, in the name of Glenn Walters Nursery, Inc., was received April 21, 1995. Permit S-52052 was issued April 26, 1996, approving the application.
2. Permit S-52052 allowed the use of water from two unnamed drainage ways, tile drain, and two unnamed reservoirs, constructed under Permit R-11750, for agricultural use. The date for the complete application of water was set for October 1, 1999.
3. The Department received a Claim of Beneficial Use (COBU) on September 6, 2000.
4. The permit contained the following condition that was not complied with:

“Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.”
5. A review of the Department records indicates that no water use reports were submitted for water years prior to the complete application of water date, October 1, 1999. The Claim of Beneficial Use report by the Certified Water Rights Examiner indicates that a meter was not installed.

PROPOSED

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Conclusions of Law

Satisfactory proof of beneficial use was not received. The use allowed by Permit S-52052 shall be cancelled.

Under the provisions of OAR 690-320-0020, when it appears from an onsite examination by the Water Resources Department that no appropriation has been made under the terms of the permit, or that use once made has undergone a period of five successive years of nonuse, a certified letter of intent to cancel the permit shall be sent to the permittee, allowing 60 days from the date of the letter for response. Failure to respond during the 60-day period shall result in cancellation of the permit.

Now, therefore, it is ORDERED:

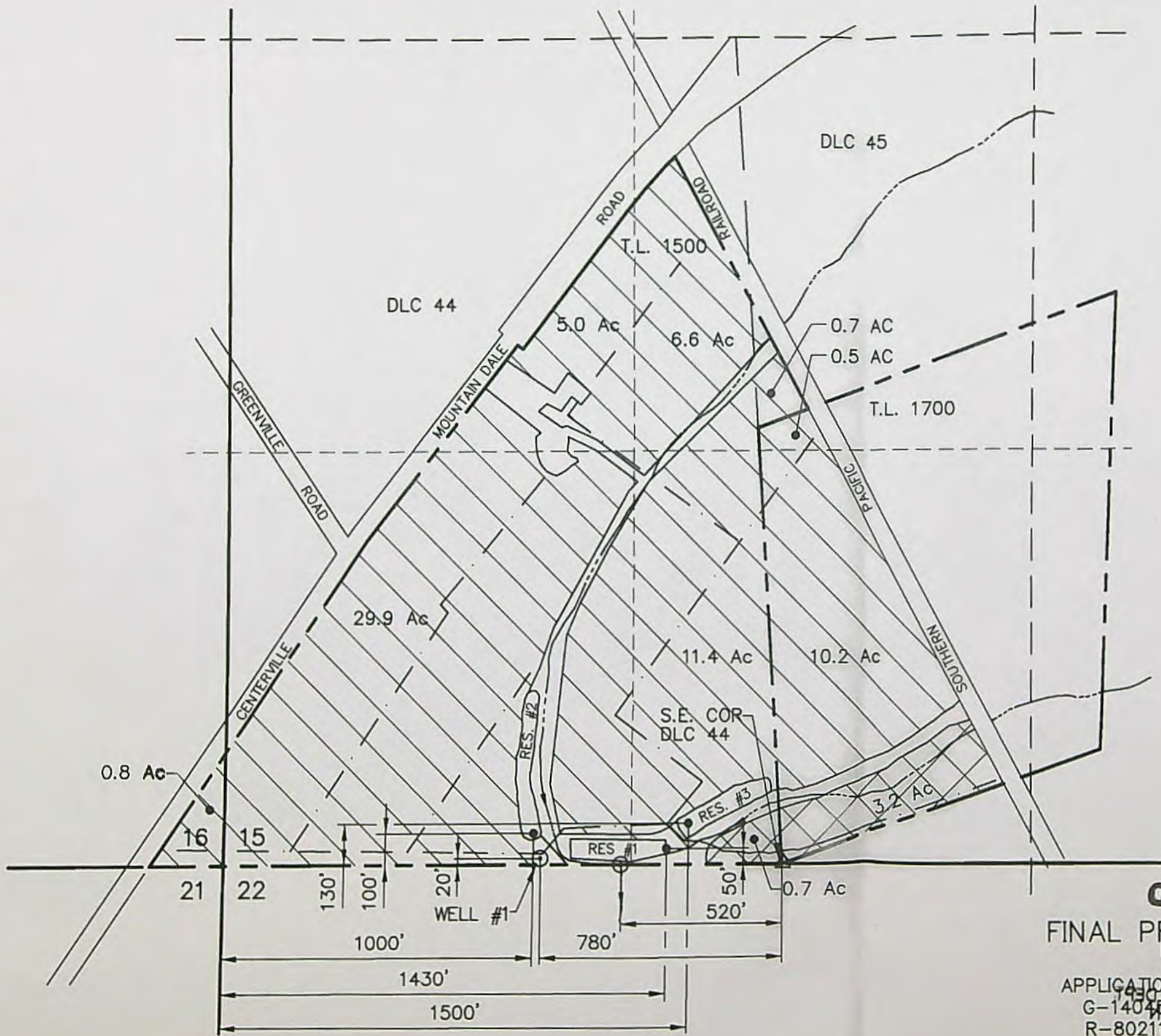
Permit S-52052 is cancelled and is of no further force or effect.

Issued _____.

PROPOSED

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

SECTION 15 & 16, T.1 N., R.3 W., W.M.
WASHINGTON COUNTY, OREGON



SCALE: 1"=400'

MAP BASE:
ASSESSORS MAP
TMD MAP

-  AGRICULTURAL USE
PERMITS G-13030,
52052, R-11750
-  IRRIGATION
PERMIT G-13030

PREPARATION OF THIS MAP IS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF
THE WATER RIGHT ONLY. THERE IS NO INTENT
TO PROVIDE DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES.

RECEIVED
FINAL PROOF SURVEY
SEP 0 2000
UNDER
APPLICATIONS PERMITS
G-14042 R-11750
R-80211 R-11750
S-80212 52052
SURVEYED AUGUST 28, 2000

GLENN WALTERS NURSERY, INC.
P.O. BOX 280
BANKS, OR 97106
SHEFFLIN FARM

designed	WRV	08/2000
drawn	JER	08/2000
checked	WRV	08/2000
drawing no.	00-B-13	
sheet no.	1 / 1	

VERBOORT ENGINEERING
AGRICULTURE · CIVIL · WATER RESOURCES
HILLSBORO, OREGON

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLENN WALTERS NURSERY INC.
PO BOX 280
BANKS, OREGON 97106

confirms the right to use the waters of TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS, CONSTRUCTED UNDER APPLICATION R-80211, PERMIT R-11750, TRIBUTARIES OF DAIRY CREEK for AGRICULTURAL USE of 69.0 ACRES.

This right was perfected under Permit S-52052. The date of priority is APRIL 21, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.72 CUBIC FEET PER SECOND FROM LIVE FLOW AND 10.8 ACRE-FEET OF STORED WATER ONLY or its equivalent in case of rotation, measured at the point of diversion.

The period of allowed use is December 1 through April 30 from live flow and year round from stored water only.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 N	3 W	WM	15	SW SW	44	RESERVOIR #2 - 100 FEET NORTH JAND 100 FEET EAST FROM SW CORNER, SECTION 15
1 N	3 W	WM	15	SE SW	44	RESERVOIR #3 - 130 FEET NORTH AND 1500 FEET EAST FROM SW CORNER, SECTION 15
1 N	3 W	WM	15	SE SW	44	LIVE FLOW - 520 FEET WEST OF THE SE CORNER, DLC 44

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	15	NE SW	45	1.2
1 N	3 W	WM	15	NE SW	44	6.6
1 N	3 W	WM	15	NW SW	44	5.0
1 N	3 W	WM	15	SW SW	44	29.9
1 N	3 W	WM	15	SE SW	44	12.1
1 N	3 W	WM	15	SE SW	45	13.4
1 N	3 W	WM	16	SE SE	44	0.8

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user will be required to comply with state and federal water quality standards.

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

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

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued _____.

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

Mailing List for Certificate

Scheduled Mailing Date:

Application: S-80212

Permit: S-52052

Certificate: *****

Permit/Certificate Holder:

GLENN WALTERS NURSERY INC.
PO BOX 280
BANKS, OREGON 97106

Copies Mailed

by: _____
(STAFF)

on: _____
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 18
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. W. RICHARD VERBOORT, CWRE
STUNTZNER ENGINEERING AND FORESTRY

Determination

___ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

___ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

☒ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s): NO METERS OR MEASUREMENT REPORTS SUBMITTED. CWRE States: NO METER ON RES#2+RES#3 (R-11750).

Processing

___ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

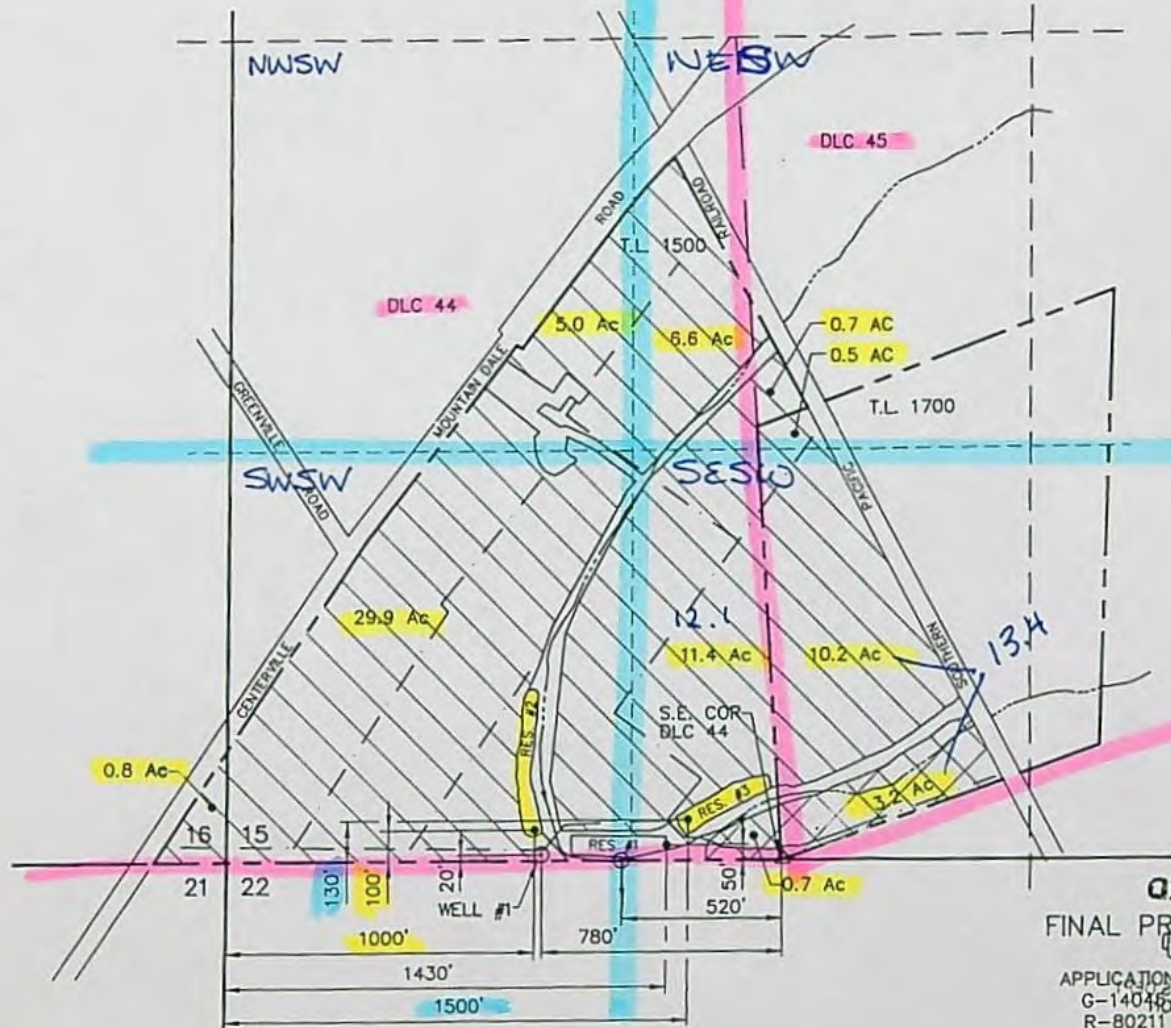
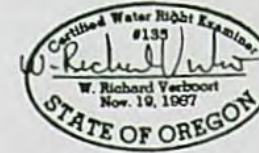
___ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

NOTES:

DRAFT PC INCLUDED.

SECTION 15 & 16, T.1 N., R.3 W., W.M.
WASHINGTON COUNTY, OREGON



SCALE: 1"=400'

MAP BASE:
ASSESSORS MAP
TMD MAP

AGRICULTURAL USE
PERMITS G-13030,
52052, R-11750

IRRIGATION
PERMIT G-13030

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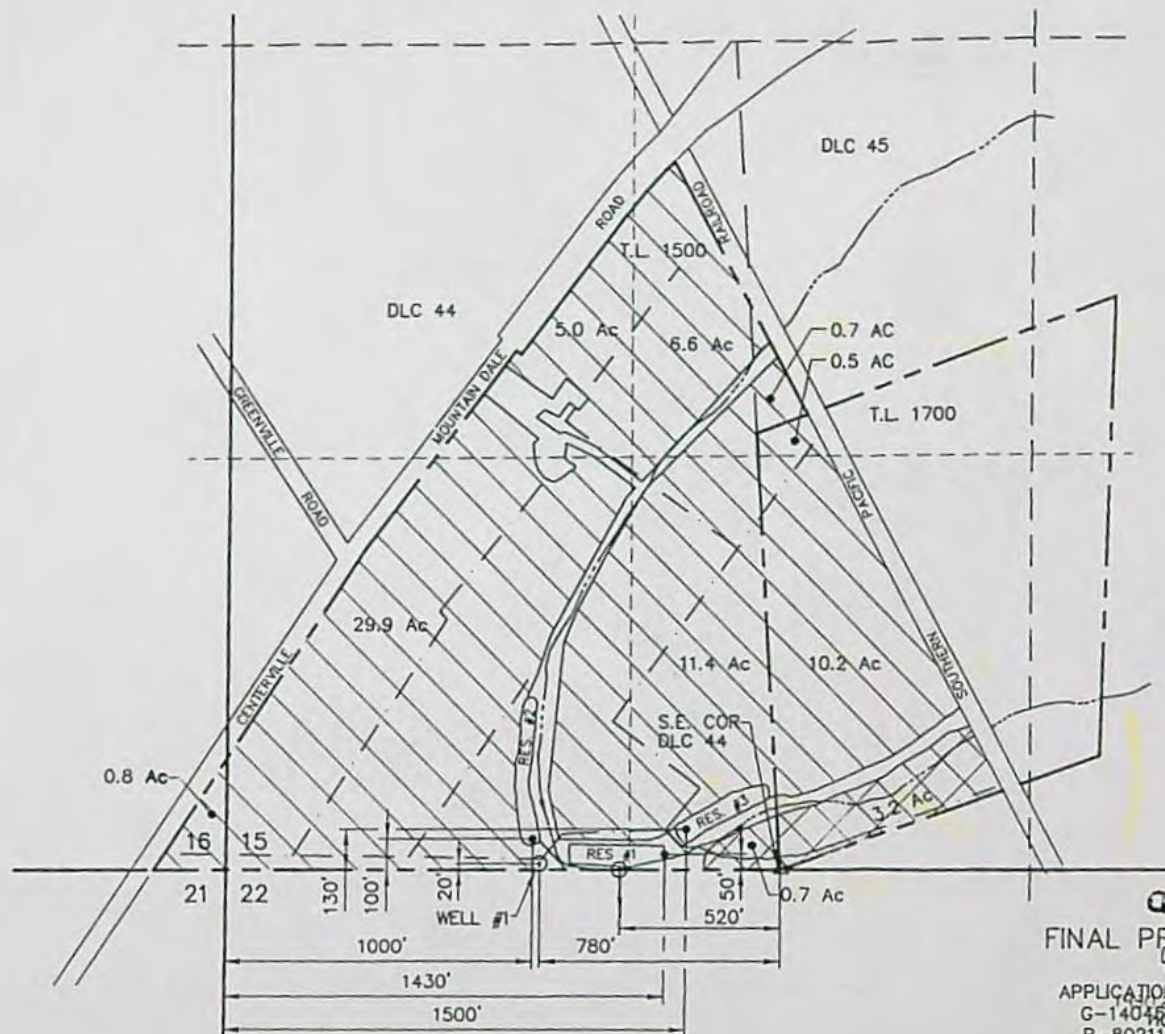
RECEIVED
FINAL PROOF SURVEY
JUL 20 2000
APPLICATIONS PERMITS
G-1404230000W
R-80211 R-11750
S-80212 52052
SURVEYED AUGUST 28, 2000

GLENN WALTERS NURSERY, INC.
P.O. BOX 280
BANKS, OR 97106
SHEFFLIN FARM

designed	by	date
drawn	W.R.V.	08/2000
checked	J.E.R.	08/2000
drawing no.	00-B-13	
sheet no.	1/1	

VERBOORT ENGINEERING
AGRICULTURE - CIVIL - WATER RESOURCES
HILLSBORO, OREGON

SECTION 15 & 16, T.1 N., R.3 W., W.M.
WASHINGTON COUNTY, OREGON



SCALE: 1"=400'

MAP BASE:
ASSESSORS MAP
TVD MAP

AGRICULTURAL USE
PERMITS G-13030,
52052, R-11750

IRRIGATION
PERMIT G-13030

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PROPERTY OWNERSHIP LINES.

RECEIVED
FINAL PROOF SURVEY

APPLICATIONS PERMITS
G-14046, R-80211, S-80212
G-13030, R-11750, S-52052

SURVEYED AUGUST 28, 2000

GLENN WALTERS NURSERY, INC.

P.O. BOX 280
BANKS, OR 97106

SHEFFLIN FARM

designed	by	date
drawn	REV	08/2000
checked	REV	08/2000
drawing no.	00-B-13	
sheet no.	1	1

VERBOORT ENGINEERING

AGRICULTURE - CIVIL - WATER RESOURCES
HILLSBORO, OREGON

App S-80212
P S-52052

County	Washington
Taxlot	1811150001500
Owner1	GLENN WALTERS NURSERY INC
Owner2	PO BOX 290
Owner Address	BANKS OR 97105
Site Address	6560 NW CORNELIUS-SCHEFFLIN RD Cornelius 97113



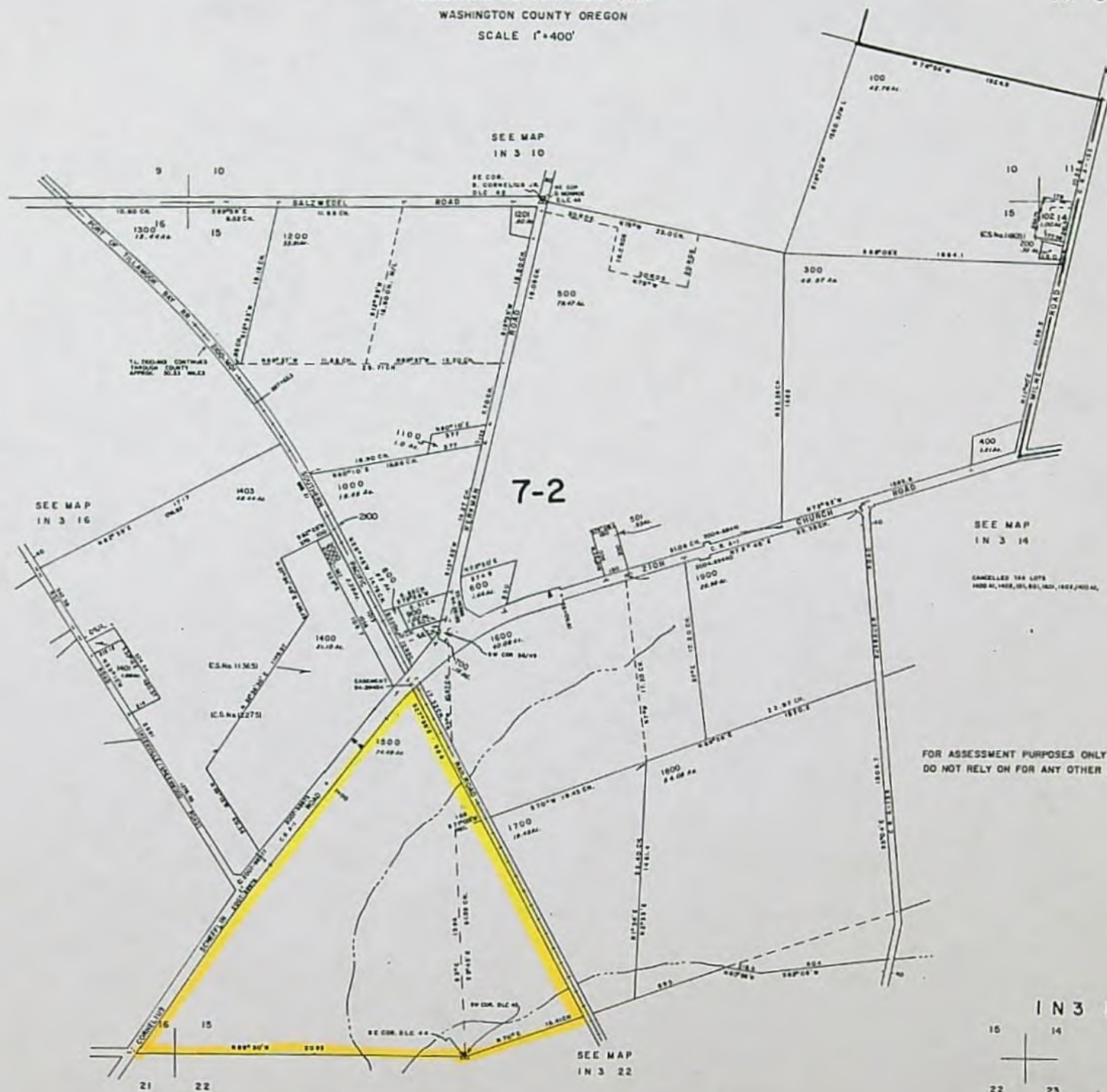
Switch Bas

Measurem

APP S-80212
P S-52052

SECTION 15 T1N R3W W.M.
WASHINGTON COUNTY OREGON
SCALE 1"=400'

IN 3 15



JOYE Jessica L

From: Rosina Padilla <rosina_padilla@co.washington.or.us>
Sent: Wednesday, January 14, 2015 11:30 AM
To: JOYE Jessica L
Subject: RE: Property Ownership Request

1S3140000100
GLENN WALTERS NURSERY INC
PO BOX 280
BANKS, OR 97106

1S3140000201
VASQUEZ LIVING TRUST &
VASQUEZ FAMILY CREDIT SHELTE
PO BOX 1782
HILLSBORO, OR 97123

1N3150001500

GLENN WALTERS NURSERY INC
PO BOX 280
BANKS, OR 97106

Thank you,

Jessica Joye
Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
503-986-0814 PH
Jessica.L.Joye@wrdd.state.or.us

Meridian: Township: Range: Section: Records per

Flatcards Maps!
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Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up yet [12.25] Acreage has been suspended * Acreage is not specified

Meridian: Township: North Range: West Section: Records per Page: Search [Platcards Maps](#) [Learn about this site](#)

Water Right	Collection Start Date	Priority	Use	Max Storage	P. Ct	Q92-401 Q(150)	Q92-402	Q92-403	Q92-404	Q92-405	Q92-406	Q92-407	Q92-408	Q92-409	Q92-410	Q92-411	Q92-412	Q92-413	Q92-414	Q92-415	Q92-416	Q92-417	Q92-418	Q92-419	Q92-420	Q92-421	Q92-422	Q92-423	Q92-424	Q92-425	Q92-426	Q92-427	Q92-428	Q92-429	Q92-430	Q92-431	Q92-432	Q92-433	Q92-434	Q92-435	Q92-436	Q92-437	Q92-438	Q92-439	Q92-440	Q92-441	Q92-442	Q92-443	Q92-444	Q92-445	Q92-446	Q92-447	Q92-448	Q92-449	Q92-450	Q92-451	Q92-452	Q92-453	Q92-454	Q92-455	Q92-456	Q92-457	Q92-458	Q92-459	Q92-460	Q92-461	Q92-462	Q92-463	Q92-464	Q92-465	Q92-466	Q92-467	Q92-468	Q92-469	Q92-470	Q92-471	Q92-472	Q92-473	Q92-474	Q92-475	Q92-476	Q92-477	Q92-478	Q92-479	Q92-480	Q92-481	Q92-482	Q92-483	Q92-484	Q92-485	Q92-486	Q92-487	Q92-488	Q92-489	Q92-490	Q92-491	Q92-492	Q92-493	Q92-494	Q92-495	Q92-496	Q92-497	Q92-498	Q92-499	Q92-500	Q92-501	Q92-502	Q92-503	Q92-504	Q92-505	Q92-506	Q92-507	Q92-508	Q92-509	Q92-510	Q92-511	Q92-512	Q92-513	Q92-514	Q92-515	Q92-516	Q92-517	Q92-518	Q92-519	Q92-520	Q92-521	Q92-522	Q92-523	Q92-524	Q92-525	Q92-526	Q92-527	Q92-528	Q92-529	Q92-530	Q92-531	Q92-532	Q92-533	Q92-534	Q92-535	Q92-536	Q92-537	Q92-538	Q92-539	Q92-540	Q92-541	Q92-542	Q92-543	Q92-544	Q92-545	Q92-546	Q92-547	Q92-548	Q92-549	Q92-550	Q92-551	Q92-552	Q92-553	Q92-554	Q92-555	Q92-556	Q92-557	Q92-558	Q92-559	Q92-560	Q92-561	Q92-562	Q92-563	Q92-564	Q92-565	Q92-566	Q92-567	Q92-568	Q92-569	Q92-570	Q92-571	Q92-572	Q92-573	Q92-574	Q92-575	Q92-576	Q92-577	Q92-578	Q92-579	Q92-580	Q92-581	Q92-582	Q92-583	Q92-584	Q92-585	Q92-586	Q92-587	Q92-588	Q92-589	Q92-590	Q92-591	Q92-592	Q92-593	Q92-594	Q92-595	Q92-596	Q92-597	Q92-598	Q92-599	Q92-600	Q92-601	Q92-602	Q92-603	Q92-604	Q92-605	Q92-606	Q92-607	Q92-608	Q92-609	Q92-610	Q92-611	Q92-612	Q92-613	Q92-614	Q92-615	Q92-616	Q92-617	Q92-618	Q92-619	Q92-620	Q92-621	Q92-622	Q92-623	Q92-624	Q92-625	Q92-626	Q92-627	Q92-628	Q92-629	Q92-630	Q92-631	Q92-632	Q92-633	Q92-634	Q92-635	Q92-636	Q92-637	Q92-638	Q92-639	Q92-640	Q92-641	Q92-642	Q92-643	Q92-644	Q92-645	Q92-646	Q92-647	Q92-648	Q92-649	Q92-650	Q92-651	Q92-652	Q92-653	Q92-654	Q92-655	Q92-656	Q92-657	Q92-658	Q92-659	Q92-660	Q92-661	Q92-662	Q92-663	Q92-664	Q92-665	Q92-666	Q92-667	Q92-668	Q92-669	Q92-670	Q92-671	Q92-672	Q92-673	Q92-674	Q92-675	Q92-676	Q92-677	Q92-678	Q92-679	Q92-680	Q92-681	Q92-682	Q92-683	Q92-684	Q92-685	Q92-686	Q92-687	Q92-688	Q92-689	Q92-690	Q92-691	Q92-692	Q92-693	Q92-694	Q92-695	Q92-696	Q92-697	Q92-698	Q92-699	Q92-700	Q92-701	Q92-702	Q92-703	Q92-704	Q92-705	Q92-706	Q92-707	Q92-708	Q92-709	Q92-710	Q92-711	Q92-712	Q92-713	Q92-714	Q92-715	Q92-716	Q92-717	Q92-718	Q92-719	Q92-720	Q92-721	Q92-722	Q92-723	Q92-724	Q92-725	Q92-726	Q92-727	Q92-728	Q92-729	Q92-730	Q92-731	Q92-732	Q92-733	Q92-734	Q92-735	Q92-736	Q92-737	Q92-738	Q92-739	Q92-740	Q92-741	Q92-742	Q92-743	Q92-744	Q92-745	Q92-746	Q92-747	Q92-748	Q92-749	Q92-750	Q92-751	Q92-752	Q92-753	Q92-754	Q92-755	Q92-756	Q92-757	Q92-758	Q92-759	Q92-760	Q92-761	Q92-762	Q92-763	Q92-764	Q92-765	Q92-766	Q92-767	Q92-768	Q92-769	Q92-770	Q92-771	Q92-772	Q92-773	Q92-774	Q92-775	Q92-776	Q92-777	Q92-778	Q92-779	Q92-780	Q92-781	Q92-782	Q92-783	Q92-784	Q92-785	Q92-786	Q92-787	Q92-788	Q92-789	Q92-790	Q92-791	Q92-792	Q92-793	Q92-794	Q92-795	Q92-796	Q92-797	Q92-798	Q92-799	Q92-800	Q92-801	Q92-802	Q92-803	Q92-804	Q92-805	Q92-806	Q92-807	Q92-808	Q92-809	Q92-810	Q92-811	Q92-812	Q92-813	Q92-814	Q92-815	Q92-816	Q92-817	Q92-818	Q92-819	Q92-820	Q92-821	Q92-822	Q92-823	Q92-824	Q92-825	Q92-826	Q92-827	Q92-828	Q92-829	Q92-830	Q92-831	Q92-832	Q92-833	Q92-834	Q92-835	Q92-836	Q92-837	Q92-838	Q92-839	Q92-840	Q92-841	Q92-842	Q92-843	Q92-844	Q92-845	Q92-846	Q92-847	Q92-848	Q92-849	Q92-850	Q92-851	Q92-852	Q92-853	Q92-854	Q92-855	Q92-856	Q92-857	Q92-858	Q92-859	Q92-860	Q92-861	Q92-862	Q92-863	Q92-864	Q92-865	Q92-866	Q92-867	Q92-868	Q92-869	Q92-870	Q92-871	Q92-872	Q92-873	Q92-874	Q92-875	Q92-876	Q92-877	Q92-878	Q92-879	Q92-880	Q92-881	Q92-882	Q92-883	Q92-884	Q92-885	Q92-886	Q92-887	Q92-888	Q92-889	Q92-890	Q92-891	Q92-892	Q92-893	Q92-894	Q92-895	Q92-896	Q92-897	Q92-898	Q92-899	Q92-900	Q92-901	Q92-902	Q92-903	Q92-904	Q92-905	Q92-906	Q92-907	Q92-908	Q92-909	Q92-910	Q92-911	Q92-912	Q92-913	Q92-914	Q92-915	Q92-916	Q92-917	Q92-918	Q92-919	Q92-920	Q92-921	Q92-922	Q92-923	Q92-924	Q92-925	Q92-926	Q92-927	Q92-928	Q92-929	Q92-930	Q92-931	Q92-932	Q92-933	Q92-934	Q92-935	Q92-936	Q92-937	Q92-938	Q92-939	Q92-940	Q92-941	Q92-942	Q92-943	Q92-944	Q92-945	Q92-946	Q92-947	Q92-948	Q92-949	Q92-950	Q92-951	Q92-952	Q92-953	Q92-954	Q92-955	Q92-956	Q92-957	Q92-958	Q92-959	Q92-960	Q92-961	Q92-962	Q92-963	Q92-964	Q92-965	Q92-966	Q92-967	Q92-968	Q92-969	Q92-970	Q92-971	Q92-972	Q92-973	Q92-974	Q92-975	Q92-976	Q92-977	Q92-978	Q92-979	Q92-980	Q92-981	Q92-982	Q92-983	Q92-984	Q92-985	Q92-986	Q92-987	Q92-988	Q92-989	Q92-990	Q92-991	Q92-992	Q92-993	Q92-994	Q92-995	Q92-996	Q92-997	Q92-998	Q92-999	Q92-1000
Select Claim:GR 3581 *	12/31/1952	IRRIGATION																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											</																																																																																																

Acres Legend:	12.25 Regular acres	12.25 Acres is on a canceled right	(12.25) Acres is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acres has been suspended	* Acres is not specified
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Meridian: Township: Range: Section: Records per Page:

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NCR

Roy Farm Res-

benzene

1234

Acres Legend:	12.25 Regular acres	12.25 Acres is on a canceled right	(12.25) Acres is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acres has been suspended	* Acres is not specified
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Water Rights Platcard Report

Meridian: Township: North West Records per Page: Search

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Water Right	Channing Years	Priority	Use	Use Status	D/LC	Gov't Lot	Q(40): Q(140)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SE SW	NE SW	NW SW	SE SW	Unknown
Select Cert:47972 OR *		12/19/1975	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	45												0.1						
Additional Info: MARVIN R DELPLANCHE App: G7188 Permit: G6619 Cert: 47972																						
Select Inchoate: T 9196 CF (REG) *		9/9/1970	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	44									(7.7)			(1.1)						
Additional Info: GLEN WALTERS NURSERY INC. App: G5312 Permit: G5043																						
Select Inchoate: T 9196 CF (REG) *		9/9/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	44									(0.6)			(8.76)						
Additional Info: GLEN WALTERS NURSERY INC. App: G7510 Permit: G7247																						
Select App: P 82929 *		1/31/1997	WILDLIFE																			*
Additional Info: CLERMONT INC.; EISCHEN, DANIEL D App: P82929																						
1224																						

Acres Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Meridian: Willamette Township: 1 North Range: 3 West Section: 16 Records per 13 Search Platcards Maps Learn about it Home

[illegible]

Acree Legend:	12.25 Regular acree	12.26 Acree is on a canceled right	(12.25) Acree is part of a transfer and has not been proven up on yet (inchoate)	(12.25) Acree has been suspended	* Acree is not specified
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Water Rights Platcard Report

Meridian: **Willamette** Township: **1** North Range: **3** West Section: **16** Records per page: **13** Search [Platcards Maps](#) [Learn about this Map](#)

	Water Right	Damaging Flow	Priority	Date Status	CN	Q1(40) Q1(180)	Q2 Q3	Q4 Q5	Q6 Q7	Q8 Q9	Q10 Q11	Q12 Q13	Q14 Q15	Q16 Q17	Q18 Q19	Q20 Q21	Q22 Q23	Q24 Q25	Q26 Q27	Q28 Q29	Q30 Q31	Q32 Q33	Q34 Q35	Q36 Q37	Q38 Q39	Q40 Q41	Linkage CN
Select	Cert:12086 OR CN Additional Info: HUGO C SAHNOW App: S14386 Permit: S10455 Cert: 12086	T7326	10/23/1931	IRRIGATION	CN	43									1-1												
Select	Cert:13692 OR CN Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 13692		12/8/1934	IRRIGATION	CN													6-2									
Select	Cert:13692 OR CN Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 13692		12/8/1934	IRRIGATION	CN	5									2-3												
Select	Cert:13692 OR CN Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 13692		12/8/1934	IRRIGATION	CN	6												6									
Select	Cert:13692 OR CN Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 13692		12/8/1934	IRRIGATION	CN	44									3			3		3-3	3						
Select	Cert:19832 OR * Additional Info: CHAS A VAN DEHEY App: S20131 Permit: S15694 Cert: 19832		2/9/1944	IRRIGATION													19.1	6.6									
Select	Cert:19832 OR * Additional Info: CHAS A VAN DEHEY App: S20131 Permit: S15694 Cert: 19832		2/9/1944	IRRIGATION		5										0.4											
Select	Cert:19834 OR * Additional Info: BERNARD J VAN GRUNSVEN App: S20141 Permit: S15700 Cert: 19834		2/21/1944	IRRIGATION														12.7									
Select	Cert:20039 OR CN Additional Info: HUGO C SAHNOW App: S23049 Permit: S18156 Cert: 20039		2/24/1948	IRRIGATION	CN	4									2-4												
Select	Cert:20039 OR CN Additional Info: HUGO C SAHNOW App: S23049 Permit: S18156 Cert: 20039		2/24/1948	IRRIGATION	CN	5									3-6												
Select	Cert:20039 OR CN Additional Info: HUGO C SAHNOW App: S23049 Permit: S18156 Cert: 20039		2/24/1948	IRRIGATION	CN	44									2-6	4-2											
Select	Cert:20743 OR * Additional Info: BERNARD KEMPER App: S23083 Permit: S18210 Cert: 20743	IL1014	3/17/1948	IRRIGATION														2.9									
Select	Cert:20743 OR * Additional Info: BERNARD KEMPER App: S23083 Permit: S18210 Cert: 20743	IL1014	3/17/1948	IRRIGATION		43									14.8												

1234567

Acres Legend:	12.25 Regular acres	12.25 Acres is on a canceled right	(12.25) Acres is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acres has been suspended	* Acres is not specified
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Meridian: Township: Range: Section: Records per Page: [Platcards Map](#) [Learn about it](#) [View Map](#)

Acree Legend: 12.25 Regular acree	12.25 Acree is on a canceled right	(12.25) Acree is part of a transfer and has not been proven up on yet (inchoate)	(12.25) Acree has been suspended	* Acree is not specified
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Meridian: Township: Range: Section: Records per Page: [Platcards Maps!](#) [Learn about it](#) [Site Map](#)

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (in/hold) [12.25] Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

Meridian: Township: North Range: West Section: Records per Page: Search

Water Right	Claiming Name	Priority	Use	Use Status	Acres	Cont. Fee	Q1 (40%)	Q1 (100%)	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	Unassigned
Select Cert: 88412 CF *	10/23/1931 IRRIGATION																				
Additional Info: CONNIE VANDEHEY App: S14386 Permit: S10455 Cert: 88412																					
Select Cert: 88412 CF *	10/23/1931 IRRIGATION	3																			
Additional Info: CONNIE VANDEHEY App: S14386 Permit: S10455 Cert: 88412																					
Select Cert: 88412 CF *	10/23/1931 IRRIGATION	4																			
Additional Info: CONNIE VANDEHEY App: S14386 Permit: S10455 Cert: 88412																					
Select Cert: 88412 CF *	10/23/1931 IRRIGATION	5																			
Additional Info: CONNIE VANDEHEY App: S14386 Permit: S10455 Cert: 88412																					
Select Cert: 88413 CF *	2/24/1948 IRRIGATION	4																			
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 88413																					
Select Cert: 88413 CF *	2/24/1948 IRRIGATION	5																			
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 88413																					
Select App: S 71651 WD	6/3/1991 MUNICIPAL USES																				
Additional Info: TUALATIN VALLEY WATER DISTRICT App: S71651																					
Select Permit: S 54737 *	6/9/1998 MUNICIPAL USES																				
Additional Info: HILLSBORO, FOREST GROVE, BEAVERTON, TUALATIN VALLEY WATER DISTRICT App: S69637 Permit: S54737																					
Select Permit: S 53552 *	5/20/1998 NURSERY USES																				0.8
Additional Info: GLENN A WALTERS App: S83833 Permit: S53552																					
Select Cert: 65438 OR *	7/10/1996 NURSERY USES	44							31.8	35.5	13.8	15	5								
Additional Info: MAPLE HEADQUARTERS NORTHWEST App: G11556 Permit: G10656 Cert: 65438																					
Select Permit: G 15458 *	11/12/2002 NURSERY USES													0.9							
Additional Info: BPN OPERATIONS LLC App: G15871 Permit: G15458																					
Select Permit: G 15479 *	7/24/2002 NURSERY USES										11.86							5.68			
Additional Info: GLEN WALTERS NURSERY INC. App: G15805 Permit: G15479																					
Select Permit: S 53999 *	5/23/2003 NURSERY USES												0.9								
Additional Info: BPN OPERATIONS LLC App: S85620 Permit: S53999																					
1244562																					

Acreage Legend: 12.25 Regular acreage 12-25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (indicate) (12.25) Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

Meridian: Township: North West Records per Page: Search

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Water Right	Changing Years	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Permit: S 54305 *		7/5/2005	NURSERY USES								11.9									5.7				
Additional Info: GLEN WALTERS NURSERY INC. App: 586365 Permit: S54305																								
Select Cert: 83428 OR *			NURSERY USES		44			31.8	35.5	13.8	15.4	5												
Additional Info: GLEN WALTERS NURSERY INC. App: 586405 Permit: 550166 Cert: 83428																								
Select Cert: 23356 OR *		6/6/1952	STORAGE																					
Additional Info: CECIL HEYNDERICKX App: R27279 Permit: R1358 Cert: 23356																								
Select Cert: 44808 OR *		2/1/1971	STORAGE		2							*												
Additional Info: DAVID F DEPLANCHE App: R47904 Permit: R5797 Cert: 44808																								
Select Cert: 44808 OR *		2/1/1971	STORAGE		44							*												
Additional Info: DAVID F DEPLANCHE App: R47904 Permit: R5797 Cert: 44808																								
Select Cert: 83427 OR *		6/24/1985	STORAGE		44			*				*												
Additional Info: GLEN WALTERS NURSERY INC. App: R68405 Permit: R10889 Cert: 83427																								
Select Cert: 47972 OR *		12/19/1975	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		44																	0.8		
Additional Info: MARVIN R DELPLANCHE App: G7188 Permit: G6619 Cert: 47972																								
Select Inchoate: T 9196 CF (REG) *		9/9/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		44					(0.14)									(4.1)					
Additional Info: GLEN WALTERS NURSERY INC. App: G7510 Permit: G7247																								
Select Cert: 81181 CF CN	T7326	2/24/1948	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	4										4.7									
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 81181																								
Select Cert: 81181 CF CN	T7326	2/24/1948	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	5										4.3									
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 81181																								
Select Cert: 81181 CF CN	T7326	2/24/1948	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	44										4.7	5.5								
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 81181																								
Select Cert: 81180 CF *		1/23/1951	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		44				18.4	0.4					6	3.4				3.8	22			
Additional Info: CONNIE VANDEHEY App: S25588 Permit: S20083 Cert: 81180																								
Select Cert: 81299 CF *		1/30/1951	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		6													1.7						
Additional Info: CECIL HEYNDERICKX App: S25603 Permit: S21235 Cert: 81299																								
1224567																								

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) (12.25) Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

Meridian: Township: North West Records per Page: Search

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
							Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	QQ
Select Cert:81299 CF *		1/30/1951	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		44														1.3		4.2	2		
Additional Info: CECIL HEYNDERICKX App: S25603 Permit: S21235 Cert: 81299																								
Select Cert:81298 CF *		12/8/1934	SUPPLEMENTAL IRRIGATION (Suppl'mtd)																6.7					
Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 81298																								
Select Cert:81298 CF *		12/8/1934	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		5										7.3									
Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 81298																								
Select Cert:81298 CF *		12/8/1934	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		6														6					
Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 81298																								
Select Cert:81298 CF *		12/8/1934	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		44										7				3		13	7		
Additional Info: CECIL HEYNDERICKX App: S15648 Permit: S11517 Cert: 81298																								
Select Cert:81251 CF *		1/19/1949	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		6														15.2					
Additional Info: PHILLIP VAN DYKE App: S23592 Permit: S18611 Cert: 81251																								
Select Cert:81251 CF *		1/19/1949	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		44														10.5			14.1		
Additional Info: PHILLIP VAN DYKE App: S23592 Permit: S18611 Cert: 81251																								
Select Cert:88413 CF *		2/24/1948	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		4										1.7									
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 88413																								
Select Cert:88413 CF *		2/24/1948	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		5										4.3									
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 88413																								
Select Cert:88413 CF *		2/24/1948	SUPPLEMENTAL IRRIGATION (Suppl'mtd)		44										1	5.5								
Additional Info: CONNIE VANDEHEY App: S23049 Permit: S18156 Cert: 88413																								

1234567

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

APP S-80212
P S-52052



Pump Capacity Calculator

using Department designed formula:

Pump station for Res[#] 2 + #3

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 30
Efficiency = 6.61
Lift = 0
PSI = 60

Results Calculated

$(hp)(\text{efficiency}) = 198.3$
Head based on psi = 152.4
Total dynamic head = 152.4
(head + lift)

Pump Capacity = 1.301 cubic feet per second

$$1.301 \times 4 = 5.204$$

CBU - 5.72 cfs Limit ~~PERMIT~~ TO SYSTEM
MAX Q.

Each Reservoir has 2 pumps each.

CDWR
w/ map

CLAIM OF BENEFICIAL USE
AND SITE REPORT

APPLICATIONS	PERMITS
G-14045	G-13030
S-80212	52052
R-80211	R-11750

INFORMATION

The permittee is Glenn Walters Nursery, Inc., P.O. Box 280, Banks, OR 97106. This nursery is referred to as the Shefflin nursery and is located as shown on the certificate map.

Mr. Jon Olson, Field Operations Manager, was interviewed on August 10th and 28th, 2000. He supplied information about the irrigation system, areas irrigated and water use. He assisted the CWRE in field checking the irrigated areas, locating the mainlines, obtaining information about the pump stations, measuring reservoir pump data while pumping (8-10) and operating the well pump (8-28).

The project area is an intensively managed container nursery. Water is used for irrigation and agricultural use.

SUMMARY

Groundwater has been used for development of 3.9 acres of irrigation and 69.0 acres of agricultural use. Surface water and stored water has been used for 69.0 acres of agricultural use. Reservoirs 2 and 3 have been constructed and have a combined storage of 10.8 acre feet.

The pump stations at reservoirs 2 and 3 can pump a combined rate of 5.72 cfs under normal sprinkler operating pressure.

The well can pump 180 gpm under normal sprinkler operating pressure and 230 gpm if pumped into the reservoirs for re pumping at the pump stations.

PURPOSE AND SOURCE

Permit G-13030 was issued for groundwater from one well in the Dairy creek basin. The permit was for 5.1 acres of irrigation and 74.1 acres of agricultural use.

Permits R-11750 and 52052 were issued for water from two unnamed drainage ways, tile drains, and reservoirs 2 and 3, all tributary to Dairy creek. The permits are for 74.1 acres of agricultural use.

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SALEM, OREGON

POINTS OF DIVERSION AND IRRIGATED AREA

The well location is the same as certificate 47972. The points of diversion (POD's) for the reservoirs are as located from a scaled photo purchased for this project. The pump stations (POD's) for reservoirs 2 and 3 are the same as the application map. The pump station (POD) for reservoir 1 has been changed to the east end of the lake to simplify the electrical and irrigation systems.

The mapped irrigated/agricultural use areas include the field container growing areas and also roadways and part of one building, where plants are stored and watered during shipping season.

It should be noted that reservoirs 2 and 3 fill from the unnamed drainage ways by flooding during the winter months. No additional diversion from the creek is used for these reservoirs. By doing this it is possible to maintain a higher water level in the reservoirs. This also allows all natural flows to bypass the reservoirs after the winter high water level drops.

SURVEY TIES

POD's were located as noted above and checked on a scaled color photo purchased for this project. The irrigated area was located in the same manner. This data was scaled onto a current assessors map. Reference to the section corner and DLC location data was obtained from the assessors map.

SYSTEM EQUIPMENT DATA

Buried PVC mainline is located as shown on the certificate map, and in other places not mapped (for clarity of the map). Field irrigation of containers is by semi-solid set laterals, generally PVC above ground pipe. Field irrigation is by 1/8"-diameter sprinklers spaced on 40'x40' centers, typically.

There are several acres of "hoop houses" on the nursery. These are covered with plastic during the colder parts of the year. At other times the covers are removed, leaving the "hoops" to support the irrigation system. Typically these are 1/8"-diameter overhead Nelson sprinklers on a 7.5'x10' foot spacing.

Each of the three ponds contains two 30 hp electric motors driving two centrifugal pumps. The well has a 20 hp electric submersible deep well turbine. Pump and motor data is as follows.

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Pond #1

Two Marathon 30 hp electric motors, each with frame # 284JP. Two Berkeley centrifugal pumps, each model # B3ZTL. Operating pressure was 60 psi at the pumps.

This pond is covered under certificate 38605 for irrigation. The pond is also used for recovery of nursery runoff throughout the irrigation season. From a permit standpoint, its pump capacity does not "count" towards the rate permitted under 52052. Information is included as this is part of the overall system.

Pond #2

Two Marathon 30 hp electric motors, unable to read frame numbers. Two Berkeley centrifugal pumps, each model # B3ZTL. Operating pressure was 60 psi at the pumps.

Pond #3

Two Baldor 30 hp electric motors, each with frame # 284JP. Two Berkeley centrifugal pumps, each model # B3ZTL. Operating pressure was 60 psi at the pumps.

Groundwater water from the well can be pumped into any of the three ponds and then re-pumped to any point in the nursery. It can also be pumped directly to irrigate parts of the nursery, bypassing the ponds.

TVID

Water from Tualatin Valley Irrigation District can be discharged into any of the three ponds and then re-pumped to any point in the nursery, or applied directly under pressure provided by TVID.

COMPUTATIONS

Computations for storage capacity in reservoirs 2 and 3, for pump station capacities and well observations are attached. A copy of the flow rate test for the well, completed by Hillsboro Pump Service is also attached.

PERMIT CONDITIONS

R-11750

The pond areas and depths are as stated in the permit. Total storage is 10.8 acre feet.

A. A meter has not been installed. The reservoirs fill from high water during the winter months and there is no effective way to meter this flow. Other than this flooding, water is not diverted from the the unnamed drainage ways into reservoirs 2 and 3.

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Water coming into reservoirs 2 and 3 from the tile lines is a mixture of drainage from rainfall and drainage from irrigation in the container nursery. The permittee is required by container nursery regulations and SB-1010 requirements to keep these flows out of public waters after May 1 each year.

Since the pump stations at reservoirs 2 and 3 continually recover and reuse water from the nursery, metering of these pumps would register multiple reuses of much of the same water. Such readings would not provide meaningful information.

B and C. Not applicable, see A.

A conduit/gate assembly is not required for off channel reservoirs (690-20-025(6)), ie reference to "instream".

Time requirements for construction and application have been met.

Permit 52052 NO METER

A, B and C - see comments for R-11750.

Time requirements for construction and application have been met.

Permit G-13030

A. A Micrometer indicator/totalizer meter has been installed in the main pipeline near the well. It can meter flows going directly into the irrigation system or flows going to reservoirs 2 or 3 for re pumping.

B. The watermaster may have access to the meter with reasonable notice to the nursery manager.

C. This has not been required as of this time.

Static water levels for the well have been measured each year in March since the permit was issued, and reported to ODWR.

Time requirements for construction and application have been met.

The permittee will submit a more complete pump test, completed by others, as soon as the final data is available.

CERTIFICATION

The final proof survey and inspection of the use as found to be complete under the terms and conditions of Permits G-13030, 52052 and R-11750 was completed by me on August 24th, 2000.

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SALEM, OREGON

Certification, cont'd.

The facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

W. Richard Verboort, P.E.
Certified Water Rights Examiner



Glenn Walters Nursery, Inc. the permittee agrees to the findings of the CWRE and submits this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of our Permits G-13030, 52052 and R-11750.

Jon Olson, Field Operations Manager

date

Ben Rough, General Manager,
Glenn Walters Nursery, Inc.

9/5/00

date

ATT: 2-pages computations, 1-page well discharge data

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WATER RESOURCES DEPT.
SALEM, OREGON

VERBOORT ENGINEERING
Agriculture • Civil • Water Resources
HILLSBORO, OREGON
(503) 648-6180

JOB GLENN WALTERS NURSERY, INC
SHEET NO. 1 OF 2
CALCULATED BY R. VERBOORT DATE 8-28-00
CHECKED BY _____ DATE _____
SCALE _____

CERT FOR PERMITS 52052, R-11750 & G 13030

CXS W/ 1"=200'
PHOTO

VOLUME POND 2

FIELD MEASUREMENT 485' x 57' (0.63 AC)

DEPTH = 9' EST side slopes 0.5:1

$$\frac{485 \times 57 + 476 \times 48}{2} \times \frac{9}{43560} = \underline{5.22 \text{ AF}}$$

VOLUME POND 3

CXS W/ 1"=200'
PHOTO

FIELD 360' x AVE W = 80' (0.66 AC)

DEPTH = 9' EST side slope = 0.5:1

$$\frac{360 \times 80 + 351 \times 71}{2} \times \frac{9}{43560} = \underline{5.55 \text{ AF}}$$

TOTAL = 10.77 AF

ROUND TO 10.8 AF

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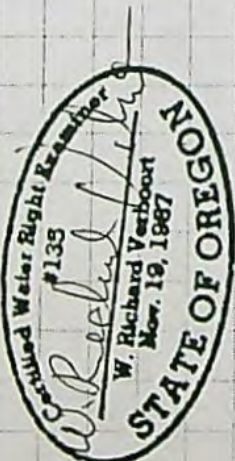
PUMP CAPACITY

PONDS 2-30 HP EACH

PONDS 2 & 3, 2 x 2 x 30 = 120 HP

PRESSURE AT PUMPS WHEN OPERATING
ON 8-10-00 = 60 PSI, ALL PUMPS

WATER RESOURCES DEPT.
SALEM, OREGON



PUMPS, CONT'D

$$60 \text{ PSI} \times 2.31 = 138.6' \text{ head}$$

$$120 \text{ hp} = \frac{62.4 \times Q \times 138.6}{550 \times 0.75} = \frac{\text{MAX } Q}{5.72 \text{ cfs}}$$

WELL PUMP

AS OBSERVED ON 8-28-00 APPROXIMATELY,
1/2 HOUR AFTER 4 HOUR PUMP DOWN
TEST (by OTHERS)

well directly into Pond = 230 gpm

well directly into distribution (sprinkler)
system, 175-180 gpm with 60 PSI AT
well head.

NOTE

POND #1 has a PUMP CAPACITY of
2.86 cfs. THIS POND IS COVERED UNDER
Certificate 38605 for irrigation. POND #1
is also used as a recycle POND.

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SALEM, OREGON



$$5.72/2 =$$



Hillsboro
Pump
Service

PIPE & SUPPLY

598 BASELINE-CORNELIUS-357-4217

FAX No. 357-3903

Date: 8-28-00

Name: Glenn Walters Nursery

Address: Schefflin Rd

City, State,
& Zip: _____

Location: Cornelius Schefflin Rd

Cornelius OR 97113

60 PSI

BRAD
by Phone
8-30-00

Time:

09	: 00	A m	<u>180</u>	G.P.M.
09	: 15	A m	<u>180</u>	G.P.M.
09	: 30	A m	<u>180</u>	G.P.M.
09	: 45	A m	<u>180</u>	G.P.M.
10	: 00	A m	<u>180</u>	G.P.M.
10	: 15	A m	<u>180</u>	G.P.M.
10	: 30	A m	<u>180</u>	G.P.M.
10	: 45	A m	<u>180</u>	G.P.M.

Time:

11	: 00	A m	<u>180</u>	G.P.M.
11	: 15	A m	<u>180</u>	G.P.M.
11	: 30	A m	<u>180</u>	G.P.M.
11	: 45	A m	<u>180</u>	G.P.M.
12	: 00	P m	<u>180</u>	G.P.M.
12	: 15	P m	<u>180</u>	G.P.M.
12	: 30	P m	<u>180</u>	G.P.M.
12	: 45	P m	<u>180</u>	G.P.M.

Comments: _____

Tester: Jim Rainwater

Official Signature: Brad Pitts

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SEP 06 2000

WATER RESOURCES DEPT.
SALEM, OREGON



Hillsboro
Pump
Service

PIPE & SUPPLY

598 BASELINE • CORNELIUS • 357-4217

FAX No. 357-3903

Date: 8-31-00

Name: Glenn Walters Nursery

Address: Cornelius Schefflin Rd

City, State,
& Zip: _____

Location: Cornelius Schefflin Rd

Cornelius, Or. 97113

Time: Static Before Pump run 31'

<u>09</u> : <u>30</u> A m	<u>210</u> 70' G.P.M.
<u>09</u> : <u>45</u> A m	<u>210</u> 76' G.P.M.
<u>10</u> : <u>00</u> A m	<u>210</u> 81' G.P.M.
<u>10</u> : <u>15</u> A m	<u>200</u> 85' G.P.M.
<u>10</u> : <u>30</u> A m	<u>200</u> 87' G.P.M.
<u>10</u> : <u>45</u> A m	<u>200</u> 89' G.P.M.
<u>11</u> : <u>00</u> A m	<u>200</u> 91' G.P.M.
<u>11</u> : <u>15</u> A m	<u>200</u> 92' G.P.M.

Time:

<u>11</u> : <u>30</u> A m	<u>190</u> 92' G.P.M.
<u>11</u> : <u>45</u> A m	<u>190</u> 92' G.P.M.
<u>12</u> : <u>00</u> P m	<u>190</u> 92' G.P.M.
<u>12</u> : <u>15</u> P m	<u>190</u> 92' G.P.M.
<u>12</u> : <u>30</u> P m	<u>190</u> 92' G.P.M.
<u>12</u> : <u>45</u> P m	<u>190</u> 92' G.P.M.
<u>01</u> : <u>00</u> P m	<u>210</u> 92' G.P.M.
<u>01</u> : <u>15</u> P m	<u>210</u> 90' G.P.M.

Comments: static Before startup 31'
static After startup 70'

Tester: Jim

Official Signature: _____

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SEP 06 2000

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION R-80211, PERMIT R-11750 TRIBUTARIES OF DAIRY CREEK

PURPOSE OR USE: AGRICULTURAL USE OF ~~74.1~~ ^{69.0} ACRES

$\text{MAX } Q(\text{CBW}) = 5.72$

RATE/VOLUME OF USE: ~~8.02~~ CFS FROM LIVE FLOW AND ~~13.0~~ ^{10.8} ACRE-FEET OF STORED WATER ONLY
CONTAINERIZED PLANTS

$(69.0)(0.15) = 10.35 \text{ cfs}$ $(69.0)(1/40) = 1.725 \text{ cfs}$ $(69.0)(5.0) = 345 \text{ AF}$

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: April 21, 1995

POINT OF DIVERSION LOCATIONS: SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15, T1N, R3W, W.M.; RESERVOIR #2 - 100 FEET NORTH & 1000 FEET EAST; RESERVOIR #3 - 130 FEET NORTH & 1500 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 15; LIVE FLOW - 520 FEET WEST OF THE SE CORNER OF DLC 44

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4	1.2 ACRES	DLC 45
NE 1/4 SW 1/4	8.2 ACRES	6.6 DLC 44
NW 1/4 SW 1/4	6.2 ACRES	5.0 DLC 44
SW 1/4 SW 1/4	31.6 ACRES	29.9 DLC 44
SE 1/4 SW 1/4	27.3 ACRES	13.4 DLC 45
SECTION 15		
SE 1/4 SW 1/4	12.1	12.1 DLC 44
SE 1/4 SE 1/4	0.8 ACRE	0.8
SECTION 16		
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.		

SEE NEXT PAGE

Measurement, recording and reporting conditions:

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The permittee will be required to comply with state and federal water quality standards.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

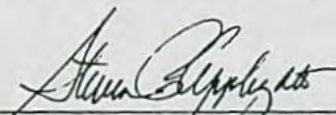
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued April 26, 1996


for Martha O. Pagel, Director
Water Resources Department

Water Use Report Based on Water Right



Permit: S 52052 *

GLEN WALTERS NURSERY INC. 7376 NW ROY RD CORNELIUS, OR 97113

Records per page:

Acre-feet (AF) of Water Used

Water Year	Report ID	Facility	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total Water Used	Irrigated Acres
2013	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2013	<u>51232</u>	RES 3 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2012	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2012	<u>51231</u>	SCEFLIN LK 2 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2012	<u>51232</u>	RES 3 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2011	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2011	<u>51231</u>	SCEFLIN LK 2 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2011	<u>51232</u>	RES 3 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2010	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2010	<u>51231</u>	SCEFLIN LK 2 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2010	<u>51232</u>	RES 3 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2009	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2009	<u>51231</u>	SCEFLIN LK 2 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2009	<u>51232</u>	RES 3 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2008	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2006	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2005	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2004	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2003	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2002	<u>51232</u>	RES 3 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2001	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2001	<u>51231</u>	SCEFLIN LK 2 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2000	<u>51230</u>	SCEFLIN LK 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2000	<u>51231</u>	SCEFLIN LK 2 / SEE REPORT ID 51230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

51230, 51231, 51232 - NO METER, NO REPORTS

- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:

- For diverted rights, the total amount diverted during the month;
- For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water Use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

apps-83033; apps-84345;
apps-84061; apps-84605

app6-12601; S-80141; apps-04477; apps-80212;
USER-ID 9011

2001

Oregon Water Resources Department
October 2001 through September 2002
Annual Water Use - Monthly Quantities Form

2002



Facility POD-ID	MID, NEELY well 36373	BOWLBY I DEC. → April only 51229	SEEFLIN LAKE, 213 51230, 51231, 51232	ROY → SEEFLIN 51476 + 51477	MITCH + Reiling DEC. → April 30 only 51512
October - 2001	122,600 GAL		N/A	0	
November - 2001	52,900 GAL		N/A	0	
December - 2001	35,800 GAL	0	N/A	0	0
January - 2002	29,600 GAL	0	N/A	0	0
February - 2002	47,800 GAL	0	N/A	0	0
March - 2002	137,300 GAL	0	N/A	0	14.891 AF
April - 2002	362,700 GAL	0	N/A	18,316 GAL	41.471 AF
May - 2002	595,200 GAL		N/A	11,905 GAL	
June - 2002	1,225,600 GAL		N/A	0	
July - 2002	1,643,800 GAL		N/A	32,404 GAL	
August - 2002	2,454,200 GAL		N/A	0	
September - 2002	1,656,500 GAL		N/A	0	
TOTAL *	8,363,500 GAL	0	N/A	62,625 GAL	56.362 AF

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter. If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Signature

Director of Production Fields
Title

Shawn Watters Nursery
Reporting Entity

10/15/02
Date

JON J. OLSON
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



Dear Water User: It is a new water year! All water use reports for October 2001 to September 2002 are requested to be submitted by January 1, 2003. This information is important for water management in Oregon. Please complete the form on the reverse side for the water rights listed below. If you have questions, or need more time please, contact me at 503-378-8455 ext. 333. Thank you for your attention to this matter. Mary Grainey

GLENN WALTERS

USER-ID

9011

GLENN WALTERS NURSERY INC.

PO BOX 280, 7375 NW Roy Rd

BANKS OR 97106
Cornelius, 97113

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO		
36373	MID;NEELY WELL	0	G	13701	G 12301	7/5/1991	NU	L	2	S	2	W	8	SWNE	0.668 C S WELL 3	MC FEE CR
51229	BOWLBY 1	0	S	52051	S 80141	3/22/1995	AG	L	1	S	3	W	14	NWNE	3.68 C P TUALATIN R	WILLAMETTE R
51230	SCEFLIN LK #1	0	S	52052	S 80212	4/21/1995	AG	L	1	N	3	W	15	SWSW	8.02 C P UNN STR	DAIRY CR
51231	SCEFLIN LK #2	0	S	52052	S 80212	4/21/1995	AG	L	1	N	3	W	15	SWSW	13 C P RES 2	DAIRY CR
51232		0	S	52052	S 80212	4/21/1995	AG	L	1	N	3	W	15	SESW	13 C A RES 3	DAIRY CR
51476	ROY	0	S	53552	S 83133	5/20/1998	NU	L	1	N	3	W	16	NWNE	1.8 C P RUNOFF	DAIRY CR
51477	ROY	0	S	53552	S 83833	5/20/1998	NU	L	1	N	3	W	16	NENW	41.44 A P ROY FARM RES	DAIRY CR
51512	MITCH	0	S	53630	S 84061	2/8/1999	AG	L	1	N	3	W	18	NENE	3.34 C P W FK DAIRY CR	DAIRY CR

USER-ID

9011

apps-84001, S-83833, S-00141, S-00212
 apps-84005, S-00305, S-04477, 6-12001

USER-ID 9011 + 30222

Oregon Water Resources Department
 October 2007 through September 2008
 Annual Water Use - Monthly Quantities Form

COPY **2007**

2008

Facility →	Mitch & Perkins ✓	Roy-Scefflin ✓	Bowling ✓	Scefflin Lake ✓	Midway - Neely ✓
Report ID →	Dec. → April 30 only 51512	51476 & 51477	Dec. → April 30 only 51229	51230, 51231, 51232	36373
October - 2007	—	20,694 gal	—	N/A	1,234,300 gal
November - 2007	—	1,556 gal	—	—	642,300 gal
December - 2007	0	0	—	—	0
January - 2008	0	2,554 gal	—	—	0
February - 2008	12.371 ac/ft	9,824 gal	—	—	0
March - 2008	14.574 ac/ft	5,345 gal	—	—	147,900 gal
April - 2008	31.624 ac/ft	23,108 gal	3,200 gal	—	1,146,100 gal
May - 2008	—	74,526 gal	—	—	853,000 gal
June - 2008	—	90,663 gal	—	—	4,265,100 gal
July - 2008	—	103,052 gal	—	—	7,585,900 gal
August - 2008	—	101,355 gal	—	—	775,900 gal
September - 2008	—	62,114 gal	—	—	108,800 gal
Total *	58.569 ac/ft	494,791 gal	3,200 gal	N/A	16,759,300 gal

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OCT 1 2008

WATER RESOURCES DEPT
 SALEM, OREGON

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: in-line flow meter

If used for irrigation, total number of acres irrigated: _____

I certify this information is true and accurate to the best of my knowledge.

Signature Jon J. Olson
 Name

Title Director of Production
 Mailing Address Box 280 Banks, Oregon 97106

Reporting Entity Stann Walter Nursery

Date 10/15/08
 Phone Number (503) 693-1125



2004

Oregon Water Resources Department
October 2004 through September 2005
Annual Water Use - Monthly Quantities Form

USER-ID 9011

2005



Facility POD-ID	Mitch & Heston Dec - April 30 only 51512	Ng & Seffert 51476 & 51477	Bowley 51229 Dec - April only	Seffert Lake 51230, 51231, 51232	Mid - Neely well 36373
October - 2004	—	4,1625 GAL	—	N/A	225,800 GAL
November - 2004	—	—	—	N/A	83,200 GAL
December - 2004	—	—	1,500 GAL	N/A	43,500 GAL
January - 2005	—	—	—	—	38,200 GAL
February - 2005	10.422 Acre	25,407 GAL	1,500 GAL	—	68,200 GAL
March - 2005	14.975 Acre	26,956 GAL	—	—	890,200 GAL
April - 2005	11.834 Acre	65,918 GAL	1500 GAL	—	355,600 GAL
May - 2005	—	57,794 GAL	—	—	632,400 GAL
June - 2005	—	57,227 GAL	—	—	641,500 GAL
July - 2005	—	112,805 GAL	—	—	1,109,400 GAL
August - 2005	—	94,728 GAL	—	—	739,400 GAL
September - 2005	—	5,419 GAL	—	—	485,200 GAL
TOTAL *	37.231 Acre	450,601 GAL	4,500 GAL	N/A	4,712,600 GAL

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: in line flow meter If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

[Signature]
Signature

Director of Production
Title

Glenn Walter Husey
Reporting Entity

11/21/05
Date

Jon J. Olson
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.

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WATER RESOURCES DEPT
SALEM, OREGON



2004

Oregon Water Resources Department

October 2004 through September 2005

Annual Water Use - Monthly Quantities Form

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2005



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WATER RESOURCES DEPT
SALEM, OREGON

Facility POD-ID	MAE Pond DEC - April 30 52294	MAC River DEC - April 30 52295	NO2 River DEC - April 30 52296	Roy Lange well 6/767	Reeling Pond
October - 2004		—	—	N/A	2.845 Ac/ft
November - 2004		—	—	N/A	2.742 Ac/ft
December - 2004	1,440,000 gal	0	0	N/A	.119 Ac/ft
January - 2005	1,140,000 gal	0	0	N/A	.109 Ac/ft
February - 2005	1,875,000 gal	0	0	N/A	.262 Ac/ft
March - 2005	16,155,000 gal	0	0	N/A	21.694 Ac/ft
April - 2005	26,650,000 gal	0	0	N/A	29.179 Ac/ft
May - 2005		—	—	N/A	61.852 Ac/ft
June - 2005		—	—	N/A	71.781 Ac/ft
July - 2005		—	—	N/A	59.365 Ac/ft
August - 2005		—	—	N/A	40.747 Ac/ft
September - 2005		—	—	N/A	21.899 Ac/ft
TOTAL *	47,260,000 gal	0	0	N/A	310.594 Ac/ft

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: in line flow meter. If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Signature

Title

Reporting Entity

Date

Jon J. OLSON

Name - Please Print

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725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER-ID 9011 50222

2004



Facility ☐ POD-ID ☐	MAC Pond Dec - April only 52294	MAC RIVER Dec - April only 52295	MOZ RIVER Dec - April only 52296	ROY LARGE well 61767	
October - 2003				N/A	
November - 2003				N/A	
December - 2003	2,200 gal	0	0	N/A	
January - 2004	0	0	0	N/A	
February - 2004	0	0	0	N/A	
March - 2004	1,500 gal	0	0	N/A	
April - 2004	0	0	0	N/A	
May - 2004				N/A	
June - 2004				N/A	
July - 2004				N/A	
August - 2004				N/A	
September - 2004				N/A	
TOTAL *	3,700 gal	0	0		

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NOV 19 2004

WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter. If use is irrigation, total number acres irrigated _____
I certify this information is true and accurate to the best of my knowledge.

[Signature]
Signature
Jon J. Olson
Name - Please Print

[Signature]
Title

Glenn Waters Perry
Reporting Entity

11/17/04
Date

Please complete and mail to: Water Resource Department; Water Use Reporting Program;
725 Summer Street NE Suite A, Salem, OR 97301-1271, or Fax 503-586-0902.



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT

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JON OLSON
GLENN WALTERS NURSERY INC.
PO BOX 280
BANKS OR 97106

<http://www.wrd.state.or.us>

User-ID 50222
Password: 50222

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO
52294	MAC Pond	0	S	53878 S 84961	11/5/2001	NU	L	1 N	3 W	27	NESE	3.34 C	UNN STR	DAIRY CR
52295	MAC River	0	S	53878 S 84961	11/5/2001	NU	L	1 N	3 W	27	SESE	1.34 C	DAIRY CR	TUALATIN R
52296	NOR River	0	S	53878 S 84961	11/5/2001	NU	L	1 N	3 W	26	SWSW	0.67 C	DAIRY CR	TUALATIN R

USER-ID

50222

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER

9011

2004



Facility ☐ POD-ID ☐	MITCH & REKINS DEC. → APRIL 30 2004 51512	ROY → SCOFFLIN 51476 & 51477	BOWLEY DEC. → APRIL 2004 51229	SCOFFLIN LAKE 1,2,3 51230, 51231 51232	MID-NEELY well 36373
October - 2003	5.43 AC/ft.	36,387 gAL		N/A	185,600 gAL
November - 2003	0	2,849 gAL		N/A	62,500 gAL
December - 2003	0	0	1,500 gAL	N/A	35,400 gAL
January - 2004	0	0		N/A	42,300 gAL
February - 2004	0	0	1,500 gAL	N/A	87,100 gAL
March - 2004	26.364 AC/ft.	38,556 gAL		N/A	158,000 gAL
April - 2004	32.144 AC/ft.	90,850 gAL	500 gAL	N/A	456,000 gAL
May - 2004		76,603 gAL		N/A	1,025,100 gAL
June - 2004		49,463 gAL		N/A	1,253,000 gAL
July - 2004		58,349 gAL		N/A	1,341,000 gAL
August - 2004		66,946 gAL		N/A	947,200 gAL
September - 2004		51,526 gAL		N/A	545,700 gAL
TOTAL *	63.938 AC/ft.	471,529 gAL	3,500 gAL	N/A	6,138,900 gAL

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter

If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Signature

Jon J. Olson

Name - Please Print

Title

Director of Production

Reporting Entity

Glenn Walter Hunsy

Date

11/17/04

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT



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GLENN WALTERS
GLENN WALTERS NURSERY INC.
7375 NW ROY RD
CORNELIUS OR 97113

<http://www.wrd.state.or.us>

User-ID 9011
Password: 9011

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO						
36373	MID;NEELY WELL	0	G	13701	G	12601	7/5/1991	NU	L	2	S	2	W	8	SWNE	0.668	C	S	WELL 3	MCREE CR
51229	BOWLBY 1	0	S	52051	S	80141	3/22/1995	AG	L	1	S	3	W	14	NWNE	3.68	C	P	TUALATIN R	WILLAMETTE R
51229	BOWLBY 1	0	S	53770	S	84477	7/5/2000	NU	L	1	S	3	W	14	NWNE	3.68	C	P	TUALATIN R	WILLAMETTE R
51230	SCEFLIN LK #1	0	S	52052	S	80212	4/21/1995	AG	L	1	N	3	W	15	SWSW	8.02	C	P	UNN STR	DAIRY CR
51231	SCEFLIN LK #2	0	S	52052	S	80212	4/21/1995	AG	L	1	N	3	W	15	SWSW	13	C	P	RES 2	DAIRY CR
51232	<i>Sceflin LK</i>	0	S	52052	S	80212	4/21/1995	AG	L	1	N	3	W	15	SESW	13	C	A	RES 3	DAIRY CR
51476	ROY } <i>Pig - Sceflin</i>	0	S	53552	S	83833	5/20/1998	NU	L	1	N	3	W	16	NWNE	1.8	C	P	RUNOFF	DAIRY CR
51477	ROY	0	S	53552	S	83833	5/20/1998	NU	L	1	N	3	W	16	NENW	41.44	A	P	ROY FARM RES	DAIRY CR
51512	MITCH	0	S	53787	S	84605	12/15/2000	AG	L	1	N	3	W	18	NENE	5.57	C	P	W FK DAIRY CR	DAIRY CR
51512	MITCH	0	S	53630	S	84661	2/8/1999	AG	L	1	N	3	W	18	NENE	3.34	C	P	W FK DAIRY CR	DAIRY CR
51512	MITCH	0	S	53787	S	84605	12/15/2000	NU	L	1	N	3	W	18	NENE	5.57	C	A	W FK DAIRY CR	DAIRY CR
61766	<i>only 11</i>	0	G	15479	G	15805	7/24/2002	NU	L	1	N	3	W	15	NWSW	2.93	C	P	A WELL	DAIRY CR

Dec. 31 / April 30
only
Quamant Range well

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WATER RESOURCES DEPT
SALEM, OREGON

USER-ID 9011

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER-ID 9011 50222

2004



Facility POD-ID	MAC Pond Dec - April only 52294	MAC River Dec - April only 52295	W2 RIVER Dec - April only 52296	Roy Lange well 61767	
October - 2003				N/A	
November - 2003				N/A	
December - 2003	2,200 gal	0	0	N/A	
January - 2004	0	0	0	N/A	
February - 2004	0	0	0	N/A	
March - 2004	1,500 gal	0	0	N/A	
April - 2004	0	0	0	N/A	
May - 2004				N/A	
June - 2004				N/A	
July - 2004				N/A	
August - 2004				N/A	
September - 2004				N/A	
TOTAL *	3,700 gal	0	0		

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NOV 19 2004

WATER RESOURCES DEPT
SALEM, OREGON

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter. If use is irrigation, total number acres irrigated
I certify this information is true and accurate to the best of my knowledge.

Signature

Jon J. Olson

Name - Please Print

Title

Director of Production

Reporting Entity

Glenn Waters Nursery

Date

11/17/04

COPY

Please complete and mail to: Water Resource Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-586-0902.



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT

Dear Water User: Water year 2004 has ended! All water use reports for October 2003 to September 2004 are requested to be submitted. During the past year we transferred our data to a new computer system, and have developed a website from which you may submit your data, if you so choose. In some cases the references numbers for points of diversion may have been changed. If this creates a problem for you, please contact me. If you would like to use the new site go to the web address listed below. You will not need to mail in this completed form. This information is important for water management in Oregon. Please, complete the form on the reverse side for the water rights listed below by December 31, 2004. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter. Mary Grainey



JON OLSON
GLENN WALTERS NURSERY INC.
PO BOX 280
BANKS OR 97106

<http://www.wrd.state.or.us>

User-ID 50222
Password: 50222

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO
52294	MAC Pond	0 S	53878	S 84961	11/5/2001	NU	L	1 N	3 W	27	NESE	3.34 C	UNN STR	DAIRY CR
52295	MAC River	0 S	53878	S 84961	11/5/2001	NU	L	1 N	3 W	27	SESE	1.34 C	DAIRY CR	TUALATIN R
52296	NBZ River	0 S	53878	S 84961	11/5/2001	NU	L	1 N	3 W	26	SWSW	0.67 C	DAIRY CR	TUALATIN R

USER-ID

50222

2003

Oregon Water Resources Department
October 2003 through September 2004
Annual Water Use - Monthly Quantities Form

USER-9011

2004



Facility ☐ POD-ID ☐	MITCH & REKINS DEC. → APRIL 30 only 51512	ROY → SCOFFLIN 51476 & 51477	BOWLEY DEC. → APRIL only 51229	SCOFFLIN LAKES 1,2,3 51230, 51231 51232	MID-WEEKLY well 36373
October - 2003	5.43 AC/ft.	36,387 GAL		N/A	185,600 GAL
November - 2003	0	2,849 GAL		N/A	62,500 GAL
December - 2003	0	0	1,500 GAL	N/A	35,400 GAL
January - 2004	0	0		N/A	42,300 GAL
February - 2004	0	0	1,500 GAL	N/A	87,100 GAL
March - 2004	26.364 AC/ft.	38,556 GAL		N/A	158,000 GAL
April - 2004	32.144 AC/ft.	90,850 GAL	500 GAL	N/A	456,000 GAL
May - 2004		76,603 GAL		N/A	1,025,100 GAL
June - 2004		49,463 GAL		N/A	1,253,000 GAL
July - 2004		58,349 GAL		N/A	1,341,000 GAL
August - 2004		66,946 GAL		N/A	947,200 GAL
September - 2004		51,526 GAL		N/A	545,700 GAL
TOTAL *	63.938 AC/ft.	471,529 GAL	3,500 GAL	N/A	6,138,900 GAL

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter If use is irrigation, total number acres irrigated 0
I certify this information is true and accurate to the best of my knowledge.

Jon J. Olson
Signature
Name - Please Print

Director of Production
Title

Glenn Walters Hensy
Reporting Entity

11/17/04
Date

COPY

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.



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GLENN WALTERS

<http://www.wrd.state.or.us>

GLENN WALTERS NURSERY INC.

User-ID 9011

7375 NW ROY RD

Password: 9011

CORNELIUS

OR 97113

POD-ID	FACILITY	CERT	PERMIT	APPL	PRIORITY	USE	L/S	TWP	RANGE	SEC	Q/Q	RATE	SOURCE	TRIBUTARY TO
36373	MID;NEELY WELL	0	G	13701	G 12601	7/5/1991	NU	L	2 S	2 W	8 SWNE	0.668	C S WELL 3	MCFEE CR
51229	BOWLBY 1	0	S	52051	S 80141	3/22/1995	AG	L	1 S	3 W	14 NWNE	3.68	C P TUALATIN R	WILLAMETTE R
51229	BOWLBY 1	0	S	53770	S 84477	7/5/2000	NU	L	1 S	3 W	14 NWNE	3.68	C P TUALATIN R	WILLAMETTE R
51230	SCEFLIN LK #1	0	S	52052	S 80212	4/21/1995	AG	L	1 N	3 W	15 SWSW	8.02	C P UNN STR	DAIRY CR
51231	SCEFLIN LK #2	0	S	52052	S 80212	4/21/1995	AG	L	1 N	3 W	15 SWSW	13	C P RES 2	DAIRY CR
51232	Sceflin LK	0	S	52052	S 80212	4/21/1995	AG	L	1 N	3 W	15 SESW	13	C A RES 3	DAIRY CR
51476	ROY } Pig -> Sceflin	0	S	53552	S 83833	5/20/1998	NU	L	1 N	3 W	16 NWNE	1.8	C P RUNOFF	DAIRY CR
51477	ROY	0	S	53552	S 83833	5/20/1998	NU	L	1 N	3 W	16 NENW	41.44	A P ROY FARM RES	DAIRY CR
51512	MITCH	0	S	53787	S 84605	12/15/2000	AG	L	1 N	3 W	18 NENE	5.57	C P W FK DAIRY CR	DAIRY CR
51512	MITCH	0	S	53630	S 84051	2/8/1999	AG	L	1 N	3 W	18 NENE	3.34	C P W FK DAIRY CR	DAIRY CR
51512	MITCH	0	S	53787	S 84605	12/15/2000	NU	L	1 N	3 W	18 NENE	5.57	C A W FK DAIRY CR	DAIRY CR
61766	only	0	G	15479	G 15805	7/24/2002	NU	L	1 N	3 W	15 NWSW	2.99	C P A WELL	DAIRY CR

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USER-ID

9011

NOV 19 2004

WATER RESOURCES DEPT
SALEM, OREGON

2524
6

2002

Oregon Water Resources Department
October 2002 through September 2003
Annual Water Use - Monthly Quantities Form

USER-ID 9011

2003



Facility ☐ POD-ID ☐	mid-Nelly well 36373 - NU	Bowlby 1 Dec. → April 2003 51229 - NU	SeeFLINK 1, 2, 3 51230, 51231 51232 - AG	Boyl → SeeFLINK 51476 + 51477 - NU	MITCH + Reilly Dec → April 2003 51512 - NU
October - 2002	180,000 gal		N/A	34,724 gal	
November - 2002	81,200 gal		N/A	7,561 gal	
December - 2002	42,400 gal	1,460 gal	N/A	146 gal	• 146 Ac/ft
January - 2003	56,500 gal	⊖	N/A	10,000 gal	⊖
February - 2003	101,200 gal	⊖	N/A	28,362 gal	⊖
March - 2003	145,300 gal	1,250 gal	N/A	⊖	• 347 Ac/ft
April - 2003	462,000 gal	⊖	N/A	⊖	• 91 Ac/ft
May - 2003	928,400 gal		N/A	64,591 gal	
June - 2003	1,287,000 gal		N/A	77,789 gal	
July - 2003	1,289,400 gal		N/A	81,910 gal	
August - 2003	1,846,200 gal		N/A	108,695 gal	
September - 2003	1,025,000 gal		N/A	45,122 gal	
TOTAL *	7,444,300 gal	2,710 gal	N/A	458,900 gal	1,403 Ac/ft

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter. If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Signature

Jon J. OLSON

Name - Please Print

Title

Reporting Entity

Date

1/16/04

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1271

COPY

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JAN 22 2004

WATER RESOURCES DEPT
SALEM OREGON



OREGON WATER RESOURCES DEPARTMENT SUMMARY OF WATER RIGHTS FOR WATER USE REPORT

Dear Water User: Water year 2003 has ended! All water use reports for October 2002 to September 2003 are requested to be submitted. We are a little late this year due to our efforts to develop a website from which you may submit your data, if you so choose. If you would like to test the new site go to the web address listed below. You will not need to mail in this completed form. This information is important for water management in Oregon. Please, complete the form on the reverse side for the water rights listed below by March 1, 2004. If you have questions, or need more time please, contact me at 503-986-0833. Thank you for your attention to this matter.
Mary Grainey



GLENN WALTERS
GLENN WALTERS NURSERY INC.
7375 NW ROY RD
CORNELIUS OR 97113

<http://stamp.wrd.state.or.us/apps/wr/wateruse/wateruse.php>

User-ID 9011
Password: 9011

Well ID	Well Name	Owner	Right	Date	Category	Priority	Volume	Direction	Area	Depth	Flow	Location	Notes
36373	MID;NEELY WELL	0 G 13701 G 12601	7/5/1991	NU	L	2 S	2 W	8 SWNE	0.663	C	S	WELL 3	MCREE CR
51229	BOWLBY #1	0 S 53770 S 84477	7/5/2000	NU	L	1 S	3 W	14 NWNE	3.68	C	P	TUALATIN R	WILLAMETTE R
51229	BOWLBY #1	0 S 52051 S 80141	3/22/1995	AG	L	1 S	3 W	14 NWNE	3.68	C	P	TUALATIN R	WILLAMETTE R
51230	SCEFLIN LK #1	0 S 52052 S 80212	4/21/1995	AG	L	1 N	3 W	15 SWSW	8.02	C	P	UNN STR	DAIRY CR
51231	SCEFLIN LK #2	0 S 52052 S 80212	4/21/1995	AG	L	1 N	3 W	15 SWSW	13	C	P	RES 2	DAIRY CR
51232		0 S 52052 S 80212	4/21/1995	AG	L	1 N	3 W	15 SESW	13	C	A	RES 3	DAIRY CR
51476	ROY	0 S 53552 S 83833	5/20/1998	NU	L	1 N	3 W	16 NWNE	1.3	C	P	RUNOFF	DAIRY CR
51477	ROY	0 S 53552 S 83833	5/20/1998	NU	L	1 N	3 W	16 NENW	41.44	A	P	ROY FARM RES	DAIRY CR
51512	MITCH	0 S 53630 S 84061	2/8/1999	AG	L	1 N	3 W	18 NENE	3.34	C	P	W FK DAIRY CR	DAIRY CR
51512	MITCH	0 S 53787 S 84605	12/15/2000	AG	L	1 N	3 W	18 NENE	5.57	C	P	W FK DAIRY CR	DAIRY CR
51512	MITCH	0 S 53787 S 84605	12/15/2000	NU	L	1 N	3 W	18 NENE	5.57	C	A	W FK DAIRY CR	DAIRY CR

USER-ID 9011

2002

Oregon Water Resources Department
October 2002 through September 2003
Annual Water Use - Monthly Quantities Form

USER-ID 9011

2003



Facility ☒	Mid-M24 well	Bowlby 1	See FLIN Lake 1,2	Boyl - See FLIN	Mitch + Reiling
POD-ID ☒	36373 - NU	Dec. - April 2002 51229 - NU	51230, 51231 51232 - AG	51476 + 51477 - NU	Dec - April 2003 51512 - NU
October - 2002	180,000 gal		N/A	34,724 gal	
November - 2002	81,200 gal		N/A	7,561 gal	
December - 2002	42,400 gal	1,460 gal	N/A	146 gal	• 146 Ac/ft
January - 2003	56,500 gal	0	N/A	10,000 gal	0
February - 2003	101,200 gal	0	N/A	28,362 gal	0
March - 2003	145,300 gal	1,250 gal	N/A	0	• 347 Ac/ft
April - 2003	462,000 gal	0	N/A	0	• 91 Ac/ft
May - 2003	928,400 gal		N/A	64,591 gal	
June - 2003	1,287,000 gal		N/A	77,789 gal	
July - 2003	1,289,400 gal		N/A	81,910 gal	
August - 2003	1,846,200 gal		N/A	108,695 gal	
September - 2003	1,025,000 gal		N/A	45,122 gal	
TOTAL *	7,444,300 gal	2,710 gal	N/A	458,900 gal	1,403 Ac/ft

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter. If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

Jon J. Olson
Signature

Name - Please Print

Director of Production
Title

Stenn Walters Pursey
Reporting Entity

1/16/04
Date

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1271

RECEIVED

JAN 22 2004

WATER RESOURCES DEPT
SALEM OREGON

2001

Oregon Water Resources Department
October 2001 through September 2002
Annual Water Use - Monthly Quantities Form

USER-ID 9011

2002

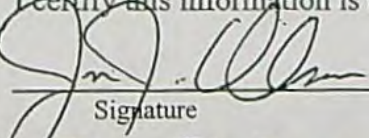


Facility  POD-ID 	MID, NEELY well	BOWLBY I DEC. → APRIL only 51229	SEEFLIN LAKE, 213 51230, 51231, 51232	ROY → SEEFLIN 51476 + 51477	MITCH + Reiling DEC. → APRIL 30 only 51512
October - 2001	122,600 GAL		N/A	⊖	
November - 2001	52,900 GAL		N/A	⊖	
December - 2001	35,800 GAL	⊖	N/A	⊖	⊖
January - 2002	29,600 GAL	⊖	N/A	⊖	⊖
February - 2002	47,800 GAL	⊖	N/A	⊖	⊖
March - 2002	137,300 GAL	⊖	N/A	⊖	14.891 AF
April - 2002	362,700 GAL	⊖	N/A	18,316 GAL	41.471 AF
May - 2002	595,200 GAL		N/A	11,905 GAL	
June - 2002	1,225,600 GAL		N/A	⊖	
July - 2002	1,643,800 GAL		N/A	32,404 GAL	
August - 2002	2,454,200 GAL		N/A	⊖	
September - 2002	1,656,500 GAL		N/A	⊖	
TOTAL *	8,363,500 GAL	⊖	N/A	⊖ 62,625 GAL	56.362 AF

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: In line flow meter. If use is irrigation, total number acres irrigated _____

I certify this information is true and accurate to the best of my knowledge.

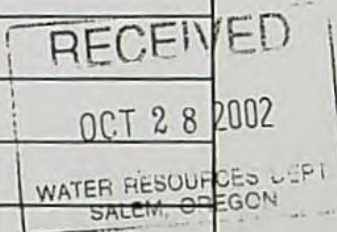

Signature
JON J. OLSON
Name - Please Print

Director of Production - Fields
Title
Reporting Entity

Shawn Watters-Nursery
Reporting Entity
Date

10/15/02
Date

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210





2000

Oregon Water Resources Department
October 2000 through September 2001
Annual Water Use - Monthly Quantities Form

USER-ID 9011

2001



Locality ☒ POD-ID ☒	AG	AG	NU	AG
MID, NEELY Well	Boulby I	SEEFIN LAKE #1	SEEFIN LAKE #2	ROY → SEEFIN
36373 NU	DEC → APRIL only 51229 AG	51230	51231	51476 + 51477
October - 2000	216,780 GAL	N/A	N/A	0
November - 2000	72,260 GAL	N/A	N/A	0
December - 2000	72,260 GAL	0	N/A	0
January - 2001	72,260 GAL	0	N/A	0
February - 2001	72,260 GAL	0	N/A	0
March - 2001	216,780 GAL	0	N/A	0
April - 2001	598,130 GAL	0	N/A	0
May - 2001	588,130 GAL	N/A	N/A	0
June - 2001	1,176,360 GAL	N/A	N/A	0
July - 2001	2,250,400 GAL	N/A	N/A	1,653,430 GAL
August - 2001	2,225,400 GAL	N/A	N/A	5,539,467 GAL
September - 2001	882,270 GAL	N/A	N/A	2,940,203 GAL
TOTAL *	8,468,390 GAL	0	N/A	10,133,100 GAL

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used In line flow meter. If use is irrigation, total number acres irrigated 161.2 Ac

I certify this information is true and accurate to the best of my knowledge.

[Signature]
Signature

Director of Production Fields
Title

Walter Nursey
Reporting Entity

2/22/02
Date

RECEIVED
JAN 24 2002
WATER RESOURCES DEPT.
SALEM, OREGON

**RECEIVED**

DEC 18 2000

WATER RESOURCES DEPT
SALEM, OREGONapp: G-12601, 80141, 80212, 83833, 84061
USER-ID 9011
Oregon Water Resources Department
October 1999 through September 2000
Annual Water Use - Monthly Quantities Form

2000



Facility ☐ POD-ID ☐	MID; Neely well	Bowling I Dec. → April only	Sceflin LAKE #1	Sceflin LAKE #2	Roy → Sceflin
	36373 NW	51229 AG	51230 AG	51231 AG	51476 + 51477 (should be combined)
October - 1999	264,595 GAL.		N/A	N/A	⊖
November - 1999	88,190 GAL.		N/A	N/A	⊖
December - 1999	85,295 GAL.	⊖	N/A	N/A	⊖
January - 2000	80,650 GAL.	⊖	N/A	N/A	⊖
February - 2000	83,595 GAL.	⊖	N/A	N/A	⊖
March - 2000	265,540 GAL.	⊖	N/A	N/A	⊖
April - 2000	881,980 GAL.	⊖	N/A	N/A	⊖
May - 2000	892,500 GAL.		N/A	N/A	⊖
June - 2000	1,322,980 GAL.		N/A	N/A	⊖
July - 2000	1,695,835 GAL.		N/A	N/A	⊖
August - 2000	1,808,186 GAL.		N/A	N/A	⊖
September - 2000	1,350,540 GAL.		N/A	N/A	⊖
TOTAL *	8,819,836 GAL.		N/A	N/A	⊖

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: GALLONS. If use is irrigation, total number acres irrigated 87.1 AC

I certify this information is true and accurate to the best of my knowledge.

Signature

Title

Reporting Entity

Date

12/15/00

Jon J. OLSON

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210



1999

Oregon Water Resources Department
October 1999 through September 2000
Annual Water Use - Monthly Quantities Form

USER-ID 9011

2000



Facility ☒	MITCH Dec.-Apr 30				
POD-ID ☒	51512 AG				
October - 1999					
November - 1999					
December - 1999	0				
January - 2000	0				
February - 2000	0				
March - 2000	0				
April - 2000	0				
May - 2000					
June - 2000					
July - 2000					
August - 2000					
September - 2000					
TOTAL *	0				

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: Flow meter (On line) If use is irrigation, total number acres irrigated 0

I certify this information is true and accurate to the best of my knowledge.

Jon J. Olson
Signature
Jon J. OLSON

Director of Production Fields
Title

Glenn Walters Nersey
Reporting Entity

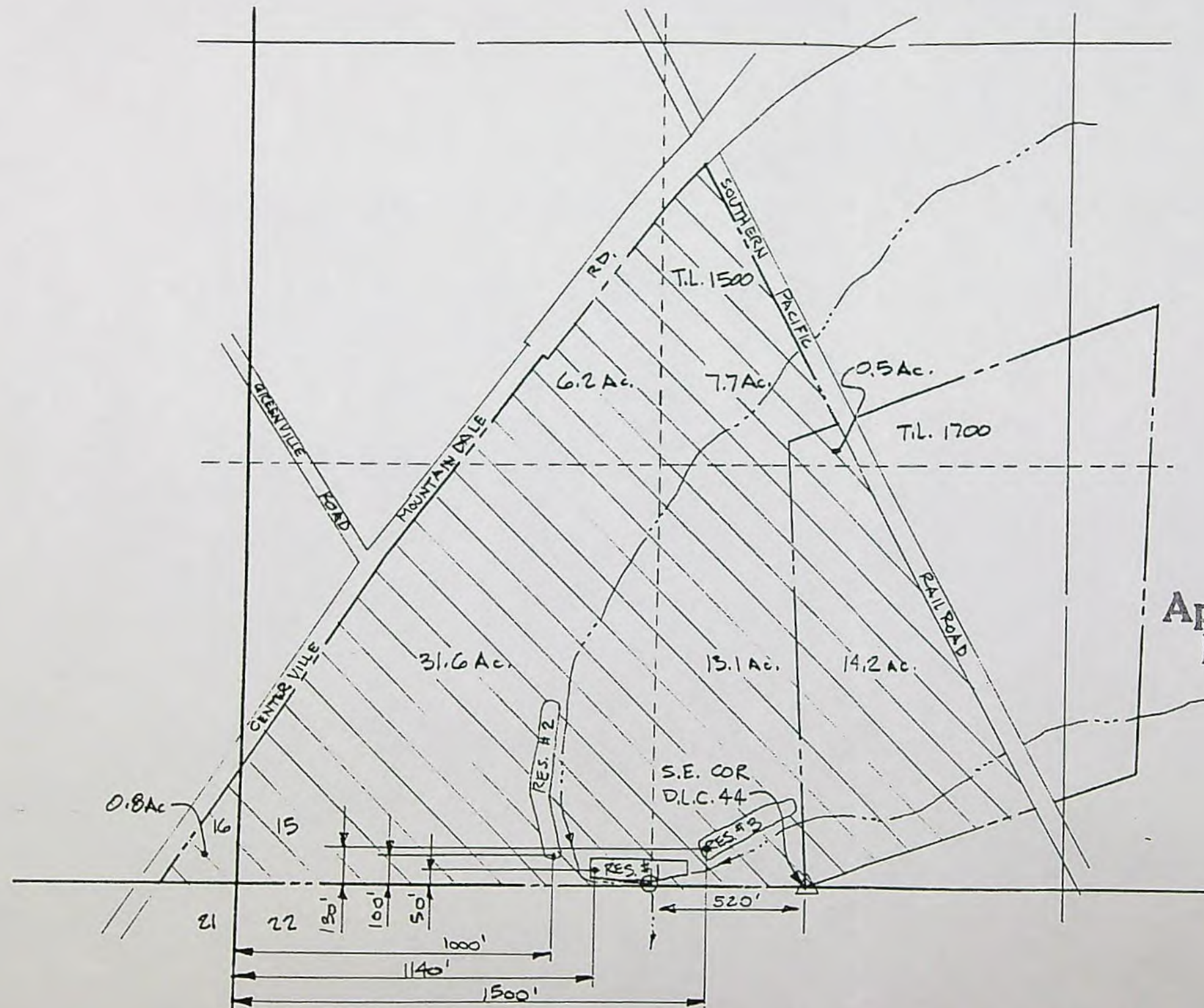
12/15/00
Date

Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
158 12th Street NE; Salem, OR 97310-0210

SECTION 15 & 16 T.1N., R.3W., W.M.
WASHINGTON COUNTY, OREGON

0103121



WATER RIGHT APPLICATION MAP

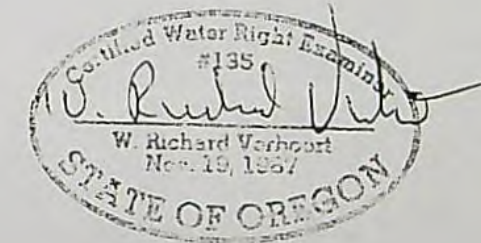


SCALE: 1" = 400'

MAP BASE:
ASSESSORS MAP

AGRICULTURAL
USE

Application No. S-80212
Permit No. 52052



PREPARATION OF THIS MAP IS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF
THE WATER RIGHT ONLY. THERE IS NO INTENT
TO PROVIDE DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES.

GLENN WALTERS NURSERY, INC.
P.O. BOX 280, BANKS, OR 97106
SHEFFLIN FARM

designed	by	date
WRV	WRV	4-14-95
drawn	JBR	4-14-95
checked	WRV	4-14-95

drawing no. 95-B-06
sheet no. 1/1

VERBOORT ENGINEERING
AGRICULTURE • CIVIL • WATER RESOURCES
HILLSBORO, OREGON

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION R-80211, PERMIT R-11750 TRIBUTARIES OF DAIRY CREEK

PURPOSE OR USE: AGRICULTURAL USE OF 74.1 ACRES

RATE/VOLUME OF USE: 8.02 CFS FROM LIVE FLOW AND 13.0 ACRE-FEET OF STORED WATER ONLY

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: April 21, 1995

POINT OF DIVERSION LOCATIONS: SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15, T1N, R3W, W.M.; RESERVOIR #2 - 100 FEET NORTH & 1000 FEET EAST; RESERVOIR #3 - 130 FEET NORTH & 1500 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 15; LIVE FLOW - 520 FEET WEST OF THE SE CORNER OF DLC 44

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4	8.2 ACRES
NW 1/4 SW 1/4	6.2 ACRES
SW 1/4 SW 1/4	31.6 ACRES
SE 1/4 SW 1/4	27.3 ACRES
SECTION 15	

SE 1/4 SE 1/4	0.8 ACRE
SECTION 16	

TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

SEE NEXT PAGE

Measurement, recording and reporting conditions:

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The permittee will be required to comply with state and federal water quality standards.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued April 26, 1996

for Martha O. Pagel, Director
Water Resources Department

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # S-80212

WATERMASTER # 18

REGIONAL MANAGER: Northwest

ODF&W - Washington County:

CWRE (if agent): W Richard Verboort #135

DEQ

OTHER STATE AGENCY IF NECESSARY:

DIVISION 33 LIST: COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; U.S. FISH & WILDLIFE;
(CHECK ONLY IF APPLICABLE) NORTHWEST POWER PLANNING COUNCIL & NATIONAL MARINE FISHERIES

POWER BUILDER UPDATER; FRONT COUNTER

OTHER ADDRESSES OF PEOPLE WHO PAID THE \$10 FEE:

PEOPLE WITH OBJECTIONS, COMMENTS OR REQUESTED COPY W/O \$10 (SEND THE \$10 LETTER):

CASEWORKER : GH

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-80212

Schefflin

Final Order

Application History

On April 21, 1995, GLENN WALTERS NURSERY, INC. submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on December 26, 1995. The protest period closed February 9, 1996, and no protest was filed.

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

Order

Upon payment of outstanding permit recording fees, Application S-80212 will be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$500.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application S-80212.

DATED March 15, 1996

G. Huntington (for)
Martha O. Pagel
Director

Appeal Rights

Under the provisions of ORS 183.484, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.

RECEIVED

APR 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF WASHINGTON

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

The specific limits for the use are listed below along with conditions of use.

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PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: April 21, 1995

POINT OF DIVERSION LOCATIONS: SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15, T1N, R3W, W.M.; RESERVOIR #2 - 100 FEET NORTH & 1000 FEET EAST; RESERVOIR #3 - 130 FEET NORTH & 1500 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 15; LIVE FLOW - 520 FEET WEST OF THE SE CORNER OF DLC 44

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 8.2 ACRES
NW 1/4 SW 1/4 6.2 ACRES
SW 1/4 SW 1/4 31.6 ACRES
SE 1/4 SW 1/4 27.3 ACRES
SECTION 15

SE 1/4 SE 1/4 0.8 ACRE
SECTION 16

TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

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APR 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

SEE NEXT PAGE

Measurement, recording and reporting conditions:

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

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The permittee will be required to comply with state and federal water quality standards.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

RECEIVED

Application S-80212 Water Resources Department

PERMIT DRAFT

APR 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

DRAFT

Martha O. Pagel, Director
Water Resources Department

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APR 12 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Application S-80212 Water Resources Department
Basin 02 Volume 20 DAIRY CREEK & MISC. & WELLS
MGMT CODE 3EW

PERMIT DRAFT
District 18

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-80212

Final Order

Application History

On April 21, 1995, GLENN WALTERS NURSERY, INC. submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on December 26, 1995. The protest period closed February 9, 1996, and no protest was filed.

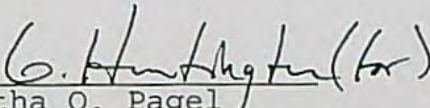
The proposed use would not impair or be detrimental to the public interest.

Order

Upon payment of outstanding permit recording fees, Application S-80212 will be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$500.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application S-80212.

DATED March 15, 1996


Martha O. Pagel
Director

Appeal Rights

Under the provisions of ORS 183.484, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.

STATE OF OREGON

COUNTY OF WASHINGTON

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION R-80211, PERMIT R-_____
TRIBUTARIES OF DAIRY CREEK

PURPOSE OR USE: AGRICULTURAL USE OF 74.1 ACRES

RATE/VOLUME OF USE: 8.02 CFS FROM LIVE FLOW AND 13.0 ACRE-FEET OF STORED WATER ONLY

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: April 21, 1995

POINT OF DIVERSION LOCATIONS: SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15, T1N, R3W, W.M.; RESERVOIR #2 - 100 FEET NORTH & 1000 FEET EAST; RESERVOIR #3 - 130 FEET NORTH & 1500 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 15; LIVE FLOW - 520 FEET WEST OF THE SE CORNER OF DLC 44

THE PLACE OF USE IS LOCATED AS FOLLOWS:

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SE 1/4 SE 1/4 0.8 ACRE
SECTION 16

TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

SEE NEXT PAGE

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
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The permittee will be required to comply with state and federal water quality standards.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

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

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

DRAFT

Martha O. Pagel, Director
Water Resources Department

75 AC

FILE # 82212

REVIEW DATE: 2/14/96

INITIALS :

ca

1. Y / N Were comments or protests were received in response to the PFO?
2. List names and addresses of ALL commentors (regardless of comment date) on the PFO CC list.
3. \$00 ⁰⁰ Verify payment of recording fees (circle the appropriate option)
 - (1) Issue FO w/permit if fees are paid
 - (2) Issue FO w/o permit if fees are lacking
 - (3) Prepare refund request for excess fees
4. Y / N Has the applicant signed an oath of accuracy for the application?
5. Y / N Has ODFW asked for self certification on screening condition?
6. Y / N Is further processing possible? If not state reason:

ACTION SUSPENSE DATE:

7. N/A Assign permit numbers to files with oath, fees, and no protests or other unresolved issues

DENIAL
LARRY

FO w/o PERMIT
CORY

Route to: (circle one)

FO & PERMIT
JERRY

COMMENTS
DOUG

Modify FO as needed to:

8. ☒ Respond to significant comments, issues, or disputes related to the proposed use of water
9. ☒ Include or exclude permit conditions and management codes
10. ☒ Notify applicant of additional information or fees required prior to permit issuance
11. ☒ Correct PFO errors (such as POD or POU location (verify from map), Permit format)

Once FO document is completed:

12. Move WordPerfect document to M:\T\FO\SIGN
13. Print final draft of document and submit to team leader for review
14. Y/N Team leader review completed

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director Water Resources Department

| | | |
|-----------------------------|---|----------|
| In the matter of |) | PROPOSED |
| Surface Water Application |) | FINAL |
| S-80212 submitted by |) | ORDER |
| GLENN WALTERS NURSERY, INC. | | |

FINDINGS OF FACT

Water Use Request

1. GLENN WALTERS NURSERY, INC. requested use of 3600.0 GALLONS PER MINUTE of water from TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION 80212, TRIBUTARIES OF DAIRY CREEK for AGRICULTURAL USE OF 74.1 ACRES within the Willamette Basin. Reservoir #1, constructed under permit R-4858, is not classified for Agriculture use.
2. The area of proposed use is in Washington County within SECTIONS 15 & 16, TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.
3. The water delivery system is described by the applicant as follows: Each pond has two 30 horsepower electric centrifugal pumps with PVC mainline and laterals conveying water to sprinklers.
4. The request was made in Application S-80212 which was received by the Water Resources Department on April 21, 1995.

Affected Waters

1. TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION 80212, TRIBUTARIES OF DAIRY CREEK, are not within or above a State Scenic Waterway.
2. ODFW has not informed the Department of the presence of game fish at the described point of diversion.
3. There are senior water rights on TWO UNNAMED DRAINAGE WAYS, TILE DRAIN, TRIBUTARIES OF DAIRY CREEK, and on downstream waters.

Department Actions

1. The application was determined to be complete and not defective.
2. An Initial Review of the application was completed and a report of the results of that review was mailed to the applicant on SEPTEMBER 18, 1995.

3. The Initial Review determined:
 - a. AGRICULTURAL USE is allowed under the Willamette Basin Program from live flow only during the period November 1 through April 30 and year round use from stored water only.
 - b. The use is not prohibited by Statute.
 - c. Water is available for further appropriation (at an 80 percent exceedance probability) for the period December 1 through April 30.
 - d. A letter from DEQ regarding water quality in the Tualatin River Basin.
 - e. The use would not injure existing water rights.
4. The report of Initial Review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.
5. The applicant did not notify the Department to stop processing this application within 14 days after the report was mailed as provided in ORS 537.150(5).
6. The Department proceeded with processing the application and on OCTOBER 3, 1995 published notice of the application in its weekly Public Notice of Water Rights.
7. At the close of the 30 day comment period provided in ORS 537.150(7), the Department had received comments on the application.

Assessment

1. In proceeding with evaluation of Application S-80212, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502)
 - b. The Washington County Comprehensive Plan and Zoning Ordinance
 - c. The amount of water available in TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND THREE UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION 80212, TRIBUTARIES OF DAIRY CREEK
 - d. The established rate and duty for the proposed use
 - e. Pending, senior applications and existing water rights of record
 - f. Comments received

- g. A letter from DEQ regarding water quality in the Tualatin River Basin.

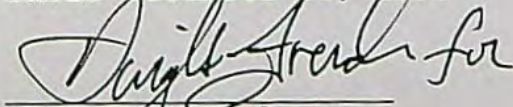
CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the Initial Review remain valid.
2. The period of allowed use is December 1 through April 30 from live flow and year round from stored water only.
3. The Department finds that no more than 3600.0 GPM, of live flow and 13.0 ACRE-FEET of stored water would be necessary for the proposed use. The amount of water requested, 3600.0 gpm, 8.02 cfs, and 13.0 acre-feet is allowable.
4. Washington County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Washington County Comprehensive Land Use Plan.
5. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.
6. The proposed use complies with all other rules of the Commission.
7. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.
8. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application S-80212 in the name of GLENN WALTERS NURSERY, INC. be approved for AGRICULTURAL USE ON 74.1 ACRES as provided in the attached draft permit.

DATED December 26, 1995



Steven P. Applegate
Administrator
Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on February 9, 1996.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON

COUNTY OF Washington

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

GLENN WALTERS NURSERY, INC.
PO BOX 280
BANKS, OREGON 97106

(503) 693-1125

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-80212

SOURCE OF WATER: TWO UNNAMED DRAINAGE WAYS, TILE DRAIN AND TWO UNNAMED RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION 80212, TRIBUTARIES OF DAIRY CREEK

PURPOSE OR USE: AGRICULTURAL USE OF 74.1 ACRES

RATE/VOLUME OF USE: 8.02 CFS FROM LIVE FLOW AND 13.0 ACRE-FEET OF STORED WATER ONLY

PERIOD OF ALLOWED USE: DECEMBER 1 THROUGH APRIL 30 FROM LIVE FLOW AND YEAR ROUND FROM STORED WATER ONLY

DATE OF PRIORITY: April 21, 1995

POINT OF DIVERSION LOCATION: POD #1 - SW 1/4 SW 1/4, SECTION 15, T 1 N, R 3 W, W.M.; 50 FEET NORTH & 1140 FEET EAST FROM SW CORNER, SECTION 15

RESERVOIR #2 - SW 1/4 SW 1/4, SECTION 15, T 1 N, R 3 W, W.M.; 100 FEET NORTH & 1000 FEET EAST FROM SW CORNER, SECTION 15

RESERVOIR #3 - SE 1/4 SW 1/4, SECTION 15, T 1 N, R 3 W, W.M.; 130 FEET NORTH & 1500 FEET EAST FROM SW CORNER, SECTION 15

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| | |
|---------------|------------|
| NE 1/4 SW 1/4 | 8.2 ACRES |
| NW 1/4 SW 1/4 | 6.2 ACRES |
| SW 1/4 SW 1/4 | 31.6 ACRES |
| SE 1/4 SW 1/4 | 27.3 ACRES |
| SECTION 15 | |

SE 1/4 SE 1/4 0.8 ACRE
SECTION 16
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
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By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged

Application No. 80212

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Surface Water

Applicant(s) Glenn Walters Nursery, Inc.

(Please print or type - use dark ink)

Mailing Address: PO Box 280

Banks, OR 97106 693-1125
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described waters of the State of Oregon:

1. **SOURCE OF WATER** for the proposed use: two unnamed drainage ways and tile drains.
a tributary of Dairy Creek

RECEIVED

APR 21 1995

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: WATER RES. cubic feet per
second, **OR** 3600 gallons per minute. If water is to be used from more than one source,
give the quantity of water from each: Plus stored water from 3 unnamed reservoirs.

3. **INTENDED USE(s) OF WATER:** Agricultural use

If for more than one use, give the quantity of water from each source for each use; N/A

If for **DOMESTIC** use, state the number of households to be supplied; N/A

If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served,
and an estimate of the future requirements; (List population projections, water needs, anticipated areas
to be provided water.)

N/A

If for **MINING** use, state the nature (gold, silver, etc.) of the mines to be served; N/A

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed
under each use;

Irrigation

Other (describe) Agricultural use 74.1 acres

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Each pond will have two 30 hp electric centrifugal pumps. Estimated capacity of each pump is 600 gpm. Mainlines will be buried PVC pipe. Laterals will be solid set and semi-solid set with sprinklers typically on 40' x 40' centers.

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin Pond 1 is complete

Proposed date construction work will be completed 10/96

Proposed date water use will be completed 10/98

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. 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)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? No. 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.

REMARKS: #7 14.9 acres in TL 1700 is under lease-option and expected to transfer to Glenn Walters Nursery, Inc. within the next 60 days. A copy of the lease agreement is attached.

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:

Glenn A. Walters
Signature of Applicant

4-19-95
Date

Pres.
Title
Signature of Co-Applicant, if any

Date

RECEIVED

APR 21 1995

WATER RESOURCES DIV.
SALEM, OREGON

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 Director at Salem, Oregon, on the 21 day of April, 1995, at 8 o'clock, A M.

APPLICATION NO: 80212

PERMIT NO: _____

SEPTEMBER 18, 1995

GLENN WALTERS NURSERY INC
PO BOX 280
BANKS, OREGON 97106

Reference: File S-80212

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the potential limitations to your proposed use of water and to describe some of your options. Based on the information you provided, the Water Resources Department has reached the following conclusion:

Initial Review Determination

- CHANGE TO AG USE IS ALLOWED UNDER BASIN PLAN*
1. Your application is complete.
 2. The proposed use is not prohibited by any rule.
 3. The use of water for NURSERY USE on 74.1 acres is *NOT* allowed under OAR 502, the Willamette Basin Program.
 4. The use of water from RESERVOIR 1 will not be allowed under this application. There is an existing right under certificate 38604 to store the water for irrigation from the reservoir. You may apply to transfer the use of water from irrigation to MULTIPLE AGRICULTURAL USES. If approved the water may be considered for use under this application.
 5. The use of 8.02 CUBIC FEET PER SECOND (cfs) from TWO UNNAMED DRAINAGE WAYS and DRAIN TILES, for NURSERY USE on 74.1 acres, is not available May 1 through November 30.
- The use of STORED WATER ONLY from RESERVOIR 2 and RESERVOIR 3 for NURSERY USE may be made at any time.
6. The Tualatin River Drainage Basin has been identified as water quality limited by the Department of Environmental Quality, therefore use of water from live flow is not allowed May 1 through October 31.



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

SEPTEMBER 18, 1995

WATER
RESOURCES
DEPARTMENT

GLENN WALTERS NURSERY INC
PO BOX 280
BANKS, OREGON 97106

Reference: File S-80212

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS**

This letter is to inform you of the potential limitations to your proposed use of water and to describe some of your options. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.
2. The proposed use is not prohibited by law or rule.
3. The use of water for NURSERY USE on 74.1 acres is ^{NOT} allowed under OAR 502, the Willamette Basin Program.
4. The use of water from RESERVOIR 1 will not be allowed under this application. There is an existing right under certificate 38604 to store the water for irrigation from the reservoir. You may apply to transfer the use of water from irrigation to MULTIPLE AGRICULTURAL USES. If approved the water may be considered for use under this application.
5. The use of 8.02 CUBIC FEET PER SECOND (cfs) from TWO UNNAMED DRAINAGE WAYS and DRAIN TILES, for NURSERY USE on 74.1 acres, is not available May 1 through November 30.

The use of STORED WATER ONLY from RESERVOIR 2 and RESERVOIR 3 for NURSERY USE may be made at any time.

6. The Tualatin River Drainage Basin has been identified as water quality limited by the Department of Environmental Quality, therefore use of water from live flow is not allowed May 1 through October 31.



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

7. Prior to proceeding with the application, the Department must receive a description of the measures taken to assure reasonably efficient water use.

Summary of Initial Determinations

The use of 8.02 CUBIC FEET PER SECOND (cfs) may be allowed for NURSERY USE on 74.1 acres from TWO UNNAMED DRAINAGE WAYS and DRAIN TILES, December 1 through April 30; and from RESERVOIR 2 and RESERVOIR 3 whenever necessary.

Because of the Departments determination, your application can be moved to the next phase of the water rights application review process. However, due to # 4,5 and 6 above your application will likely be limited as summarized above.

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

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

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by OCTOBER 2, 1995. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

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

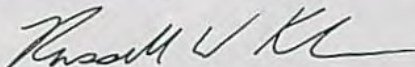
1. You may be required to measure the amount of water used and report that use annually.
2. You may be required to install fish screens at the diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.
3. You will be required to comply with state and federal water quality standards.

4. The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 266 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,



Russell W. Klassen
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability
Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

INITIAL REVIEW CHECKLIST

APPLICATION # 5 80212
 BASIN 2
 WAB # 0103121
 POU-WAB 0103121

CHANGE TO
 AG FROM NURS
 LIKE APP SAYS

1. ☒ ITEMS HAVE BEEN VERIFIED ON COMPLETENESS CHECKLIST
2. ☒ GW - A, B, OR C (IF B OR C THEN 3b,d;4;5;6;8 DO NOT APPLY)
3. DETERMINATION OF WHETHER USE IS OR IS NOT ALLOWED BY...
 - a. ☒ BASIN PLAN ALLOW AG
 - b. ☒ LEGISLATIVE WITHDRAWAL (ORS 538)
 - c. ☒ RULES
 - d. ☒ SCENIC WATERWAY (OTHER THAN WA ORS 390.826)
 - e. ☒ OTHER TMDL - NO LIVE FLOW MAY - OCT 31
4. ☒ WATER AVAILABILITY (WA) CFS 8.02 MONTHS DEC - APR
 50 % BEFORE JULY 17, 1992; 80 % LIVE FLOW 50 % STORAGE AFTER JULY 17, 1992
13.0 AF
3.9 WILL BE ALLOWED IF TRANSFER ACCEPTED
5. ☒ INSTREAM WATER RIGHT EXEMPTIONS ARE DOCUMENTED ON WATER AVAILABILITY SHEETS
6. ☒ USE IS NOT FROM A BOR PROJECT OR A SIGNED CONTRACT IS IN THE FILE
7. ☒ GROUND WATER REVIEW HAS BEEN EVALUATED FOR HYDRAULIC CONNECTION (USE WA DATABASE IF GW A) REQUIRED CONDITIONS (GENERIC 7B)
8. DIVISION 33 HAS BEEN ADDRESSED...
 - a. ☒ SEASON FOR DIRECT FLOW (ABOVE BONN ONLY)
 - b. ☒ WATER QUALITY PARAGRAPH
 - c. ☒ EFFICIENCY DESCRIPTION (BELOW BONN AND MORE THAN 1 CFS)
9. ☒ PLAT CARDS HAVE BEEN CHECKED AND A COPY OF THE MAP IS ATTACHED SHOWING THE CONFLICT WITH NCR
10. ☒ IRRIGATION SEASON (DECREE, BASIN PLAN, PERMIT, GENERIC)
11. ☒ RATE & DUTY (DECREE, BASIN PLAN, PERMIT, GENERIC)
 GROUND WATER ALWAYS GENERIC FOR RATE AND DUTY
 # OF ACRES PRI SUPP NOT SURE
12. ☒ ALL DOCUMENTS USED IN EVALUATION ARE ATTACHED AND HIGHLIGHTED AND PACKET IS STAPLED TOGETHER
13. ☒ WATERMASTER # 18
14. ☒ REGNL MANGER - SEND COPY (SW, SC, E) DO NOT SEND COPY TO (NW, NC)
15. ☒ BASIN # AND WAB # ARE ADDED & SPELL ✓ HAS BEEN COMPLETED
16. ☒ LETTER WAS SAVED FROM M:\T\IR\WORK TO M:\T\IR\SENT

NAME

RWK

DATE

9/14/95

- (a) Butte Creek tributary to Pudding River;
- (b) Abiqua Creek tributary to Pudding River.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

Tualatin River Subbasin

690-502-130 The Tualatin subbasin includes the drainage area of the Tualatin River upstream from the confluence with the Willamette River near West Linn:

(1) Surface water classification:

(a) The following streams and tributaries are withdrawn from further appropriation except for storage, unless otherwise indicated, by order of the State Engineer on the specified dates:

(A) Unnamed stream flowing through Sections 10, 15, and 21, Township 1 South, Range 3 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 13, 1951;

(B) Unnamed stream flowing through Sections 32, 33, 34 and 35, Township 1 North, Range 3 West, Willamette Meridian, tributary to Dairy Creek, by order dated July 25, 1951;

(C) Unnamed stream, known locally as Burris Creek, flowing through northeast part of Township 2 South, Range 3 West, Willamette Meridian, and Sections 5 and 6, Township 2 South, Range 2 West, Willamette Meridian, tributary to the Tualatin River, by order dated July 25, 1951;

(D) Unnamed stream flowing in the south part of Township 1 South, Range 2 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 4, 1950;

(E) Unnamed stream flowing through Sections 19, 29, 30, 31 and 32, Township 1 South, Range 3 West, Willamette Meridian, tributary to the Tualatin River, by order dated August 8, 1950;

(F) Clear Creek and Iler Creek west of the north-south line between Township 1 North, Ranges 4 and 5 West, being tributaries to Gales Creek for the exclusive use of the City of Forest Grove under permit 12034, by order dated March 2, 1936;

(G) Unnamed branch of Clear Creek within Sections 18, 19, 29 and 30, Township 1 North, Range 4 West, Willamette Meridian, for the exclusive of the City of Forest Grove under permit 13944 by order dated October 19, 1939.

(b) Except as specified in subsections (a) and (c) of this section, the Tualatin River and tributaries are classified for domestic, livestock, municipal, irrigation, industrial, agricultural, commercial, power in conjunction with storage, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses from November 1 through April 30, and only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock, wetland enhancement and public instream uses from May 1 through October 31;

(c) The following streams and tributaries are classified year-round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses:

(A) McFee Creek tributary to Tualatin River;

(B) Gales Creek tributary to Tualatin River;

(C) East Fork of Dairy Creek tributary to Dairy Creek;

(D) McKay Creek tributary to Dairy Creek;

(E) Scoggins Creek tributary to Tualatin River.

(2) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life and to minimize pollution and of attaining the highest and best use of waters released from storage, no appropriations of water except for

(10) Protect and encourage use of water which sustains economic development.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

General Provisions

690-502-040 (1) Water availability: The classifications in OAR 690-502-050 through 690-502-150 limit access to natural streamflow during periods when remaining available supplies are insufficient to meet existing water rights and public instream uses 80 percent of the time. When improved water availability data show that there is insufficient natural flow to support a classification, any permit issued shall further restrict or condition the time of use to when water is available.

(2) Limited licenses: The uses of surface water for which limited licenses may be issued are prescribed in ORS 537.143(1). Applications for limited licenses may be accepted in the Willamette Basin unless expressly prohibited by statute, order of the State Engineer or the Commission, or by the classifications in OAR 690-502-050 through 690-502-150.

(3) Surface water applications: Applications to use surface water filed after April 18, 1991, shall be processed under the classifications established in OAR 690-502-050 through 690-502-150. Applications filed on or before April 18, 1991, shall be processed under the classification in effect at the time of the application.

(4) Storage:

(a) Unless expressly prohibited by statute, order or administrative rule, the surface waters of the Willamette River and tributaries are classified for storage from November 1 to June 30. A storage permit may be issued for a shorter time period and/or conditioned based on water availability or compatibility with other uses and needs;

(b) Secondary applications to maintain reservoir levels throughout the year may be processed if the proposed use is consistent with the classification;

(c) Water legally stored may be released or used at any time for any beneficial purpose, such as domestic, livestock, irrigation (during the irrigation season as specified in section (6) of this rule), agricultural, commercial, municipal, industrial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement, public instream uses and uses allowed under a limited license.

(5) Groundwater recharge: Use of surface water to recharge groundwater shall be subject to the same limitations and season as specified in section (4) of this rule. Use of groundwater from one aquifer to recharge another shall be allowed only if consistent with the classification of the providing aquifer as specified in OAR 690-502-160.

(6) Expanded irrigation season: Unless expressly limited by statute, court decree, order, administrative rule (including classification, except for use of stored water), water availability or any other permit condition, an irrigation season of March 1 to October 31 shall apply to future permits for primary and supplemental irrigation.

(7) Conservation: The Department shall require that special conservation and water use efficiency conditions be employed when permitting the use of water from the Columbia River Basalt Group, low-yield aquifers and water quality limited streams.

Stat. Auth.: ORS 536.220, 536.300, 536.310, 536.340, 536.410, 537.170, 537.356 & 537.358

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1992, f. & cert. ef. 9-9-92

INTEROFFICE MEMORANDUM



TO: TR Caseworkers

FROM: Reed Marbut 

DATE: April 27, 1994

RE: TMDL/WQL; DEQ Letters of February 7, 1994

All surface water, reservoir or groundwater in hydraulic connection to surface water applications within the Yamhill River, Pudding River or Tualatin River systems should be conditioned to not allow use of live flow during the period May 1 to October 31 each year.

This policy, effective immediately, is in response to the attached letters received from DEQ on February 7, 1994.

WATER AVAILABILITY TABLE

Basin: WILLAMETTE

Exceedance Level: 80

Water Availability Subbasin: 0103121000000000 (and Nested Subbasins)

Time: 15:30

Date: 09/13/1995

| Item # | W.A. Subbasin | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Sto |
|--------|------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 1 | 0100000000000000 | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES | YES |
| 2 | 0103000000000000 | YES | YES | YES | YES | NO | NO | NO | NO | NO | NO | NO | YES | YES |
| 3 | 0103100000000000 | YES | YES | YES | YES | NO | NO | NO | NO | NO | NO | NO | YES | YES |
| 4 | 0103120000000000 | YES | YES | YES | YES | NO | NO | NO | NO | NO | NO | NO | YES | YES |
| 5 | 0103121000000000 | YES | YES | YES | YES | NO | NO | NO | NO | NO | NO | NO | YES | YES |

STREAM NAMES

Basin: WILLAMETTE

Water Availability Subbasin: 0103121000000000 (and Nested Subbasins)

Time: 15:30

Date: 09/13/1995

| WAB # | Stream Name | Tributary to |
|------------------|--------------|--------------|
| 0100000000000000 | WILLAMETTE R | COLUMBIA R |
| 0103000000000000 | TUALATIN R | WILLAMETTE R |
| 0103100000000000 | TUALATIN R | WILLAMETTE R |
| 0103120000000000 | TUALATIN R | WILLAMETTE R |
| 0103121000000000 | DAIRY CR | TUALATIN R |

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0103121000000000

Basin: WILLAMETTE

Exceedance Level: 80

Time: 15:30

Date: 09/13/1995

| Month | Limiting Subbasin | Stream Name | Water Available? | Net Water Available |
|-------|-------------------|-------------|------------------|---------------------|
| 1 | 0103121000000000 | DAIRY CR | YES | 341.0 |
| 2 | 0103121000000000 | DAIRY CR | YES | 440.0 |
| 3 | 0103121000000000 | DAIRY CR | YES | 365.0 |
| 4 | 0103121000000000 | DAIRY CR | YES | 223.0 |
| 5 | 0103000000000000 | TUALATIN R | NO | -17.2 |
| 6 | 0103000000000000 | TUALATIN R | NO | -178.0 |
| 7 | 0103100000000000 | TUALATIN R | NO | -265.0 |
| 8 | 0103100000000000 | TUALATIN R | NO | -256.0 |
| 9 | 0103100000000000 | TUALATIN R | NO | -211.0 |
| 10 | 0103100000000000 | TUALATIN R | NO | -99.4 |
| 11 | 0103000000000000 | TUALATIN R | NO | -82.1 |
| 12 | 0103121000000000 | DAIRY CR | YES | 236.0 |
| Stor | 0103121000000000 | DAIRY CR | YES | 203000.0 |

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Stream: WILLAMETTE R

> COLUMBIA R

Water Availability Subbasin: 0100000000000000

Exceedance Level: 80

Time: 15:30

Date: 09/13/1995

| Month | Natural
Stream
Flow | CU + Stor
Prior to
1/1/93 | Net Min.
Flow
1/1/93 | CU + Stor
After
1/1/93 | Net Min.
Flow
Now | Instream
Water
Rights | Net
Water
Available |
|-------|---------------------------|---------------------------------|----------------------------|------------------------------|-------------------------|-----------------------------|---------------------------|
| 1 | 28800.00 | 500.00 | 28300.00 | 178.00 | 28100.00 | 1500.00 | 26600.00 |
| 2 | 31100.00 | 3500.00 | 27600.00 | 179.00 | 27400.00 | 1500.00 | 25900.00 |
| 3 | 29300.00 | 4600.00 | 24700.00 | 176.00 | 24500.00 | 1500.00 | 23000.00 |
| 4 | 26100.00 | 4400.00 | 21700.00 | 177.00 | 21500.00 | 1500.00 | 20000.00 |
| 5 | 21200.00 | 2200.00 | 19000.00 | 195.00 | 18800.00 | 1500.00 | 17300.00 |
| 6 | 10900.00 | 1260.00 | 9640.00 | 306.00 | 9330.00 | 1500.00 | 7830.00 |
| 7 | 6300.00 | 1640.00 | 4660.00 | 307.00 | 4350.00 | 1500.00 | 2850.00 |
| 8 | 4940.00 | 1460.00 | 3480.00 | 275.00 | 3200.00 | 1500.00 | 1700.00 |
| 9 | 5030.00 | 1090.00 | 3940.00 | 272.00 | 3670.00 | 1500.00 | 2170.00 |
| 10 | 6030.00 | 360.00 | 5670.00 | 163.00 | 5510.00 | 1500.00 | 4010.00 |
| 11 | 12800.00 | 400.00 | 12400.00 | 168.00 | 12200.00 | 1500.00 | 10700.00 |
| 12 | 25800.00 | 400.00 | 25400.00 | 178.00 | 25200.00 | 1500.00 | 23700.00 |
| Stor | 19900000 | 1960000 | 18000000 | 154000 | 17800000 | 1080000 | 16700000 |

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: WILLAMETTE R

> COLUMBIA R

Water Availability Subbasin: 0100000000000000

Time: 15:30

Date: 09/13/1995

| -----ISWRs----- | | | | | | | | RESULTANT |
|-----------------|--------|-----|-----|-----|-----|-----|-----|-----------|
| APP # : | 181A | 0 | 0 | 0 | 0 | 0 | 0 | |
| STATUS: | Cert. | | | | | | | |
| 1 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 2 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 3 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 4 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 5 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 6 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 7 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 8 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 9 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 10 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 11 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |
| 12 | 1500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 1500.0 C |

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Stream: TUALATIN R

> WILLAMETTE R

Water Availability Subbasin: 0103000000000000

Exceedance Level: 80

Time: 15:30

Date: 09/13/1995

| Month | Natural
Stream
Flow | CU + Stor
Prior to
1/1/93 | Net Min.
Flow
1/1/93 | CU + Stor
After
1/1/93 | Net Min.
Flow
Now | Instream
Water
Rights | Net
Water
Available |
|-------|---------------------------|---------------------------------|----------------------------|------------------------------|-------------------------|-----------------------------|---------------------------|
| 1 | 1380.00 | 50.00 | 1330.00 | 4.63 | 1330.00 | 250.00 | 1080.00 |
| 2 | 1810.00 | 160.00 | 1650.00 | 4.82 | 1650.00 | 250.00 | 1400.00 |
| 3 | 1340.00 | 70.00 | 1270.00 | 4.57 | 1270.00 | 250.00 | 1020.00 |
| 4 | 794.00 | 70.00 | 724.00 | 4.82 | 719.00 | 250.00 | 469.00 |
| 5 | 342.00 | 107.00 | 235.00 | 2.18 | 232.80 | 250.00 | -17.20 |
| 6 | 132.00 | 177.00 | -45.10 | 2.42 | -48.00 | 130.00 | -178.00 |
| 7 | 58.60 | 218.00 | -159.00 | 2.64 | -162.00 | 40.00 | -202.00 |
| 8 | 43.70 | 197.00 | -153.00 | 2.09 | -155.00 | 30.00 | -185.00 |
| 9 | 23.20 | 140.00 | -117.00 | 1.65 | -119.00 | 25.00 | -144.00 |
| 10 | 32.60 | 32.70 | -0.10 | 1.15 | -1.30 | 90.00 | -91.30 |
| 11 | 206.00 | 34.00 | 172.00 | 4.07 | 167.90 | 250.00 | -82.10 |
| 12 | 997.00 | 42.00 | 955.00 | 4.64 | 950.00 | 250.00 | 700.00 |
| Stor | 888000 | 96600 | 814000 | 2370 | 812000 | 124000 | 702000 |

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: TUALATIN R

> WILLAMETTE R

Water Availability Subbasin: 0103000000000000

Time: 15:30

Date: 09/13/1995

| -----ISWRs----- | | | | | | | |
|-----------------|-------|-----|-----|-----|-----|-----|-----------|
| APP # : | 175A | 0 | 0 | 0 | 0 | 0 | RESULTANT |
| STATUS: | Cert. | | | | | | |
| 1 | 250.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 250.0 C |
| 2 | 250.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 250.0 C |
| 3 | 250.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 250.0 C |
| 4 | 250.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 250.0 C |
| 5 | 250.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 250.0 C |
| 6 | 130.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 130.0 C |
| 7 | 40.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 40.0 C |
| 8 | 30.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 30.0 C |
| 9 | 25.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 25.0 C |
| 10 | 90.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 90.0 C |
| 11 | 250.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 250.0 C |
| 12 | 250.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 250.0 C |

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Stream: TUALATIN R

> WILLAMETTE R

Water Availability Subbasin: 0103100000000000

Exceedance Level: 80

Time: 15:30

Date: 09/13/1995

| Month | Natural
Stream
Flow | CU + Stor
Prior to
1/1/93 | Net Min.
Flow
1/1/93 | CU + Stor
After
1/1/93 | Net Min.
Flow
Now | Instream
Water
Rights | Net
Water
Available |
|-------|---------------------------|---------------------------------|----------------------------|------------------------------|-------------------------|-----------------------------|---------------------------|
| 1 | 1380.00 | 50.00 | 1330.00 | 4.63 | 1330.00 | 100.00 | 1230.00 |
| 2 | 1810.00 | 170.00 | 1640.00 | 4.82 | 1640.00 | 100.00 | 1540.00 |
| 3 | 1340.00 | 60.00 | 1280.00 | 4.57 | 1280.00 | 100.00 | 1180.00 |
| 4 | 793.00 | 68.00 | 725.00 | 4.79 | 720.00 | 100.00 | 620.00 |
| 5 | 341.00 | 101.00 | 240.00 | 2.08 | 238.00 | 100.00 | 138.00 |
| 6 | 132.00 | 172.00 | -39.60 | 2.30 | -42.00 | 100.00 | -142.00 |
| 7 | 58.60 | 221.00 | -162.00 | 2.64 | -165.00 | 100.00 | -265.00 |
| 8 | 43.70 | 198.00 | -154.00 | 2.09 | -156.00 | 100.00 | -256.00 |
| 9 | 23.20 | 132.00 | -109.00 | 1.65 | -111.00 | 100.00 | -211.00 |
| 10 | 32.60 | 30.90 | 1.75 | 1.15 | 0.60 | 100.00 | -99.40 |
| 11 | 206.00 | 33.00 | 173.00 | 4.07 | 168.90 | 100.00 | 68.90 |
| 12 | 996.00 | 40.00 | 956.00 | 4.64 | 951.00 | 100.00 | 851.00 |
| Stor | 887000 | 94300 | 815000 | 2360 | 813000 | 71900 | 765000 |

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: TUALATIN R

> WILLAMETTE R

Water Availability Subbasin: 0103100000000000

Time: 15:30

Date: 09/13/1995

| -----ISWRs----- | | | | | | | |
|-----------------|-------|--------|-----|-----|-----|-----------|---|
| APP # : | 173A | 73538A | 0 | 0 | 0 | RESULTANT | |
| STATUS: | Cert. | App. | | | | | |
| 1 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 2 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 3 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 4 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 5 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 6 | 20.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 7 | 20.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 8 | 15.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 9 | 15.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 10 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 11 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |
| 12 | 30.0 | 100.0 | 0.0 | 0.0 | 0.0 | 100.0 | A |

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Stream: TUALATIN R

> WILLAMETTE R

Water Availability Subbasin: 0103120000000000

Exceedance Level: 80

Time: 15:30

Date: 09/13/1995

| Month | Natural
Stream
Flow | CU + Stor
Prior to
1/1/93 | Net Min.
Flow
1/1/93 | CU + Stor
After
1/1/93 | Net Min.
Flow
Now | Instream
Water
Rights | Net
Water
Available |
|-------|---------------------------|---------------------------------|----------------------------|------------------------------|-------------------------|-----------------------------|---------------------------|
| 1 | 1090.00 | 30.00 | 1060.00 | 0.89 | 1059.00 | 100.00 | 959.00 |
| 2 | 1440.00 | 140.00 | 1300.00 | 0.97 | 1300.00 | 100.00 | 1200.00 |
| 3 | 1110.00 | 50.00 | 1060.00 | 0.88 | 1059.00 | 100.00 | 959.00 |
| 4 | 661.00 | 52.00 | 609.00 | 1.13 | 608.00 | 100.00 | 508.00 |
| 5 | 351.00 | 78.00 | 273.00 | 1.17 | 272.00 | 100.00 | 172.00 |
| 6 | 193.00 | 114.00 | 79.30 | 1.33 | 78.00 | 100.00 | -22.00 |
| 7 | 104.00 | 148.00 | -43.60 | 1.64 | -45.00 | 100.00 | -145.00 |
| 8 | 66.10 | 131.00 | -64.80 | 1.16 | -66.00 | 100.00 | -166.00 |
| 9 | 68.10 | 82.70 | -14.60 | 0.92 | -16.00 | 100.00 | -116.00 |
| 10 | 75.00 | 16.30 | 58.70 | 0.58 | 58.10 | 100.00 | -41.90 |
| 11 | 169.00 | 17.00 | 152.00 | 0.59 | 151.40 | 100.00 | 51.40 |
| 12 | 796.00 | 24.00 | 772.00 | 0.90 | 771.00 | 100.00 | 671.00 |
| Stor | 755000 | 72100 | 685000 | 728 | 684000 | 71900 | 630000 |

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: TUALATIN R

> WILLAMETTE R

Water Availability Subbasin: 0103120000000000

Time: 15:30

Date: 09/13/1995

| -----ISWRs----- | | | | | | |
|-----------------|--------|--------|--------|--------|-----|-----------|
| APP # : | 73538B | 73539A | 73540A | 73541A | 0 | RESULTANT |
| STATUS: | App. | App. | App. | App. | | |
| 1 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 2 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 3 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 4 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 5 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 6 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 7 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 8 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 9 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 10 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 11 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |
| 12 | 100.0 | 75.0 | 25.0 | 30.0 | 0.0 | 100.0 A |

DETAILED REPORT ON WATER AVAILABILITY

Basin: WILLAMETTE

Stream: DAIRY CR

> TUALATIN R

Water Availability Subbasin: 0103121000000000

Exceedance Level: 80

Time: 15:30

Date: 09/13/1995

| Month | Natural
Stream
Flow | CU + Stor
Prior to
1/1/93 | Net Min.
Flow
1/1/93 | CU + Stor
After
1/1/93 | Net Min.
Flow
Now | Instream
Water
Rights | Net
Water
Available |
|-------|---------------------------|---------------------------------|----------------------------|------------------------------|-------------------------|-----------------------------|---------------------------|
| 1 | 358.00 | 6.00 | 352.00 | 0.70 | 351.00 | 10.00 | 341.00 |
| 2 | 458.00 | 7.00 | 451.00 | 0.76 | 450.00 | 10.00 | 440.00 |
| 3 | 382.00 | 6.00 | 376.00 | 0.68 | 375.00 | 10.00 | 365.00 |
| 4 | 239.00 | 5.00 | 234.00 | 0.70 | 233.00 | 10.00 | 223.00 |
| 5 | 133.00 | 36.60 | 96.40 | 0.77 | 95.60 | 10.00 | 85.60 |
| 6 | 66.20 | 46.00 | 20.20 | 0.85 | 19.35 | 10.00 | 9.35 |
| 7 | 35.10 | 64.80 | -29.70 | 1.03 | -30.70 | 10.00 | -40.70 |
| 8 | 27.30 | 55.40 | -28.10 | 0.62 | -28.70 | 10.00 | -38.70 |
| 9 | 22.20 | 28.70 | -6.49 | 0.58 | -7.10 | 10.00 | -17.10 |
| 10 | 26.80 | 2.30 | 24.50 | 0.44 | 24.10 | 10.00 | 14.10 |
| 11 | 56.20 | 2.60 | 53.60 | 0.46 | 53.10 | 10.00 | 43.10 |
| 12 | 252.00 | 5.00 | 247.00 | 0.70 | 246.00 | 10.00 | 236.00 |
| Stor | 226000 | 15900 | 213000 | 496 | 212000 | 7190 | 207000 |

DETAILED REPORT OF ISWRs

Basin: WILLAMETTE

Stream: DAIRY CR

> TUALATIN R

Water Availability Subbasin: 0103121000000000

Time: 15:30

Date: 09/13/1995

| -----ISWRs----- | | | | | | | |
|-----------------|--------|-----|-----|-----|-----|-----------|---|
| APP # : | 73542A | 0 | 0 | 0 | 0 | RESULTANT | |
| STATUS: | App. | | | | | | |
| 1 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 2 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 3 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 4 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 5 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 6 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 7 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 8 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 9 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 10 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 11 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |
| 12 | 10.0 | 0.0 | 0.0 | 0.0 | 0.0 | 10.0 | A |

TOWNSHIP 1N RANGE 3W W. M.

#1

SECTION 15

| NE | | | | NW | | | | SW | | | | SE | | | | APPLICATION
NUMBER | PERMIT
NUMBER | CERTIFICATE
NUMBER |
|---|----|----|----|----|----|-------------------------------|----|----|----|----|----|----|----|-------------------------------|---------------------------------|-----------------------|------------------|-----------------------|
| NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | | |
| ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | 6 ⁶ | 2 5 ⁴ 3 ² | GR-1297 | GR-1254 | |
| | | | | | | | | | | | | | | | | GR-1694 | GR-1644 | |
| | | | | | | 3 ² 4 ⁹ | | | | | | | | | | GR-3581 | GR-3290 | 2 |
| | | | | | | 3 ² 4 ⁹ | | | | | | | | | | GR-3582 | GR-3291 | 2 |
| | | | | | | 3 ² 4 ⁹ | | | | | | | | | | GR-3583 | GR-3292 | 2 |
| | | | | | | | | | | | | | | 3 ² 8 ⁵ | | GR-3107 | GR-3391 | 1 |
| | | | | | | | | | | | | | | 3 ² 8 ⁵ | | GR-4252 | GR-3784 | 1 |
| | | | | | | | | | | | | | | 2 ⁵ | | GR-4253 | GR-3785 | 2 |
| | | | | | | | | | | | | | | | | GR-2799 | GR-3910 | 1 |
| | | | | | | | | | | | | | | | | P-42706 | R-4858 | 38604 |
| | | | | | | | | | | | | | | | | 42707 | 31946 | 38605 |
| | | | | | | | | | | | | | | | | G-5312 | G-5043 | 45448 |
| | | | | | | | | | | | | | | | | 38447 | 35792 | |
| | | | | | | | | | | | | | | | | 48359 | 37837 | 124 |

TOWNSHIP 1N RANGE 3W W. M.

#2

SECTION 15

| NE | | | | NW | | | | SW | | | | SE | | | | APPLICATION
NUMBER | PERMIT
NUMBER | CERTIFICATE
NUMBER |
|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----------------------|------------------|-----------------------|
| NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | | |
| ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | G-7188 | G-6619 | 47972 |
| | | | | | | | | | | | | | | | | G-7188 | G-6619 | 47972 |
| | | | | | | | | | | | | | | | | 54203 | 40615 | 104 |
| | | | | | | | | | | | | | | | | G-7510 | G-7247 | 53981 |
| | | | | | | | | | | | | | | | | 68406 | 50166 | |
| | | | | | | | | | | | | | | | | G-11556 | G-10656 | C 5438 |
| | | | | | | | | | | | | | | | | G-11665 | G-10786 | 63621 |
| | | | | | | | | | | | | | | | | 69637 | 50879 | |

Water Watch

RIVERS NEED WATER

RECEIVED

NOV - 1 1995

WATER RESOURCES DEPT.
SALEM, OREGON

October 31, 1995

Via FAX and Regular Mail

Water Rights Section
Water Resources Department
158 12th Street NE
Salem, OR 97310

RE: Comments to Application 80212, Glenn Walters Nursery Inc., Unnamed Drainage Ways and Drain Tiles, Willamette River Basin

Dear Water Rights Section:

According to the public notice, the applicant proposes to withdraw a total of 3600 cfs from groundwater sources tributary to Dairy Creek for Agriculture. The Department determined that water was available for the limited months of December 1 through April 30 from two unnamed drainage ways and drain tiles, and from reservoir 2 and 3 whenever necessary, for Nursery Operations.

1. The Public Interest Presumption of Senate Bill 674 B has not been met.

Under SB 674 B, a proposed use is presumed to be in the public interest if four criteria are met: the use must be allowed under the applicable basin program, water must be available, the proposed use must not injure other water rights, and the use must comply with the rules of the Water Resources Commission. The presumption is not established with regard to this application because water is not available and the use is not allowed by the basin plan.

The Department has determined that water is not available for the full term of the proposed use, as is evidenced by their limitation to four months of use. There is nothing in the file to indicate that the proposed use requires water only during the time period that water is available nor is there evidence that water is available from an alternate source. Thus, there is not water available for the proposed use and the public interest presumption does not apply.

Moreover, the initial review states that nursery use is an allowable use under the Willamette Basin plan. This is not true. Nursery use is not a classified use under the Willamette Basin plan. Thus, the public interest presumption does not apply.

2. The proposed use will impair or be detrimental to the public interest

a. efficiency

The initial review lists the proposed use as nursery operations. No where in the file is an explanation of the proposed operation. Oregon statutes and rules require that water be used beneficially without waste. Oregon law calls for the state to "aggressively promote" water conservation and places a high priority on eliminating waste and improving the efficiency of water use. ORS 537.460(2)(a) and OAR 690-410-060(1). Oregon Courts have recognized that

the allocation of water is governed by a doctrine that requires "suppress(ing) all wasting of water." Tudor v. Jaca, 178 Or. 126, 144 (1946) (quoting In Re Water Rights of Deschutes River, 134 Or. 623, 666 (1930)). Oregon Courts have found that wasteful use constitutes a "non-beneficial use" of water. Hennings v. Water Resources Dept, 50 Or App 121, 125, (1981). Given the low flows of the Yamhill River, the water quality problems, and the fact that nursery uses are a contributing factor to these existing problems, it is imperative that any use allowed be held to a strict efficiency standard prior to issuance of any new permit.

b. measurement and reporting

The Initial Review states that if the permit is issued it will likely include the condition that "you may be required to measure the amount of water used and report that use annually." Such a vague standard is not in the public interest, especially given the resource concerns in the basin. At a minimum, there should be mandatory measurement and reporting of both rate and duty.

c. Fish screening

The Initial Review states that the applicant "may" be required to install fish screens at the point of diversion. Given the adverse effects this diversion will have on fish habitat, screening must be mandatory and clearly be required to be in place **before** any storage or diversion of water. In addition, failure to maintain screening facilities must be grounds for shutting off water use. There should be a condition which **clearly** states these requirements.

d. Water Quality

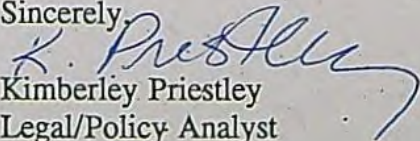
We fully support the Department's limitation on months of use based on the Department of Environmental Quality's designation of the Tualatin River Drainage Basin as water quality limited.

e. Processing out of order

No where in the public notice or in the initial review is a tentative priority date listed. However, from various sources in the file, including the high application number, it can be deduced that the application date is sometime in 1994.

The Commission has directed the Department to process applications in the order received. The Department is not abiding by this direction. Of the over 5000 pending applications currently in the backlog, a large percentage of those were filed prior to 1994. To process this application out of order prejudices those applicants, both instream and out-of-stream, who filed applications in this subbasin prior to this applicant.

Sincerely,


Kimberley Priestley
Legal/Policy Analyst

RECEIVED

NOV - 1 1995

WATER RESOURCES
SALEM, OREGON

2

Water Watch

FACSIMILE TRANSMITTAL COVER SHEET

Date: 10-31-95

To: Water Rights Section, WRD

Fax: (503) 378-8130

From: K. Priestley Fax number (503) 295-2791Total Pages Being Sent, including this page: 3

If there are any problems receiving this transmission,
please telephone WaterWatch immediately at 503-295-4039.

Re: comments 80212

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS BELOW. THANK YOU.

Confirming call:

Initials _____ Date _____ Time _____ WRD contact _____

Water Watch



RIVERS NEED WATER

Via FAX and Regular Mail

October 31, 1995

Water Rights Section
Water Resources Department
158 12th Street NE
Salem, OR 97310

RE: Comments to Application 80212, Glenn Walters Nursery Inc., Unnamed Drainage Ways and Drain Tiles, Willamette River Basin

Dear Water Rights Section:

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the allocation of water is governed by a doctrine that requires "suppress(ing) all wasting of water." Tudor v. Jaca, 178 Or. 126, 144 (1946) (quoting In Re Water Rights of Deschutes River, 134 Or. 623, 666 (1930)). Oregon Courts have found that wasteful use constitutes a "non-beneficial use" of water. Hennings v. Water Resources Dept, 50 Or App 121, 125, (1981). Given the low flows of the Yamhill River, the water quality problems, and the fact that nursery uses are a contributing factor to these existing problems, it is imperative that any use allowed be held to a strict efficiency standard prior to issuance of any new permit.

b. measurement and reporting

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d. Water Quality

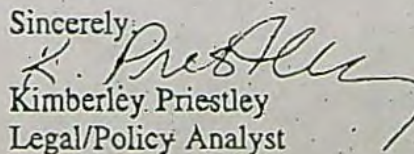
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The Commission has directed the Department to process applications in the order received. The Department is not abiding by this direction. Of the over 5000 pending applications currently in the backlog, a large percentage of those were filed prior to 1994. To process this application out of order prejudices those applicants, both instream and out-of-stream, who filed applications in this subbasin prior to this applicant.

Sincerely,


Kimberley Priestley
Legal/Policy Analyst

PLANNING - DESIGN - INSPECTION
CIVIL - WATER RESOURCES - AGRICULTURE
666 S.E. 36TH AVENUE, HILLSBORO, OR 97123
(503) 648-6180

RECEIVED

OCT - 4 1995
WATER RESOURCES DEPT.
SALEM, OREGON

DEPARTMENT OF WATER RESOURCES
158 12TH STREET NE
SALEM, OR 97310
ATT: Mr. Russ Klassen

September 30, 1995

Dear Mr. Klassen:

This is a follow up of our phone conversation of 9/29 concerning the Initial Review Determinations for Glenn Walters Nursery, Inc. The review was for Files R-80211 and S-80212.

Regarding R-80211

Item 3

The requested storage was for Agricultural Use, which is allowed in the Willamette basin.

Item 4

Regarding reservoir 1, the application for Agricultural storage was done to make it easier to regulate (by ODWR) use from the reservoir. It was known that an irrigation right existed on this reservoir however since the pump for water used from both the reservoir and creek is located in the reservoir, regulation would be easier if both types of storage were available in the reservoir.

I will discuss the possibility of transfer of part of the storage under certificate 38604 from irrigation to agricultural use with the owner. However one problem raised by this is if "x" acre feet are transferred from irrigation to other agricultural and then there was no frost in a given year could the water be used ?

Since the creek can be either diverted through or around reservoir 1, the water can be managed by pumping the streamflow for agricultural use under S-80212 from the pond as long as the stored water is not used. Then after May 1 the stream and reservoir use will revert back to the conditions of certificate 38604. Hopefully this will not be too hard to regulate.

Item 5

Water from the two drainage ways can bypass the two new reservoirs (ie 2 and 3) and already does for reservoir 1. However the drainage from the tile drains comes from return flows from irrigation at the nursery and since it has not entered public waters (ponds 2 and 3 are off channel, pond 1 has a bypass) it is still in control of the owner and is his water to re use.

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OCT - 4 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Item 5 cont'd.

The bigger issue here is that the owner is required by ODA to recapture the nursery runoff from the container areas so that it does not enter public waters during the irrigation season, which is why ponds 2 and 3 were constructed.

Also, the reference to nursery use should be changed to agricultural use to be in concert with the application.

Regarding S-80221

Item 3

The reference to nursery use should be changed to agricultural use.

Item 4

See discussion above concerning prior certificate for reservoir 1 and proposed method of use of streamflow.

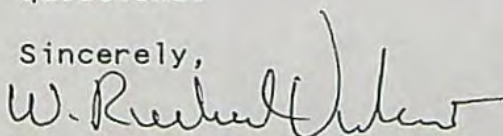
Item 5

The use of drainage from the tile drains is allowed as this is water recovered from permitted use under other permits and/or certificates.

I believe this covers the items we discussed. As you explained, the applicant needs to take no action on these comments and you will see that the appropriate corrections are passed on to staff prior to the formulation of the draft permits.

Thanks for returning my call, and for the following discussions clarifying these items. Please call if there are any other questions.

Sincerely,



W. Richard Verboort, P.E.
Civil Engineer

CC: Glenn Walters & John Coulter, Glenn Walters Nursery, Inc.

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Glenn Walters Nursery, Inc.
Address: PO Box 280
City: Banks State: OR Zip: 97106 Day Phone: 693-1125

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

| Tax Lot or Local I.D.# | Plan Designation/Zoning (e.g. Rural Residential/RR-5) | Check All That Apply | | |
|------------------------|---|----------------------|----------------|-----------|
| | | Water Diverted | Water Conveyed | Water Use |
| 1500 | TIN, R3W, Sec 15 | X | | X |
| 1700 | TIN, R3W Sec 15 | X | | X |

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. Washington

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EFW FARM USE DIST. Go to section b) on reverse side.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. SECTION 340-2 CDC **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

| Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Please check the box that applies: | | |
|---|--|------------------------------------|----------------|------------------------------|
| | | Already Obtained | Already Denied | Being Pursued Satisfactorily |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

(over)

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: ROBERT LEE CONE

Title: CODE ENFORCEMENT OFFICER

Signature: Richard L. ...

Date: 4/17/95
Phone: 753 648-876

Phone: (503) 648-8761

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

Additional Comments:

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 printed text on the paper. A small, faint mark resembling a checkmark or the letter 'x' is visible on the right side, about halfway down the page.

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please 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.

Note 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: Glenn Walters Nursery, Inc.
 Address: PO Box 280
Banks, OR 97106
 Phone: 693-1125

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): NURSERY
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ 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): Agricultural use

APP 2 1 1995

WATER RESOURCES DEPARTMENT
 SALEM, OREGON

| Indicate sources for the proposed water use below: | Indicate the estimated quantity of water the use will require. |
|--|--|
| ☒ Surface Water
Name sources:
<u>Two unnamed drainage ways</u>

_____ | _____ Cubic feet per second.
<u>3600</u> Gallons per minute.
<u>16.9</u> Acre-Feet |
| ☒ Reservoir or pond | |
| ☐ Ground Water | |

94076504

Washington County

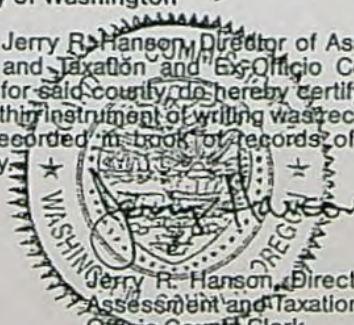
Page 1 of 3

Application No. 5-80212
Permit No.

RECEIVED
JUN 21 1994
WASH. COUNTY
SALEM, OREGON

STATE OF OREGON }
County of Washington } SS

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.



Jerry R. Hanson, Director of
Assessment and Taxation, Ex-
Officio County Clerk

Doc : 94076504
Rect: 128422 538.00
08/18/1994 09:07:35AM

Original to
Client 9/27/94

800
20
Oregon Title # 659839W

Application No. 5-80212
Permit No. WARRANTY DEED

COPY

Marvin R. Delplanche and Patricia C. Delplanche, "Grantors", convey and warrant to Glenn Walters Nursery, Inc., an Oregon corporation, "Grantee", the following described real property, free of encumbrances except as specifically set forth herein:

See Exhibit "A".

The property is conveyed subject to the following:

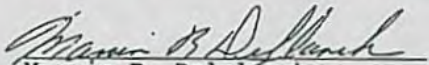
(A) Rights of the public, governmental bodies and public utilities in and to that portion of the above-described property lying within the limits of Centerville-Mountindale Road;

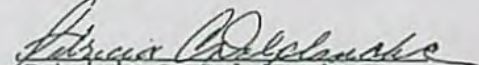
(B) An easement dated April 1, 1991, recorded April 18, 1991, Fee Number 91018921 in favor of GTE Northwest Incorporated.

The true consideration for this conveyance, stated in terms of dollars is Five Hundred Thousand (\$500,000) Dollars.

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

Dated this 17 day of August, 1994.

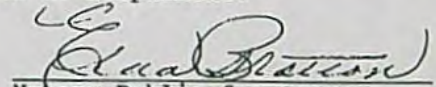

Marvin R. Delplanche


Patricia C. Delplanche

STATE OF OREGON)
COUNTY OF WASHINGTON) SS.

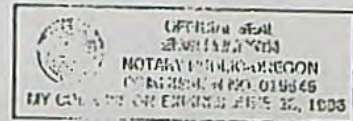
This instrument was acknowledged before me on this date by Marvin R. Delplanche and Patricia C. Delplanche.

Dated: 8-17-94


Notary Public for Oregon

AFTER RECORDING, RETURN TO:

Kit A. Jensen
P.O. Box 157
Hillsboro, OR 97123-0157



UNTIL FURTHER NOTICE, SEND
PROPERTY TAX STATEMENTS TO:

Glenn Walters Nursery, Inc.
P.O. Box 280
Banks, OR 97106

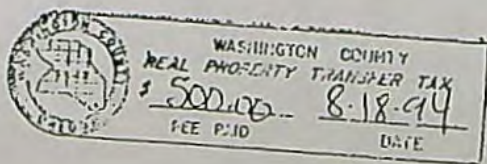


EXHIBIT "A"

All of that part of the Donation Land Claim of David Monroe No. 44, Township 1 North, Range 3 West, of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

BEGINNING at the Southeast corner of said Donation Land Claim; and running thence following the South boundary line thereof, North $89^{\circ}30'$ West 2093 feet to a stone in the Centerville-Mountaindale Road; thence North 34° East, 1203 feet to a stone at the intersection of the Mountaindale Road with the Greenville Road; thence North $38^{\circ}26'$ East 1666 feet to an iron pipe in the center of the Mountaindale Road on the South boundary line of the right-of-way of the P.R. & N. Railway; thence following the said right-of-way of line South $27^{\circ}58'$ East 988 feet; thence South $71^{\circ}5'$ West 168 feet to the East boundary line of said Monroe Claim; thence South 3° East 1396 feet to the place of beginning.

EXCEPT that portion dedicated to Washington County, by Deed Recorded June 16, 1993, as Fee No. 93047398.

NOTED

SEP 21 1993

DEPT.

FARM LEASE

COPY

DATE: November 4, 1994

PARTIES: Stephen M. Cawrse,
34850 NW Zion Church Road
Cornelius, OR 97113

LANDLORD,

and,

Glenn Walters Nursery, Inc.,
an Oregon corporation,
P.O. Box 280
Banks, OR 97106

TENANT,

The parties agree as follows:

SECTION 1. LEASE OF REAL PROPERTY

1.1 Real Property. Landlord owns certain property in Washington County, Oregon, consisting of 33.68 acres known as Tax Lot 1N3W15 Lot 1700. Landlord leases to Tenant the part of the property which is West of the railroad tracks together with all improvements thereon, on the terms and conditions set forth herein. The property is described in the attached Exhibit "A". The leased property is approximately 14 acres.

SECTION 2. TERM

2.1 The term of this lease shall commence November 5, 1994 and shall continue through November 5, 2078, subject to early termination if a deed is delivered to Tenant from Landlord as provided below.

SECTION 3. RENT

3.1 Tenant shall pay to Landlord as rent the sum of \$81,250, of which \$40,625 is paid on execution of this Lease and \$40,625 will be paid on January 10, 1995.

SECTION 4. USE OF THE PREMISES

4.1 The premises shall be used for agricultural purposes including, but not limited to a nursery. Tenant may use the property in any other manner not prohibited by law.

4.2 Tenant may make improvements to the property, so long as Tenant pays for the cost of such improvements. Upon termination of this lease, ownership of the improvements made to the property will pass to Landlord.

SECTION 5. PROPERTY TAXES

5.1 Tenant, during the lease term, shall pay before delinquency all real property taxes levied against the leased premises. Landlord will pay, during the lease term, all real property taxes assessed to the remainder of Tax Lot 1700. Taxes to the land will be apportioned 42% to Tenant (representing Tenant's 14 acres) and 68% to Landlord (representing Landlord's 19.68 acres). If Tenant does not promptly pay real property taxes which Tenant is obligated to pay under this agreement, then Landlord may pay the real property taxes and recover the amount paid from Tenant. If Landlord does not promptly pay real property taxes which Landlord is obligated to pay under this agreement, then Tenant may pay the real property taxes and recover the amount paid from Landlord.

5.2 Real and personal property taxes for the tax years in which the lease term commences and expires shall be prorated between the parties on a daily basis as of the date of commencement or expiration.

SECTION 6. BOUNDARY ADJUSTMENT

Tenant may after closing at Tenant's expense apply for a boundary adjustment to add the leased property to Tax Lot 1500 of Tenant. Tenant will pay for expenses incidental to this application, and Landlord will cooperate as necessary to process the application. Upon approval, the lease will terminate and Landlord will deed the leased property to Tenant by warranty deed, free and clear of liens.

SECTION 7. WATER RIGHTS

The property of Landlord has water rights from Tualatin Valley Irrigation District ("TVID") for irrigation use on 16.5 acres. These water rights are permanently assigned to Tenant. Landlord will execute any documents necessary to complete the transfer of water rights. Tenant will pay all charges to TVID for use of the water.

SECTION 8. TITLE

Landlord warrants to Tenant that Landlord is owner of the leased property, free and clear of liens. During the term of this lease, Landlord will not encumber or cause any liens to be placed upon the leased property.

SECTION 9. TITLE INSURANCE

Within 15 days after closing, Landlord shall furnish Tenant with an owner's policy of title insurance, insuring Tenant against

loss or damage sustained by Landlord by reason of the unmarketability of his title, or encumbrances thereon, other than the exceptions described in this lease and the usual printed exceptions contained in such policies.

SECTION 10. POSSESSION

Tenant shall be entitled to possession immediately upon execution of this lease, subject to the right of Landlord to grow and harvest his grain crop now seeded. The crop will be harvested not later than August 15, 1995. Tenant may take all steps reasonably necessary to transport water from the TVID box to Tenant's adjoining property including, but not limited to, erecting and maintaining water lines. If this causes damage to the grain crop, Tenant will not be required to reimburse for the loss. Tenant will cooperate to move water lines to allow Landlord to harvest his crop.

SECTION 11. INSURANCE

Tenant shall be responsible for any insurance Tenant may wish to purchase covering liability for Tenant's acts and any loss which may be occasioned to Tenant's livestock or crops upon the property subject to this lease.

SECTION 12. INDEMNITY

Tenant shall indemnify and hold Landlord harmless from any and all claims of every nature which may arise from injury to person or property arising from the use of the leased property, except those resulting from Landlord's own negligence.

SECTION 13. ASSIGNABILITY

Tenant may assign rights under this lease and may execute subleases.

SECTION 14. DEFAULT

In the event of breach of this agreement, either party may claim damages resulting from the breach. Tenant may also obtain an order for specific performance.

SECTION 15. LANDLORD REPRESENTATIONS

Landlord makes the following representations:

15.1 That he has no notice of any liens to be assessed against the property;

15.2 That he has no notice from any governmental agency of any violation of law relating to the property;

WATER RESOURCES
SALEM, OREGON

[Signature]

SMC

15.3 The Property is not contaminated by hazardous materials as defined by ORS 466.605 to 466.680; and,

15.4 The TVID water rights are valid rights and have been used at least once every five years during the last 15 years.

SECTION 16. TAX EFFECT

Landlord and Tenant agree that for tax purposes this transaction will be treated as a sale and not as a lease, irrespective of whether a deed is ever conveyed to Tenant.

SECTION 17. NOTICES

Any notices required by this agreement will be mailed by regular mail and certified mail, return receipt requested to:

TENANT

Glenn Walters Nursery, Inc.
PO Box 280
Banks, OR 97106

LANDLORD

Stephen M. Cawrse
34850 NW Zion Church Road
Cornelius, OR 97113

A party may change the address for receipt of notices by providing notice to the other.

SECTION 18. MISCELLANEOUS

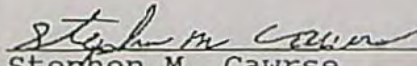
18.1 Time is of the essence of this agreement.

18.2 If suit is necessary to enforce any term or provision of this agreement, the prevailing party shall be entitled to recover from the losing party such attorney fees and costs as may be awarded by the court. This award will include any attorney fees or costs awarded on any appeal.

18.3 Waiver by the Landlord or Tenant of the strict performance of any term or covenant of this agreement, or of the timely payment of any rent due, or any right under this agreement, shall not be continuing waiver.

18.4 This contract shall bind the heirs, administrators, successors and assigns of the parties.

GLENN WALTERS NURSERY, INC.,
an Oregon corporation


Stephen M. Cawrse
"LANDLORD"

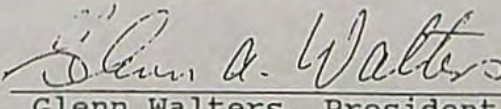
By: 
Glenn Walters, President
"TENANT"

EXHIBIT 'A'

LEGAL DESCRIPTION

All that portion of the following described tract lying West of that certain 1.87 acres of land conveyed to the Pacific Railway and Navigation Company, a corporation, by deed recorded at page 256 of Book 72 of the Deed Records of Washington County, Oregon:

Being a portion of the original Donation Land Claim of Benjamin Cornelius and Elisabeth Cornelius, his wife, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon and bounded as follows:

Commencing at the Southwest corner of said Donation Land Claim; thence North 70° East on the South boundary line of said Donation Land Claim 16.41 chains to the Southwest corner of lands of J. Cawrse; thence North 1° 34' East on the West line of said J. Cawrse's land 22.40 chains to the Northwest corner thereof; thence South 70° West 19.45 chains to a post on the West line of said Donation Land Claim; thence South 3° 45' East on said West boundary line 21.59 chains to the place of beginning.

APR 21 1935

WATER RESOURCES DIV.
SALEM, OREGON

STATE OF OREGON,

County of Washington

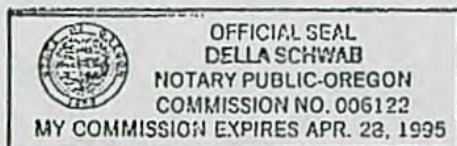
SS.

FORM No. 23—ACKNOWLEDGMENT.
Stevens-Ness Law Publishing Co. NL
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 4 day of November, 1994,
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Stephen M. Cawrse

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that he.....executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Della Schwab
Notary Public for Oregon
My commission expires

FORM No. 24—ACKNOWLEDGMENT—CORPORATION.

COPYRIGHT 1991 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR 97204

NB

STATE OF OREGON,

County of Washington

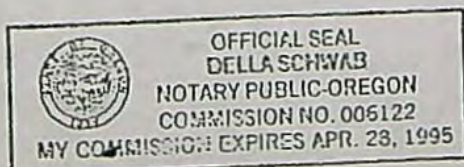
SS.

before me appeared Glenn A. Walters

On this 4 day of November, 1994,

and
duly sworn, did say that he/~~she~~, the said Glenn A. Walters
is the President, and he/she, the said
is the Secretary of Glenn Walters Nursery, Inc.
the within named Corporation, and that the seal, if any, affixed to said instrument is the corporate seal of said
Corporation, and that the said instrument was executed on behalf of said Corporation by authority of its Board
of Directors, and Glenn A. Walters and
acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Della Schwab
Notary Public for Oregon
My commission expires

Page 2

File: S80130
Source: unnamed stream
Flow: 105.5 AF
Use: nursery

File: S80212
Source: unnamed stream
Flow: 3,600 Gpm
Use: agriculture/nursery

File: S80305
Source: spring
Flow: 0.05 CFS
Use: irrigation

File: R75285
Source: springs
Flow: 8.0 AF
Use: irrigation/stock

File: S75284
Source: unnamed spring
Flow: 10 Gpm
Use: irrigation

File: S79633
Source: unnamed stream
Flow: 112 AF
Use: irrigation

File: S80344
Source: Christensen Creek
Flow: 0.225 CFS
Use: irrigation

Dear Mr. French:

The Department has completed its review of the above referenced Technical Review of water rights application. The drainage basin in which this application is located has been identified as water quality limited by the Department. As a result of extensive analysis, Total Maximum Daily Loads (TMDLs) have been set for this basin. The estimated low flow normally occurs during the summer period of May 1st to October 31st of each year.

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NOV 24 1995

WATER RESOURCES DEPT.
SALEM, OREGON

No Page 1 Supplied.
DWF

RECEIVED

NOV 24 1995

WATER RESOURCES DEPT.
SALEM, OREGON

Page 3

The Department's analysis of water quality indicates that during periods of low flow, water quality problems exist. On August 5, 1993, the Department submitted application for instream water rights to provide pollution abatement flows in the above referenced basin.

These applications propose additional out of stream use of water which if granted would reduce available instream flows during the seasonal low flow period, thus increasing the identified water quality problems in this drainage basin. The Department recommends limiting the pond or reservoir water rights to high flow if it is available, and requests that this be verified with a meter when 2.0 acre feet or more are impounded. Large reservoirs covering 5 acres or more are required to obtain a DEQ stormwater permit to control runoff during construction.

The Department requests that for pollution prevention a farm management plan be developed to address water quality issues, including: 1) possible herbicide and pesticide use in the vicinity of the proposed pond or reservoir; 2) an erosion (sediment) plan with buffer strips; 3) a nutrient plan to prevent nitrate runoff into surface and groundwater; 4) potential flooding of the pond or reservoir if located in the 100 year floodplain with subsequent contamination release; 5) riparian restoration and 6) a plan to keep stock out of the stream.

If the pond, reservoir or diversion is designed for stock watering, operators are encouraged to establish off channel watering sites. The standard .005 Cfs or 3.62 AF per head is to be applied in requesting water. Metering for stock water is not needed. Any systems established in freeze zones or other situations where water may have to be left running should provide a closed loop return system, which would allow any overflow water to return to the stream. A NPS control management plan needs to be developed or the area fenced and the riparian zone replanted. In this case with these stipulations the Department would support WRD permits for year round flow in a TMDL basin.

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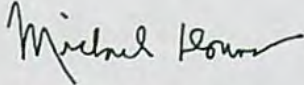
NOV 24 1995

NOV 24 1995
SALEM, OREGON

Page 4

If you have questions or wish to discuss this issue further, please feel free to contact Barbara Priest (503-229-5945) of my staff.

Sincerely,



Michael Downs
Administrator
Water Quality Division

MD:bjp:crw
SA\WC13\WC13623.doc
cc: Lee Ko, NRCS
Mike Wiltsey, NWRO
Kimberly Priestly, Waterwatch

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 123640

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Glenn Walters
BY: Nursery Inc.

| | |
|-------------|-------|
| APPLICATION | 80212 |
| PERMIT | |
| TRANSFER | |

CASH: ☐ CHECK: # ☒ 24-22 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 400.-

01-00-0 WRD MISC CASH ACCT

| | | |
|---------|---------------------------|----|
| 842.010 | ADJUDICATIONS | \$ |
| 831.087 | PUBLICATIONS / MAPS | \$ |
| 830.650 | PARKING FEES Name / month | \$ |
| | OTHER: (IDENTIFY) | \$ |

REDUCTION OF EXPENSE

COST CENTER AND OBJECT CLASS

CASH ACCT.

VOUCHER #

03-00-0 WRD OPERATING ACCT

| | | |
|---------|--------------------------|----|
| | MISCELLANEOUS | |
| 840.001 | COPY FEES | \$ |
| 850.200 | RESEARCH FEES | \$ |
| 880.109 | MISC REVENUE: (IDENTIFY) | \$ |
| 520.000 | OTHER (P-6) (IDENTIFY) | \$ |

WATER RIGHTS:

| | | | | |
|---------|------------------------|----------|---------|-------------|
| 842.001 | SURFACE WATER | EXAM FEE | 842.002 | RECORD FEE |
| 842.003 | GROUND WATER | \$ 200.- | 842.004 | \$ |
| 842.005 | TRANSFER | \$ | 842.006 | \$ |
| | WELL CONSTRUCTION | EXAM FEE | | LICENSE FEE |
| 842.022 | WELL DRILL CONSTRUCTOR | \$ | 842.023 | \$ |
| | LANDOWNER'S PERMIT | | 842.024 | \$ |
| | OTHER (IDENTIFY) | | | |

06-00-0 WELL CONST. START FEE

| | | | | |
|---------|----------------------|----|--------|--|
| 842.013 | WELL CONST START FEE | \$ | CARD # | |
| | MONITORING WELLS | \$ | CARD # | |
| | OTHER (IDENTIFY) | | | |

45-00-0 LOTTERY PROCEEDS

| | | |
|---------|------------------|----|
| 864.000 | LOTTERY PROCEEDS | \$ |
|---------|------------------|----|

07-00-0 HYDRO ACTIVITY

LIC NUMBER

| | | |
|---------|----------------------------|----|
| 842.011 | POWER LICENSE FEE (FW/WRD) | \$ |
| 842.115 | HYDRO LICENSE FEE (FW/WRD) | \$ |
| | HYDRO APPLICATION | \$ |

RECEIPT #

123640

DATED:

4-21-95

BY:

D. Brundell

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

GLENN WALTERS NURSERY, INC. P.O. Box 208 Banks, Oregon 97106 (503) 693-1125 FAX (503) 640-8013

09636
NET AMOUNT
400.00

INVOICE

DATE

AMOUNT

DISCOUNT

WRD3S2,

4/18/95

400.00

0.00

400.00

WATER RESOURCES DEPART 210

400.00

0.00

400.00

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # **001402**

RECEIPT #

RECEIVED FROM: Glenn Walters

BY: Nursery

APPLICATION

80212

PERMIT

TRANSFER

CASH: ☐

CHECK: # 24-22

OTHER: (IDENTIFY) ☐

TOTAL REC'D

\$ 500.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

TC165

DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

0201

SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

0211

WELL CONST START FEE

\$

CARD #

0210

MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302

LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

HRDRO APPLICATION

\$

RECEIPT #

001402

DATED: 4-12-96

BY: Joe P

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

NUMBER 06584

Check 500⁰⁰ Mo _____ Cash _____

- ☒ Surface Application
- ☐ Reservoir Application
- ☐ Ground Water Application
- ☐ Transfer Application
- ☐ PFO Request
- ☐ Research
- ☐ Hydroelectric Fees
- ☐ Copying
- ☐ Assignment
- ☐ Extension of Time
- ☐ Protest
- ☐ Other

0
500
rec. fees

Doug. B.

GLENN WALTERS NURSERY, INC. P.O. Box 208 Banks, Oregon 97106 (503) 693-1125 FAX (503) 640-8013

12023

INVOICE
S-80212

DATE
4/ 9/96

AMOUNT
500.00

DISCOUNT
0.00

NET AMOUNT
500.00

RECEIVED

APR 12 1996

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPART 210

500.00

0.00

500.00

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 5-80212

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, GLENN WALTERS, the holder of Permit No. 5-5212

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 5th day of DECEMBER, 1999

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of August, 1999.

Glenn A. Walters

(Signature of Applicant)

P.O. Box 280 Banks, Or.

(Address)

97106

WATER RESOURCES
SALE & PURCHASE
DEPT.
OREGON

AUG 27 1999

RECEIVED

GLENN WALTERS
NURSERY, INC.

PO BOX 280
BANKS, OR 97106



CERTIFIED

Z 406 054 867

MAIL



9264



97310

U.S. POSTAGE
PAID
FOREST GROVE, OR
97116
AUG 25, '99
AMOUNT

\$2.98

00027079-07

Water Resources Department
158th 12th Street N.E.
Salem, Or.
97310-0210

FPO

Duplicate

Application No. 5-80212

Permit No. 52052

Name Glenn Walters Nursery Inc.

Address PO Box 280, Banks, OR 97106

Assigned

Address

Beginning construction 4-26-97

Completion of construction 10-1-98

Extended to

Complete application of water 10-1-99

Extended to

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 119559

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

INVOICE # _____

RECEIVED FROM: GSI Water Solutions, Inc.
BY: _____

APPLICATION * See Bela
PERMIT _____
TRANSFER _____

CASH: ☐ CHECK: # 18192 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 765.00

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:

0201 SURFACE WATER \$

0203 GROUND WATER \$

0205 TRANSFER \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

| EXAM FEE | |
|----------|------|
| \$ | 0202 |
| \$ | 0204 |
| \$ | |
| EXAM FEE | |
| \$ | 0219 |
| | 0220 |

RECORD FEE

\$
\$

LICENSE FEE

\$
\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$

0210 MONITORING WELLS \$

OTHER (IDENTIFY)

CARD #
CARD #

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: 119559

DATED: 4-21-16 BY: Carlos O. Turner

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

Munger Hortifrut North America, LLC
786 Road 188
Delano, CA 93215
S-80212

Munger Hortifrut North America, LLC
786 Road 188
Delano, CA 93215
S-80212