

phone call to Clackamas
County assessor on 9/4/2008
did not produce any
information. Office
unable to find the
T. R. S. & T. L. on maps.

Connie Vance _____

STATE OF OREGON
 COUNTY OF CLACKAMAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRITZ MUELLER
 318 SE 50TH AVE
 PORTLAND OR 97215

confirms the right to use the waters of ONE WELL in the ROCK CREEK BASIN for NURSERY OPERATIONS ON 10.0 ACRES.

This right was perfected under Permit G-12012. The date of priority is SEPTEMBER 17, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.167 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well IS located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
2 S	2 E	WM	1	SW NE			2160 FEET SOUTH & 1570 FEET WEST FROM NE CORNER, SECTION 1

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.

A description of the place of use to which this right is appurtenant is as follows:

NURSERY USES							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	2 E	WM	1	SW NE			2.9
2 S	2 E	WM	1	SE NE			0.1
2 S	2 E	WM	1	NE SE			0.2
2 S	2 E	WM	1	NW SE			6.8

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. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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. 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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

The water user shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The Director may require water level or pump test results every ten years.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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 right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

Issued AUG 29 2008 .


Phillip C. Ward, Director
Water Resources Department





Oregon

Theodore R. Kulongoski, Governor

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

Date Mailed: August 29, 2008

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

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

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRITZ MUELLER
318 SE 50TH AVE
PORTLAND OR 97215

confirms the right to use the waters of ONE WELL in the ROCK CREEK BASIN for NURSERY OPERATIONS ON 10.0 ACRES.

This right was perfected under Permit G-12012. The date of priority is SEPTEMBER 17, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.167 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well IS located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
2 S	2 E	WM	1	SW NE			2160 FEET SOUTH & 1570 FEET WEST FROM NE CORNER, SECTION 1

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.

A description of the place of use to which this right is appurtenant is as follows:

NURSERY USES							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	2 E	WM	1	SW NE			2.9
2 S	2 E	WM	1	SE NE			0.1
2 S	2 E	WM	1	NE SE			0.2
2 S	2 E	WM	1	NW SE			6.8

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. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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. 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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

The water user shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The Director may require water level or pump test results every ten years.

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.

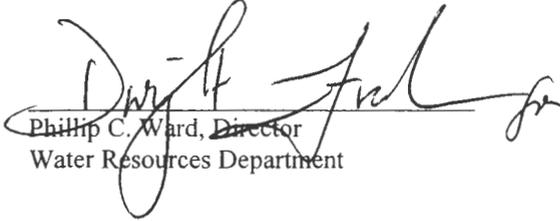
This right is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

Issued AUG 29 2008


Phillip C. Ward, Director
Water Resources Department



Oregon

Theodore R. Kulongoski, Governor

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

Date Mailed: August 29, 2008

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

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

Mailing List for Certificate Scheduled Mailing Date:

Application: G-13120

Permit: G-12012

Certificate: 84638

Permit/Certificate Holder:

FRITZ MUELLER ✓
318 SE 50TH AVE
PORTLAND OR 97215

<p>Copies Mailed</p> <p>by: <u>Connie Vance</u> (STAFF)</p> <p>on: <u>AUG 29 2008</u> (DATE)</p>

Copies of Final Certificate to be sent to:

1. Data Center (include copy of map) ✓
2. Water Availability ✓
3. Vault ✓
4. File ✓
5. Watermaster District 16, Mike L. McCord ✓

Other persons to receive copies (proposed and/or final): (include map):

1. James M. Schuette, CWRE ✓

STATE OF OREGON
 COUNTY OF CLACKAMAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRITZ MUELLER
 318 SE 50TH AVE
 PORTLAND OR 97215

confirms the right to use the waters of ONE WELL in the ROCK CREEK BASIN for NURSERY OPERATIONS ON 10.0 ACRES.

This right was perfected under Permit G-12012. The date of priority is SEPTEMBER 17, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.167 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well IS located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
2 S	2 E	WM	1	SW NE			2160 FEET SOUTH & 1570 FEET WEST FROM NE CORNER, SECTION 1

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.

A description of the place of use to which this right is appurtenant is as follows:

NURSERY USES							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	2 E	WM	1	SW NE			2.9
2 S	2 E	WM	1	SE NE			0.1
2 S	2 E	WM	1	NE SE			0.2
2 S	2 E	WM	1	NW SE			6.8

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. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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 granted. In addition, under ORS 537.260 any person with an application, permit or water right certificate subject to priority may, jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

PROPOSED

84638

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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

The water user shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The Director may require water level or pump test results every ten years.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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.

PROPOSED

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.

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

Issued _____.

PROPOSED
Philip C. Ward, Director
Water Resources Department

Mailing List for Certificate Scheduled Mailing Date:

Application: Error! Reference source not found.

Permit: G-12012

Certificate: *****

Permit/Certificate Holder:

FRITZ MUELLER ✓
318 SE 50TH AVE
PORTLAND OR 97215

Copies Mailed
by: <u>Connie</u> (STAFF)
JUN 06 2008
on: _____ (DATE)

Copies of Final Certificate to be sent to:

1. Data Center (include copy of map)
2. Water Availability
3. Vault
4. File ✓

Other persons to receive copies (proposed and/or final): (include map):

1. James M. Schuette, CWRE ✓
2. Watermaster District 16, Mike L. McCord ✓



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

MAILED: JUNE 6, 2008

NOTICE

Reference: Permit G-12012 Application G-13120

Enclosed is a proposed certificate of water right and a map which illustrates the location of the right. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a survey and inspection.

If you do not agree with the proposed certificate or the map, 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 and map no response to this notice is required. Sometime after the 60 day period, the recorded certificate of water right will be mailed to the permittee.

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

Sincerely,

Dwight French
Administrator
Water Rights Division

TO: Water Rights Section

09-21, 1993

FROM: Groundwater/Hydrology Section

Kocher

Reviewer's Name

SUBJECT: Application G- 13120

Willamette

1. PER THE Basin Basin rules, one or more of the proposed POA's is/are within 1/2 ~~1/4~~ mile of a surface water source (Rock Creek) and taps a groundwater source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
a. ___ will, or } have the potential for substantial interference with the nearest surface water
b. will not } source, namely Rock Creek; or
c. ___ will, if properly conditioned, adequately protect the surface water from interference:
i. ___ The permit should contain condition #(s) _____;
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below; or
d. ___ will, with well reconstruction, adequately protect the surface water from substantial interference.

3. BASED UPON available data, I have determined that groundwater for the proposed use
a. will, or } likely be available in the amounts requested without injury to prior rights and/or
b. ___ will not } within the capacity of the resource; or
c. ___ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
i. ___ The permit should contain condition #(s) _____;
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below.

4. a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Condition w/ 4I + 4G since no well log for well #1 state obs well #33 (~5/8 mile E) is declining, + since well #2 appears to be hydraulically connected to Rock Creek's nearest reach to these wells.

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____
6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- | | | |
|--|---|--|
| a. ___ was, or | } | constructed according to the standards in effect at the time of original construction or most recent modification. |
| b. ___ was not | | |
| c. ___ I don't know if it met standards at the time of construction. | | |

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 1992.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1992.

(Signature)

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

AUG 17 1992

WATER RESOURCES DEPT.
SALEM, OREGON

CLAC
10735

2s/2e/1ac

(START CARD) # 35349

(1) OWNER: Well Number _____
Name Fritz Mueller
Address 318 SE 50th
City Portland State OR Zip 97215

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 396 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	115	cement	0	100	64 sacks
8	115	336				
6	336	396				

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	+1	336	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 336

(7) PERFORATIONS/SCREENS:

Perforations Method Holte Air Perf
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
180	200	1x1/8	800	8"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
240	265	11	1500	8"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
75	N/A	300'	1 hr.

Temperature of Water 56 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County Clackamas Latitude _____ Longitude _____
Township 2S N or S. Range 2E E or W. WM.
Section 1 SW 1/4 NE 1/4
Tax Lot 01000 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 15710 SE Sunnyside RD
Damascus, OR

(10) STATIC WATER LEVEL:
152 ft. below land surface. Date 8/10/92
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 178'

From	To	Estimated Flow Rate	SWL
<u>178'</u>	<u>191'</u>	<u>25 gpm</u>	<u>152'</u>
<u>248'</u>	<u>270'</u>	<u>50 gpm</u>	<u>152'</u>

(12) WELL LOG:
Ground elevation _____

Material	From	To	SWL
clay brown hard	1	4	
clay brown medium moist	4	17	
gravels laced with intermitten clays	17	58	
basalt gray coarse grain	58	66	
basalt weathered	66	126	
gravel	126	144	
sandstone crumbly brown	144	154	
gravel conglomerate with intermitten brown sandstones	154	176	
gravels looser	176	191	<u>152'</u>
conglomerate	191	237	
pumice brown and white	237	248	
gravel	248	270	<u>152'</u>
claystone brown crumbly	270	278	
sandstone brown	278	285	
claystone green	285	291	
clay green	291	296	
claystone green	296	301	
claystone brown	301	308	
claystone green	308	325	
claystone brown	325	340	
clay blue	340	351	
sandstone brown and green	351	400	

Date started 8/5/92 Completed 8/10/92

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

Signed Dym B. Statts WWC Number 1358
Date 8-14-92

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 723
Date 8-14-92

9-7-93

called Exeter w/o today
(Doug Croonquist)

- he cleaned out old well
~ winter 1992

- doesn't know how deep
well is (may have info in
files) - will ✓ + send to me if so.

- old well ~ 1930's

- thought well was a
dry ~~hole~~ → surprised to
hear Mueller had water in
well now.

916-623-2141

~ HO'E new well
called CWRE (John Richmond)
for legal description of old well

- now lives in CA

- left message

- if no info from either by 9/15 ^{probably} w/o

9/9/93 John Richmond called a.m.
I tried to return call in p.m. → not avail
(left message to call me next wk).

9/10/93 John Richmond called
- will send 4 copies of
revised map w/ old
wul's legal description
- may have some info on
wul lqth?

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files Date 09-07-93
 FROM: Koehly
 SUBJECT: Groundwater Application G- 13120 Phone: 232-9000
 Name: Mueller
 Applicant(s) seek 100 gpm (_____ cfs) from 2 well(s) in the
 Proposed use: Irrigation/Residential Willamette Valley basin
(Nursery) Rock Ck. sub basin
 sub basin.

Pertinent 7 1/2 - minute quads Gladstone DAMASCUS

new
8"
Stato w/0
75 gpm →
head = 233'

Well 2 WRD# CLAC 10735 T 02S R 02E S 01 Q0SWNE County CLACKAMAS
 Legal Description 2160' S & 1570' W of NE-Cor 01
 Well is ~2300' NW ft from Rock Creek (river/stream)
 Well is ~2900' S ft from UNNAMED TRIB. TO ROCK CREEK (river/stream) W
 Well elevation ~385 ft. River/stream elevation ~240'; 550' ft.
 Well elevation - river/stream elevation ~145'; -165'
 Well depth 396' SWL 152' bgl on 08-10-92
 Sealed to 100' Depth first water found 178'
 Cased to 8" 336' Perforations/screens 180 - 200; 240 - 265'
 Lined to _____ Perforations/screens _____
 Well tests and types Air → 75 gpm @ 300' in 1 hour
 Confined or unconfined? unconfined Hydraulically connected? yes
 Potential to cause substantial interference? NO

old
6" dom'c well
25 gpm →
Exeter w/0
cleaned well
abt ~1 yr ago;
estimate well
filled in ~1930s;
doesn't know
well depth.

Well 1 WRD# _____ T 02S R 02E S 01 Q0SWNE County CLACKAMAS
 Legal Description 2160' S & 1460' W of NE Cor - 01
 Well is ~2180' NW ft from Rock Creek (river/stream)
 Well is ~2900' S ft from UNNAMED TRIB TO ROCK CREEK (river/stream)
 Well elevation ~385' ft. River/stream elevation ~240'; ~510' ft.
 Well elevation - river/stream elevation ~145'; -125'
 Well depth _____ SWL _____ on _____
 Sealed to _____ Depth first water found _____
 Cased to _____ Perforations/screens _____
 Lined to _____ Perforations/screens _____
 Well tests and types _____
 Confined or unconfined? _____ Hydraulically connected? _____
 Potential to cause substantial interference? _____

Conditioned water rights in area: _____
 Other nearby water rights of record: _____
 Density of nearby wells of record: _____

Comments: Note: CWR's ephemeral stream not considered (not shown on 1984 topo maps);
 #2) head w/in few feet of stream elev'n; however since well is ~1/2 mile
 from Rock Ck, applicant only wants 75 gpm from this well → hydraulically
 connected but not likely to impact Rock Ck.
 #1

References used: _____

SOW's 252E, 253E ~ 5/8 mi E
 recommend: 4I + 4G (SOW #33 025/03E-6bdb → ~20' ↓ in 30 yrs)

old well info:

Chester Morrell - at least 30'
(old land owner)

well deepened

Sanitel Pump, OK City
Stadley pump

thought not was dry; supposed to hear pump in well
1930's? muddier
thread couplings perforated steel
unsure of well depth

166' ~ 15' sediment

~~STACO Well Services~~ → new well

9/7/93
left message
Doug

Croonquist

Exeter w/d
Well Drilling, Graham
CLAC

cleaned out / deepened old well

~~663-0444~~
1-803-663-9015

John Richmond

1-916-623-2615

9/7/93 left message

SUW's:

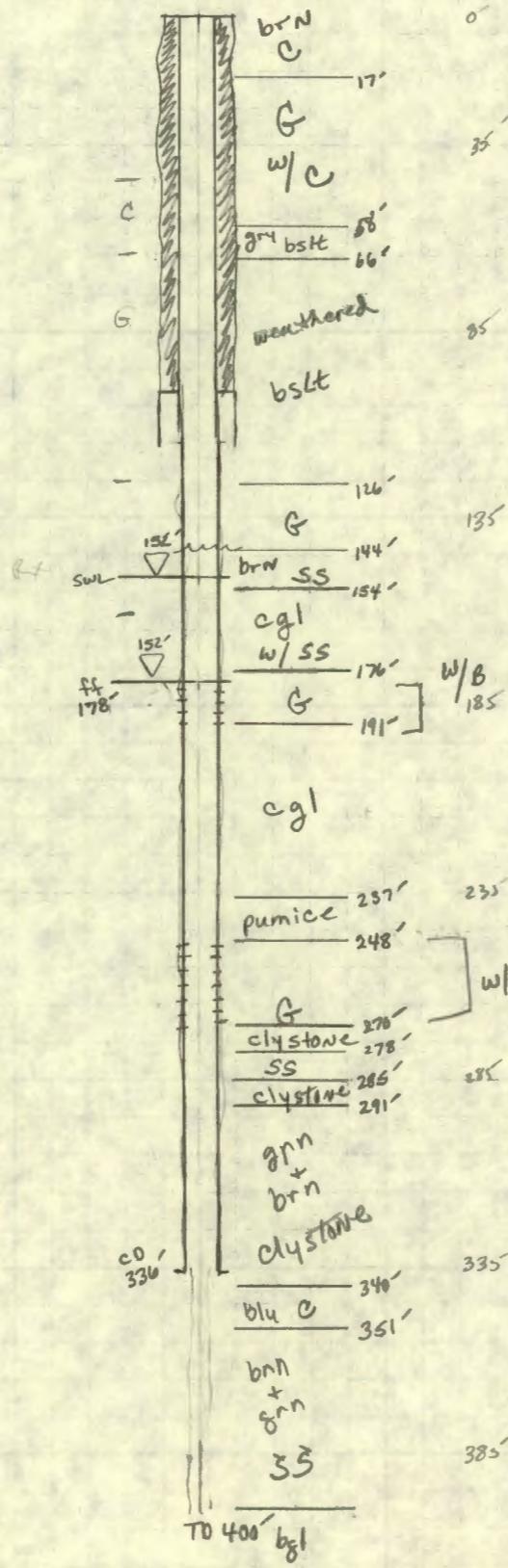
#32, #33

50 SHEETS
22-141
100 SHEETS
22-142
200 SHEETS
22-144
AMPAD

ELEVATION
385'
(AMSL)
350'
300'
250'
200'
150'
100'
50'
0'
-15' AMSL

(New well)
2

DEPTH
(bgl)



- sealed 8' into grn basalt
and
sealed
60' into
weathered
basalt

Air test -> 75 gpm in 1 hour

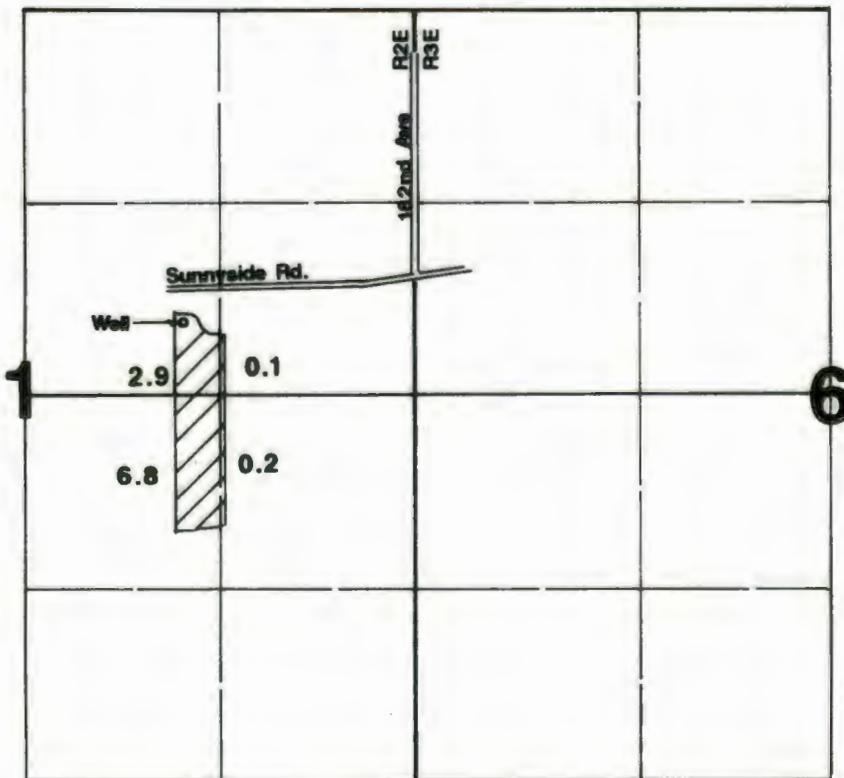
TO 400' bgl

RECEIVED

SEP 01 1995

WATER RESOURCES DEPT.
SALEM, OREGON

T.2S., R.2&3E., W.M.



Well located 2160'S & 1570'W from NE corner Section 1.



Final Proof Survey

Application #: G-13120 Permit #: G-12012

In Name Of

Fritz Mueller

Surveyed on August 18, 1995 by JM Schuette

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FRITZ MUELLER
318 S.E. 50TH AVENUE
PORTLAND, OREGON 97215

503-232-9000

to use the waters of TWO WELLS in the ROCK CREEK BASIN for NURSERY OPERATIONS 10.0 ACRES.

This permit is issued approving Application G-13120. The date of priority is SEPTEMBER 17, 1992. The use is limited to not more than 0.167 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 NE 1/4, SECTION 1, T 2 S, R 2 E, W.M.; WELL 1 - 2160 FEET SOUTH AND 1960 FEET WEST; WELL 2 - 2160 FEET SOUTH AND 1570 FEET WEST; BOTH FROM THE NE CORNER OF SECTION 1.

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

A description of the proposed place of use under this permit is as follows:

SW 1/4 NE 1/4	2.9	ACRES
SE 1/4 NE 1/4	0.1	ACRES
NE 1/4 SE 1/4	0.2	ACRES
NW 1/4 SE 1/4	6.8	ACRES
SECTION 1		
TOWNSHIP 2 SOUTH, RANGE 2 EAST, W.M.		

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

The permittee shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

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

Actual construction work shall begin on or before April 24, 1996 and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

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.

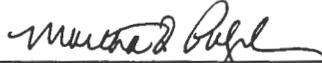
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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

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

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

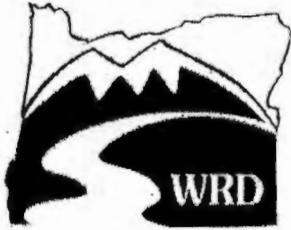
Issued this date, April 24, 1995.



Water Resources Department
Martha O. Pagel
Director

Completion Checklist for Claims of Beneficial Use

Application # G-13120
Permit # G-12012
Transfer # NA



PRE
7/1/04

Date 5-30-08
Reviewer ms

Map Review:

- Permanent quality map (mylar or linen)
- CWRE stamp and signature
- Disclaimer
- Application & permit #; or transfer #
- North arrow
- Township, range and section
- Appropriate scale (1" = 1320', 1" = 400', or scale of assessor's map)
- Source
- Point(s) of diversion
- Point(s) of diversion (coordinates)
- Conveyances (pump, pipelines, ditches, etc.) *discussed in report*
- Place of use (1/4 1/4, DLC, or Gov Lot; if irrigation, # of acres in each subdivision)

Report Review:

- Application & permit #; or transfer #
- CWRE stamp and signature
- Permittee's signature
- Time limits
- Date of survey
- Type of use
- Extent of use
- Source(s) of water
- Rate and Duty
- Diversion rate for each use
- Description of conveyances system (from POD to POU)
- Diversion works description (pump make, serial model, capacity, and description)
- System capacity
 - Calculated capacity of system
 - OR
 - Measured amount of use
- Permit conditions
 - Fish screening
 - Meter/measuring device
 - Water use reporting levels - *1st report rec'd Mar '98 - "C" = 10/1/98*
 - Other conditions

Pump test accepted 5-30-'96.

Certificate Issuance Processing Checklist

- Map and COBU reviewed
- Conflict check (include copy of plat card printout)
- Check current ownership

Can certificate be processed further?

- Yes
- No

If "No" why? _____

If "Yes":

- Proposed
 - Final
- Certificate # _____

Mailing list:

Proposed:

Final:

Pump Capacity Calculation Sheet			
using Department designed formula:			
$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$			
Efficiency:			
Centrifugal = 6.61			
Turbine = 7.04			
Data Entry (fill in underlined blanks)			
HP =	<u>10</u>		
Efficiency =	<u>7.04</u>		
Lift =	<u>220</u>		
PSI =	<u>55</u>		
Results Calculated			
$(hp)(\text{efficiency}) =$		70.4	
Head based on psi =		139.7	
Total dynamic head =		359.7	
(head + lift)			
Pump Capacity =		0.20	feet per second

Site Report and Claim of Beneficial Use
Application G-13120 Permit #G-12012

Fritz Mueller
318 SE 50th Ave
Portland, Oregon 97215
Tele #503-232-9000

RECEIVED

SEP 01 1995

WATER RESOURCES DEPT
SALEM, OREGON

SOURCE: Irrigation water is obtained from one well (8" dia x 336' deep) located 2160'S & 1570'W from NE corner Section 1. (ties obtained from field measurements and aerial photo). The second well as shown in the original application, is being used for domestic use only.

Well pump is a 10 HP submersible turbine (80 GPM). An Access port is available to measure static or pumping levels in well. Piping is equipped with a pressure gauge. A 2" Hersey Water Meter w/totalizer and indicator has also been installed.

PIPE: Irrigation water is transported thru a 2½" buried mainline and applied through 2" handlines. Owner states that system operates at 55 PSI using 18 sprinkler heads with 9/64" nozzles. Water useage is computed as follows:

18 heads @ 4.3 GPM = 77.4 GPM/0.172 CFS

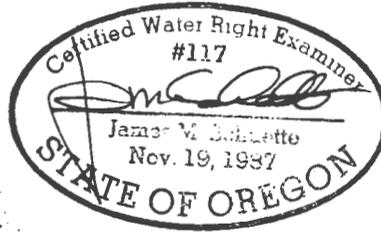
Water used to full permitted duty of 0.167 CFS

LIFT: Topography of the area being irrigated slopes gently from north to south, ranging from elevation 390.0 to 330.0 USGS. The top of well casing is approximately 1'-6" above the surrounding ground (approx. 385.5 USGS). Static water level is 85'; pumping level is approximately 220' (as per well log and owners information).

USES: Water is being used to irrigate ornamental nursery stock, ie: cedar, pine, spruce, maple, oak, etc.

Note: Owner has been advised that a 4 hour State Approved pump test is required in order to meet all permit conditions.

The final proof survey and inspection of use was found to be completed under the terms and conditions of Permit #G-12012. This final proof survey and inspection was completed by me on August 28, 1995 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



I, Fritz Mueller, agree to the findings of the Certified Water Rights Examiner and do submit this site report and map as my Claim of beneficial Use of the water as provided under the terms and conditions of Permit #G-12012.

y Fritz Mueller

RECEIVED

SEP 01 1995

WATER RESOURCES DEPT
SALEM, OREGON

May 30, 1996

WATER
RESOURCES
DEPARTMENT

FRITZ MUELLER
318 SE 50TH AVENUE
PORTLAND OR 97215

With regard to the pump test requirements for the following well and its associated water right:

POD-ID: 32087

PERMIT: G-12012

Application G-13120

The Water Resources Department has reviewed and accepted the pump test results you submitted. The Department requires no further testing of this well at this time. However, you will be required to submit a static water level measurement of the well on the ten-year anniversary of the test you conducted.

We appreciate your cooperation in this program. If you have any questions, please contact me at 378-8455, ext 289, or Mike Zwart at the address or phone number listed below.

Sincerely,

Marilyn Baker
Marilyn Baker
Water Data Coordinator

cc: Water Rights Section



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

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

WATER RESOURCES DEPT.

(1) OWNER:
 Name Fritz Meller
 Address 318 SE 50th
 City Portland State OR Zip 97215

Well Number SALEM, OREGON **LOCATION OF WELL by legal description:**
 County Clatsop Latitude _____ Longitude _____
 Township 2S N or S. Range 2E E or W. WM. _____
 Section 1 SW 1/4 NE 1/4
 Tax Lot 01000 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 15710 SE Sunnyside RD
SEASCOUS, OR

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

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

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 396 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	115	cement	0	100	64 sacks
8	115	336				
6	336	396				

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Material			
				Steel	Plastic	Welded	Threaded
Casing:	+	336	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 396

(7) PERFORATIONS/SCREENS:
 Perforations Method rotary air perc.
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
100	200	1/2"	10	8"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
200	205	11	1500	6"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
75	N/A	300'	1 hr.

Temperature of Water 50 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(10) STATIC WATER LEVEL:
152 ft. below land surface. Date 8/10/92
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 178'

From	To	Estimated Flow Rate	SWL
178'	191'	25 gpm	152'
248'	270'	50 gpm	152'

(12) WELL LOG:
 Ground elevation _____

Material	From	To	SWL
clay brown hard	1	4	
clay brown medium moist	4	17	
gravels hard with intermitten clays	17	30	
basalt gray coarse grain	30	66	
basalt weathered	66	120	
gravel	120	144	
sandstone medium brown	144	154	
gravel conglomerate with intermitten	154	170	
ocovan sandstones			152'
gravels looser	170	191	152'
conglomerate	191	237	
jointed brown and white	237	240	
gravel	240	270	152'
claystone brown crumbly	270	276	
sandstone brown	276	285	
claystone green	285	291	
claystone	291	296	
claystone green	296	311	
claystone brown	311	320	
claystone green	320	325	
claystone green	325	340	
clay blue	340	351	
sandstone gray fine grain	351	360	

Date started 7/12 Completed 8/10/92

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
 Signed [Signature] WWC Number 1358
 Date 8-14-92

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 Signed [Signature] WWC Number 723
 Date 8-14-92

June 26, 1995

FRITZ MUELLER
318 SE 50TH AVE
PORTLAND OR 97215

WATER
RESOURCES
DEPARTMENT

REFERENCE: REFUND, APPLICATION FILE G-13120

Enclosed is a check, no. 1767951, in the amount of \$110.00. This is a refund of recording fees paid for the above referenced application file.

If you need further assistance please contact the Water Rights Section at the address listed below or phone (503) 378-3739.

Sincerely,

Douglas L. Baer
Senior Water Rights Examiner

enclosure



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

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

✓ CC: FILE # 6 13120

✓ WATERWATCH

✓ ODF&W

✓ WATERMASTER # 14

✓ REGIONAL MANAGER - NW

✓ OTHER ADDRESSES: C.W.R.F.: JOHN RICHMOND

✓ K Stahr

✓ DEQ

CASEWORKER SG

ORIGINAL TO APPLICANT

INTEROFFICE MEMO

TO: FISCAL SECTION

DATE: 4/11/95

FROM: [Signature]

Steve Brown, Water Rights Program Analyst

SUBJECT: REQUEST FOR TRANSFER OF FEES OR REFUND CHECK

TRANSFER

Please transfer \$ _____, Receipt _____
from file _____ to file _____ for:

_____ Examination fee
_____ Recording fee

REFUND

Please refund \$ 110 to FRITZ MUELLER
file G-13120, receipt 119656. These funds are
refunded due to:

- _____ Application rejected
- _____ Application withdrawn
- Excess fees collected for application/ PON
- _____ Payments of PON
- _____ Protest Filing fees
- _____ Other

842004

APR 11 1995

Public Interest Review

File No. G-13120

I. Findings relating to OAR 690-11-195(2):

✓ *The proposed water use is NOT prohibited by statute or scenic waterway criteria.*

Comments:

✓ *The proposed water use IS a classified use under the applicable basin program (OAR 690-_____) OR an application for the use HAS BEEN filed under ORS 536.295 and OAR Chapter 690, Division 82;*

Comments:

✓ *The proposed water use IS consistent with conditions previously imposed by the Commission on appropriations from the same source;*

Comments:

✓ *The proposed water use will NOT conflict with existing water rights;*

Comments:

✓ *Water IS available from the source to support the proposed water use.*

Comments:

II. Findings relating to OAR 690-11-195(3):

✓ **Population growth demands for domestic and municipal uses:**

Finding: *Nothing in the record developed for this application establishes the proposed water use would interfere with future demands for domestic and municipal uses as estimated by current rates of population growth in the area.*

✓ **Economic development for agriculture, navigation, manufacturing, industry, power generation, commercial fishing, forestry and mining:**

Finding: *Nothing in the record developed for this application establishes the proposed water use would appropriate water otherwise needed for economic development for agriculture, navigation, manufacturing, industry, power generation, commercial fishing, forestry and mining.*

✓ **Health and safety requirements for sanitation, drainage, flood control, and fire protection:**

Finding: *Nothing in the record developed for this application establishes the proposed water use would appropriate water otherwise needed for health and safety requirements for sanitation, drainage, flood control, and fire protection.*

✓ **Public values and uses for recreation, pollution abatement, fish and wildlife resources, and scenic waterway protection:**

Finding: *The water availability determination made for this application reflects public value needs listed above as incorporated in instream water rights applications and certificates and scenic waterway flow data.*

Public Interest Review

File No. G-13120

III. Findings relating to OAR 690-11-195(4):

✓ Existing claims to water from the same source:

Finding: The proposed water use has been analyzed in light of other needs from the same source. Exercise of any permit issued for the proposed use would not interfere with existing uses. The water availability determination made for this application takes into account water needed for pending applications proposed for approval from the same source.

✓ Land use goals, comprehensive plans, or other land use matters:

Finding: The application is compatible with the comprehensive plan of the affected local government, as evidenced by the required land use information form (or receipt). No other land use matters have been raised by citizens, local governments, or state agencies.)

✓ Identified environmental concerns:

Finding: No general environmental concerns relating to the exercise of the proposed permit have been identified in the review of agency records or by others.

✓ Character and extent of other natural resources which are present in the water source basin:

Finding: No other natural resources in the water source basin will be adversely effected according to the agency records.

✓ Riparian and aquatic fauna and flora characteristics:

Finding: No riparian and aquatic fauna and flora characteristics in the water source basin will be adversely effected in review of agency records or by others.

✓ Recreational use and potential of the water source and its basin area:

Finding: Nothing in the records indicate the proposed use will interfere recreational use and potential use within the basin.

✓ Agricultural potential of the area:

Finding: The proposed use(s) will not adversely affect agricultural potential of the area according to the records of the agency.

✓ Designated historic, cultural, or natural resource protection areas:

Finding: Nothing in the records indicate the proposed use will interfere with designated historic, cultural or natural resource protection areas.

Public Interest Review

File No. G-13120

IV. Public Interest Determination Summary

Based on the record in the application file and the analysis of the Department as presented to the Commission in the findings displayed above, the following public interest factors have been duly considered:

- ✓ Conserving the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- ✓ The maximum economic development of the waters involved.
- ✓ The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- ✓ The amount of waters available for appropriation for beneficial use.
- ✓ The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- ✓ All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- ✓ The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.



Steven P. Applegate
Administrator

Water Rights and Adjudications Division



Date

ORIGINAL

ACTION CODE

B

03-00-0

110.00

005091

AGENCY VOUCHER NO.

DATE 05-03-95

VENDOR NUMBER A69000

PAYEE AND ADDRESS

MUELLER, FRITZ

AUDITED BY

WATER RESOURCES
158 12TH ST NE
SALEM OR 97310-0210

TOTAL

\$110.00

PAYMENT OF: INVOICE	REFERENCE 119656	110.00
NET PAID		\$110.00

MESSAGE: REFUND REFUND G-13120 119656

ACCOUNT CODING:	AGY 69000	BCH Q71	INV	TC 40	TD 950503	REF 119656
DESCRIPTION	PCD	PROJECT	FUND BI	COST CENTER	ACCOUNT	AMOUNT
MUELLER, FRITZ		062300	425 5	06 23 00 01	899900	110.00



STATE OF OREGON
DEPT OF ADMINISTRATIVE SERVICES
 TO THE STATE TREASURER, SALEM, OREGON 97310

WARRANT No.
0001767951

AGENCY #
69000

ORIGINATING AGENCY
WATER RESOURCES

VOUCHER
005091

TREASURY FUND
401

ISSUE DATE
05 / 04 / 1995

PAY EXACTLY *****110 Dollars and 00 Cents

AMOUNT
\$110.00

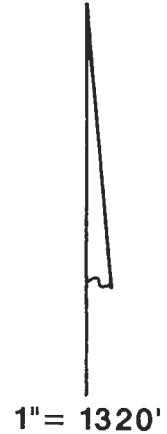
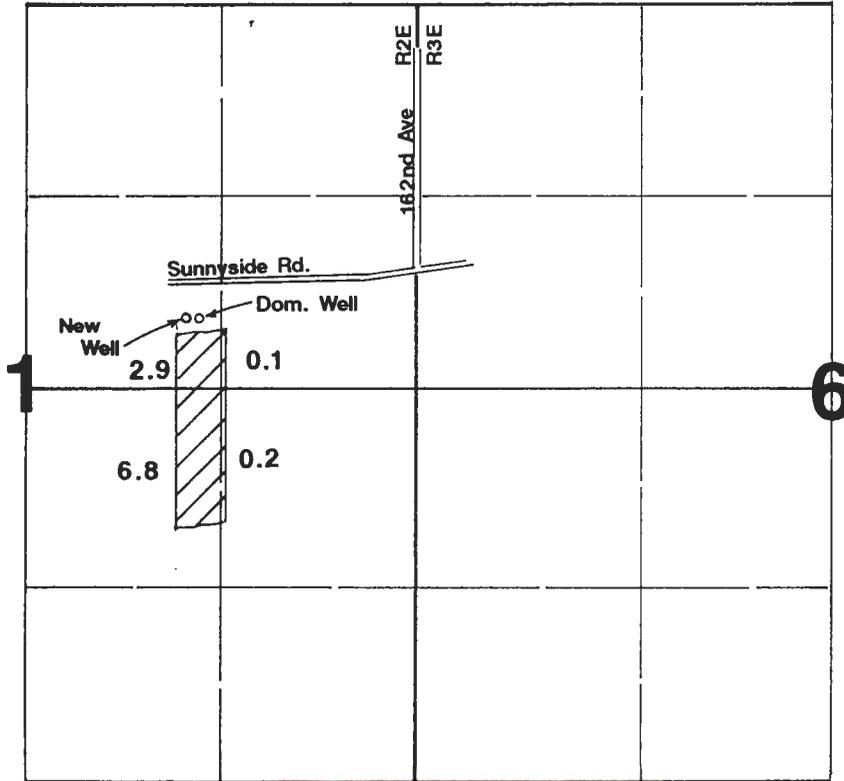
VOID AFTER 2 YEARS FROM DATE OF ISSUE

PAY TO THE ORDER OF
MUELLER, FRITZ

John J. Redford
AUTHORIZED SIGNATURE

RECEIVED
DEC 12 1994
WATER RESOURCES DEPT
SALEM, OREGON

T.2S., R.2&3E., W.M.



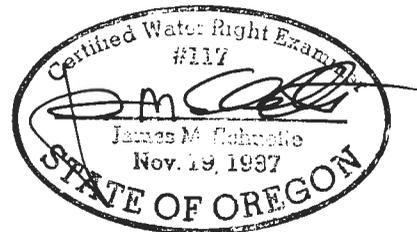
New Well located 2160'S & 1570'W from NE corner Section 1.
Dom. Well located 2160'S & 1960'W from NE corner Section 1.

Application Map

Fritz Mueller

Application #: G-13120 Permit #: G12012

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



November 17, 1993

FRITZ MUELLER
318 SE 50TH AVENUE
PORTLAND, OR 97215

Reference: File G 13120

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before January 26, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures

SB/eg

Report Date: November 17, 1993

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: January 26, 1994

1. APPLICATION FILE NUMBER - G 13120

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

FRITZ MUELLER
318 SE 50TH AVE
PORTLAND, OR 97215
CLACKAMAS Co. 503-232-9000

Date application received for filing and/or tentative date of priority: 9/17/1992

SOURCE: WELL 2

TRIBUTARY TO: ROCK CREEK

Purpose and/or use: NURSERY USES.

Flow: 75.0 gpm

Point of Diversion Location:

SW 1/4 NE 1/4 SECTION 1, T 2 S, R 2 E, W.M.; 2160 FEET SOUTH AND 1460 FEET WEST OF THE NORTHEAST CORNER OF SECTION 1

Place of use:

SWNE	5.20	Acres
SENE	0.30	Acres
NESE	0.51	Acres
NWSE	8.74	Acres
Section	1	
T 2 S, R 2 E,	W.M.	

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal **will not** have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water **is** likely to be available to supply the proposed use.

CONFLICTS WITH OTHER WATER RIGHTS:

There **are no** existing rights from this point of diversion.

There **are no** existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Water in the amount of 75 gpm is likely available for **12** months of the **12** months normal period of nursery use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 13120

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: Year around
3. Rate of use: 75 gpm
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
6. Failure to comply with any of the provisions of the permit may result in action including, but not limited

to, restrictions on the use, penalties, or cancellation of the permit.

7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
10. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
11. The amount of water used for agricultural use 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 agricultural use 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.
12. The permittee shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the

permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

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

December 1, 1994

FRITZ MUELLER
318 SE 50TH AVE
PORTLAND OR 97215

REFERENCE: FILE G-13120

Oregon

WATER
RESOURCES
DEPARTMENT

Dear Applicant:

Your application file was reviewed recently and was found to be lacking the following item(s):

- FEES -- Please submit recording fees in the amount of \$ 110.00 .
- MAP -- The map must be prepared/corrected by a Certified Water Rights Examiner.
- LEGAL DESCRIPTION -- A complete legal description of the property. This may be found in your deed or title insurance policy.
- CONFLICT RESOLUTION -- Your proposed use conflicts with an existing water right. Please advise us of how you plan to resolve the conflict.

- OTHER: YOUR APPLICATION REQUESTS WATER FOR 10 ACRES OF NURSERY OPERATIONS. YOUR APPLICATION MAP SHOWS 14.75 ACRES. IF THE APPLICATION IS CORRECT PLEASE SUBMIT A REVISED MAP SHOWING 10.0 ACRES. IF THE MAP IS CORRECT, PLEASE AMEND THE APPLICATION.

IN REGARDS TO YOUR REQUESTED USE, A CLARIFICATION IS NECESSARY. ACCORDING TO RULES IN EFFECT AT THE TIME YOU FILED (9/17/92), "NURSERY USE" IS NOT A CLASSIFIED USE IN THE WILLAMETTE BASIN. YOUR PROPOSED USE IS IDENTIFIED AS AGRICULTURAL USE AND IRRIGATION. THE FEE FOR THE AGRICULTURAL USE HAS BEEN RECIEVED, HOWEVER THE RECORDING FEE FOR THE IRRIGATION FEE HAS NOT. AN ADDITIONAL \$110.00 IS REQUIRED. (See above).

These items must be received before a permit may be issued. If these items are not received within 30 days (90 days for the map) from the date of this letter, the Department may begin the procedure for rejecting the application. If for any reason you are not able to submit the required material(s) within the time allotted, please let me know as soon as possible.

To help speed processing, please mark the envelope "URGENT" and send the requested items to my attention at the address listed below.

Sincerely,



Douglas L. Baer
Senior Water Rights Technician



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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **119656**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE #

G

RECEIVED FROM: Fritz Mueller
BY: _____

APPLICATION	13120
PERMIT	
TRANSFER	

CASH: CHECK: # X 19-7095 OTHER: (IDENTIFY)

TOTAL REC'D \$ 110.-

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

CASH ACCT. _____ \$
VOUCHER # _____

COST CENTER AND OBJECT CLASS

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	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$ <u>110.-</u>
842.005	TRANSFER	\$	842.006	\$
WELL CONSTRUCTION				
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

842.011	POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **119656**

DATED: 12-9-94

BY: D. Bussnell

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.

RECEIVED
SEP 17 1992

Applicant's Name: FRITZ MUELLER WATER RESOURCES DEPT.
Address: 15710 S.E. Sunside Rd SALEM, OREGON
City: Clackamas State: OR Zip: 97015 Day Phone: 232-9000

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
<u>#1000</u>				
<u>22E 1D</u>	<u>FF-10 (FARMFOREST)</u> <u>10 ACRES</u>			

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. Clackamas CLACKAMAS
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 this 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): 310. Go to section b) on reverse side.

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: MIKE McCALLISTER
Title: PLANNER II

Date: 9/11/92
Phone: 655-850

Signature: Mike McCullister

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:

water right for irrigation and domestic
use allowed
font right

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: Phil Howell
 Address: 318 S.E. 50th Ave
Portland, Or. 97215
 Phone: 232-9000

RECEIVED
 SEP 17 1992

WATER RESOURCES DEPT.
 SALEM, OREGON

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

- Irrigation (crop type, golf course, nursery or greenhouse): Nursery
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): 1 single family
- 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): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. <u>100</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

Rights Application for Application
G-13120, for Fritz Mueller -
Thank you for contacting me directly
on this application. It saved
me a lot of communication
effort.

John Richmond

RECEIVED

SEP 20 1993

WATER RESOURCES DIVISION
SALEM, OREGON

WATER RIGHTS APPLICATION MAP

36 31

FOR: F. MUELLER

TIE TO GOV'T CORNER
NORTHEAST COR. SECTION 1

SEC. 1, T.2 S., R.2 E., W.M.
TAX LOT 1000 CLACKAMAS COUNTY

LEGEND

SCALE: 1" = 400'



NEW WELL, POINT SOURCE

EXISTING DOMESTIC WELL

PLANNED DISTRIBUTION LINE



NWNE 1/4 NENE 1/4
SWNE 1/4 SENE 1/4

NOTE:

ALL INTERIOR SUBDIVISION
LINES ARE PROJECTED

EXISTING DOMESTIC WELL

IS 2,160 FT. SOUTH, AND
1,460 FT. WEST OF
NE COR. SECTION 1.

SWNE 1/4

5.20AC.

NEW WELL, POINT SOURCE
IS 2,160 FT. SOUTH, AND
1,570 FT. WEST OF
NE COR. SECTION 1.

0.30AC. SENE 1/4

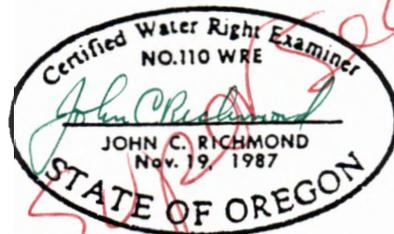
0.51AC. NESE 1/4

THIS MAP IS PREPARED ONLY
FOR USE IN IDENTIFYING
THE LOCATION OF THE PROPOSED
WATER RIGHT. NO USE FOR
LOCATING PROPERTY OWNERSHIP
BOUNDARY LINES IS INTENDED.

NWSE 1/4

8.74AC.

TAX LOT 1000
TOTAL, 14.75 AC.



RECEIVED
SEP 20 1993

WATER RESOURCES
SALEM, OREGON

TRIBUTARY OF ROCK CREEK
(EPHEMERAL)

AP # G-13120

REV. 9/93

426461

57742

JOHN HAGGER RD. S E 162 nd AVE.



N 1/4

C 1/4

S E 152 nd DRIVE

Application No. G-13120

RECEIVED

SEP 17 1992

State of Oregon
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Appropriate Ground Water

Applicant(s) Fritz Mueller
(Please print or type - use dark ink)

Mailing Address: 318 S.E. 50th Ave.
Portland, OR. 97215 232-9000
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): One new
well and deepen existing domestic well

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 1,600 feet

Elevation difference between streambed and development: 70 feet

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: New = 8" Old = 6" Depth in feet: new = 336ft. old =

Type and size of well casing: New Steel No. of feet: New = 336ft.

Estimated depth to water: New = 150ft.

Type of access port or measuring device: Port

Wells to be drilled by: Staco Well Services

Address: 220 Academy St. Mt. Angel, OR. 97362

If the water well is flowing artesian, describe your water control and conservation works: _____

N/A

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: _____ cubic feet per second, OR 100 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: Old well=25 GPM
New Well = 75 GPM

3. **INTENDED USE(s) OF WATER:** Nursery operations

If for more than one use, give the quantity of water from each source for each use; _____

Old well 500 gal./day domestic - remainder to nursery

If for **DOMESTIC** use, state the number of households to be supplied; 1

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.)

If for **MINING** use, state the nature (gold, silver, etc.) of the mines to be served; _____

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed under each use;

Irrigation Rooted Stock 7 Acres

Other (describe) Containerized Stock 3ac.

Greenhouse

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).

3" surface pipe 1000' w/smaller laterals, hand line
and portable pulsating

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin 8/92

Proposed date construction work will be completed 5/92

Proposed date water use will be completed 7/93

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.

RECEIVED

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? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

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

RECEIVED

SEP 17 1992

**WATER RESOURCES DEPT.
SALEM, OREGON**

NOTE: The permit, when issued, is for the beneficial use of water without waste. 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. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Fritz Kuebler
Signature of Applicant

9-15-92
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 17th day of September, 1992, at 8:00 o'clock, A M.

APPLICATION NO: G-13120

November 17, 1993

FRITZ MUELLER
318 S.E. 50TH AVENUE
PORTLAND, OR 97215

Reference: File G 13120

Dear Mr. Mueller:

Under separate cover I have enclosed our report of technical review. This process is fairly new to staff and has taken more time to complete than anticipated; however, we believe that the process is more fair and will allow staff to deal with issues in a more timely manner. I truly apologize for the delay.

It will be necessary for you to submit a copy of the deed or a legal description to the property covered in your application.

After submission of legal description and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

cc: John C. Richmond, CWRE

SB/eg



G-13120 RECEIVED

8-13-94

AUG 15 1994

WATER RESOURCES DEPT.
SALEM, OREGON

to Water Resources Department

Dear Sirs,

The enclosed deed should complete
my filing, please ^{move} (move) this on
to Permit of issuance

Yours truly

Fritz Kuebler

RECEIVED

AUG 15 1994

WATER RESOURCES DEPT OREGON

1967

SALE

KNOW ALL MEN BY THESE PRESENTS, That CHESTER R. MORRILL and LOUISE R. MORRILL (being the same person as Minnie R. Morrill), husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto FRITZ MUELLER and ROSINA F. MUELLER, husband and wife

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

Beginning at a point 110 rods W. and 120 rods S. of the NE corner of Sec. 1, T. 2 S., R. 2 E. of the W.M., in the County of Clackamas and State of Oregon and from said beginning point running thence S. along the W. line of the land of Wm. A. Burchell 120 rods to the SW corner of the land of Wm. A. Burchell; thence E. along the S. line of the said Wm. A. Burchell land, 33 rods and 1 foot; thence N. parallel to the W. line of the tract herein described 122 rods to the center of the County Road as now fenced and traveled; thence in a straight line to the place of beginning;

EXCEPTING therefrom the W. 220.0 feet as conveyed to Geo. A. Lair and wife, by deed recorded Dec. 7, 1944 in Book 336, page 88, Deed Records.

SUBJECT TO: Rights of the public in and to that portion of the above described property, lying within the boundaries of public roads and/or highways.

(This deed is given pursuant to real estate contract entered into by the above parties dated May 17, 1965)

Application No. 9-13120

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from incumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 26,500.00

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

In construing this deed the singular includes the plural as the circumstances may require.

Witness grantor's hand this day of 19

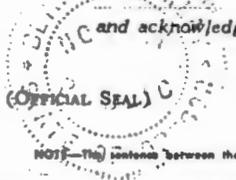
Chester R. Morrill
Louise R. Morrill

STATE OF OREGON, County of Multnomah ss. January 9, 1969

Personally appeared the above named Chester R. Morrill and Louise R. Morrill,

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Donald M. Ginday
Notary Public for Oregon
My commission expires 4-8-70



NOTE—The contents between the symbols (1), if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Special WARRANTY DEED

CHESTER R. MORRILL, ET UX

FRITZ MUELLER, ET UX
318 st 50th ave.

Port 97215

AFTER RECORDING RETURN TO

STATE OF OREGON, County of Clackamas
I, George D. Poppen, County Clerk, Ex-Officio Recorder of Conveyances and Ex-Officio Clerk of the Circuit Court of the State of Oregon, for the County of Clackamas, do hereby certify that the within instrument of writing was received for and recorded in the records of
DEED
1969 MAR 5 AM 10 44



George D. Poppen
County Clerk
Susan Carlson
Deputy
Recording Certificate

By Deputy

TECHNICAL REVIEW CHECKLIST

FORM-71393

(1) Application: 613120

(2) Review Date: 9-28-93

S Indicates information was completed or adequately addressed.
U Indicates information is needed, or incomplete, or inadequately addressed
N/A Indicates Not Applicable

SUMMARY	
<u>U</u>	Completeness <i>DEED OR LEGAL DESCR.</i> ✓
<u>S</u>	Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>S</u>	Conflicts <i>4J & 4G</i>
<u>S</u>	Water Availability

(3) S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

(4) N/A No oath is required because application was filed before June 5, 1992.

(5) S Application fees:

Examination fee:	\$ 200.00
Recording fee:	\$ 100.00
TOTAL REQUIRED	\$ 300.00
TOTAL SUBMITTED	\$ 300.00
AMOUNT DUE prior to issuance of permit	\$ <u>0</u>
AMOUNT OVERPAID	
refund due applicant	\$ <u>0</u>

*200 EX
100 AG
100 IRR
400
410
10 Refund*

(6) S Proposed dates of beginning and completion of construction, and complete application of water.

(7) S MAP: Prepared by a CWRE
 Exempt under QAR 690-11-150(3)
 A map or drawing included (non-CWRE)
 No map or drawing in file

- (8) N/A A CWRE map is not required for applications filed before November 9, 1987.
- (9) U A written copy of the legal description of the property on which the water is to be used.
- (10) N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) NURSERY OPERATIONS use(s) is/are classified uses(s) under the WIZCAMSITE Basin Program, OAR 690 - .
- (14) U The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

- (15) As expressed by the Planning D
- (16) S The land uses to (including proposed regulated by the 1 section 310) used water uses allowed or are not plan (ordinance
- (17) N/A The land uses to (including proposed land use approvals) used water uses ve discretionary ined.
- (18) N/A The local government pursuant to the rule in compliance per such application. sent no comment use was presumed printed on the

AMEND APP.
TO READ
"AGRICULTURE"
BY DEFINITION
IN QUES. #3
?

Wamas Co.

For ground water applications:

- (20) S A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) U The report from groundwater section has been received.

For reservoir applications:

- (22) N/A Plans, specifications and supporting information for the dam and impoundment area.

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 6-13120

ROUTED TO: Water Right #

TOWNSHIP/

RANGE-SECTION: 02S/02E-01

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

4I+46

Reviewer: Kochly

TO: Water Rights Section

09-21, 1993

FROM: Groundwater/Hydrology Section

Kochler

Reviewer's Name

SUBJECT: Application G- 13120

Willamette

1. PER THE Basin Basin rules, one or more of the proposed POA's is/is not within 1/2 feet/mile of a surface water source (Rock Creek) and taps a groundwater source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use

a. ___ will, or } have the potential for substantial interference with the nearest surface water

b. will not } source, namely Rock Creek; or

c. ___ will, if properly conditioned, adequately protect the surface water from interference:

i. ___ The permit should contain condition #(s) _____;

ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;

iii. ___ The permit should be conditioned as indicated in item 4 below; or

d. ___ will, with well reconstruction, adequately protect the surface water from substantial interference.

3. BASED UPON available data, I have determined that groundwater for the proposed use

a. will, or } likely be available in the amounts requested without injury to prior rights and/or

b. ___ will not } within the capacity of the resource; or

c. ___ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;

i. ___ The permit should contain condition #(s) _____;

ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;

iii. ___ The permit should be conditioned as indicated in item 4 below.

4. a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;

b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;

c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;

d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.

e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Condition w/ 4I + 4G since no well log for well #1 state obs. well #33 (~5/8 mile E) is declining, + since well #2 appears to be hydraulically connected to Rock Creek's nearest reach to these wells.

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:

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

6. THE WELL construction deficiency:

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

7. THE WELL construction deficiency is described as follows: _____

8. THE WELL

a. <input type="checkbox"/>	was, or	}	constructed according to the standards in effect at the time of original construction or most recent modification.
b. <input type="checkbox"/>	was not		
c. <input type="checkbox"/>	I don't know if it met standards at the time of construction.		

RECOMMENDATION:

- A. I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 1992.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1992.

(Signature)

TOWNSHIP 2 S RANGE 2 E W.M. CARD # 1 SECTION 2

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			
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
20																		
40.83																		
40.834110																		
Rec																		
7																		
Municipal																		
Municipal																		
Municipal																		
80																		
44939																		
46072																		
47144																		
75																		
6-5593																		
80																		
Supplemental																		
6-5393																		
2																		
6-7413																		
35																		
6-5604																		
37																		
6-8723																		
MUNICIPAL																		
6-11445																		

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 2 S RANGE 2 E W.M. SECTION 1

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																		
Municipal																		
Municipal																		
Municipal																		
75																		
100																		
MUNICIPAL																		
5800																		
280																		

44939 37586 64979
 46072 34426
 47144 35297
 6-8607 6-8016 50460 NCR
 6-11445 610545
 6-13120

<u>DATE</u>	<u>INITIALS</u>
9-17-92	N. JUM
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

MINIMUM REQUIREMENTS TO FILE

Name and mailing address _____
 Source of water _____
 Quantity of water _____
 Location of project _____
 Use of water _____
 Signature of applicant _____
 Allowable use by policy _____
 State Engineer withdrawal _____
 Legislative withdrawal _____
 Land use approved pending _____

FIELD OPERATIONS

Application date stamped per money receipt date _____
 Stream Indexed _____
 Stream Code _____
 Scenic Waterway _____
 Findings:
 1) Concluded - Scenic-Reg Ack letter _____
 2) Under Study - Scenic-Ack letter _____
 3) Basin 2 - Willamette-Ack letter _____
 Plat Carded and copy made YES NO
 Conflicts (well _____ surface _____) _____
 Prior ISWR # _____
 Within Irrigation District _____ (name)
 Notified _____
 District excerpt received _____
 Entered in Paradox _____
 Prepare six copies of Draft Permit _____
 Send one copy to Data Center _____

<u>DATE</u>	<u>INITIALS</u>
9/23	CW
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

SUPPORT SERVICES

Stamp contents with application number _____
 Mail/Provide copies of draft permits to DEQ, ODFW, PARKS, AND WATERMASTER _____
 Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file _____
 Place label on file and card _____
 If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section _____
 Notify Irrigation District _____

FIELD OPERATIONS

	<u>YES</u>	<u>NO</u>
Ownership Statement	_____	_____
Name and address of all owners	_____	_____
Other landowners notified	_____	_____
Legal Description	_____	_____
Need Commission review	_____	_____
Requests greater than 5.0 cfs	_____	_____
Dam height greater than 20 feet	_____	_____
Storage greater than 100 acre-feet	_____	_____
Out of Basin diversion	_____	_____
Groundwater recharge project	_____	_____
Other substantial public interest	_____	_____
GW comments received _____ resolved _____	_____	_____
ODFW comments received _____ resolved _____	_____	_____
DEQ comments received _____ resolved _____	_____	_____
Interest Groups _____	_____	_____
Water availability received _____	_____	_____
Objections received _____ resolved _____	_____	_____
Protest received _____ resolved _____	_____	_____
Management Codes _____	_____	_____

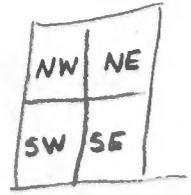
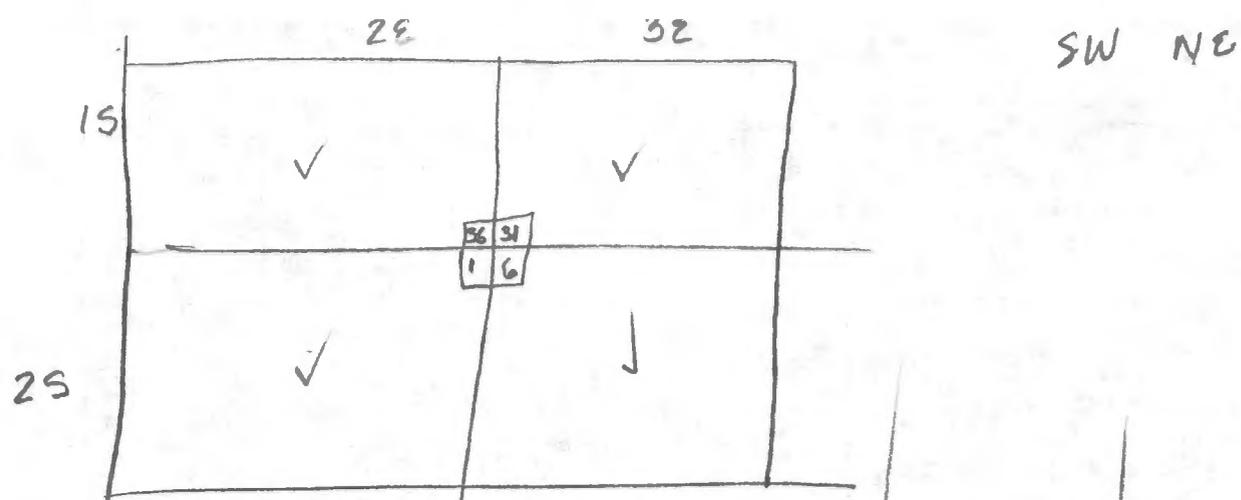
EXAMINATION FEE: _____
 RECORDING FEE: _____

 TOTAL: _____
 REFUND: _____
 DEFICIENT: _____

REMARKS: _____

w/x

020	253.5	C-35	LYNN POTTER 999 E. HIGHLAND RD HERMISTON, ORE. 97838 567-2962	GILLIAM	YES 1975 USACE PERMIT	UNKNOWN P# 41314 P# 37346 P# 35425 P# 35426 P# 40920	STAINLESS WIRE MESH	6	3420	45 46 86 N 120 00 37 W
COMMENTS:		1975 USACE PERMIT # 071-OYA-1-000484								
021	253.5	C-35	BOEING AGRI-INDUST. ROB BROWN 200 1ST NW BOARDMAN, ORE. 97818 481-2281	GILLIAM	YES 1975 USACE PERMIT	UNKNOWN P# 41314 P# 37346 P# 35425 P# 35426 P# 40920	STAINLESS WIRE MESH	9	5000	45 46 86 N 120 00 37 W
COMMENTS:		1975 USACE PERMIT # 071-OYA-1-000484								
022	253.5	C-35	BRIAN SULLIVAN CECIL STAR RT. IONE, ORE. 97843 481-3043	GILLIAM	YES 1973 USACE PERMIT	UNKNOWN P# 38225 P# 35005 P# 35002	SO ADVISED BY OWNER	2	250	45 46 91 N 120 00 39 W
COMMENTS:		1973 USACE PERMIT # DACW57-2-73-58								
023	253.5	C-35	TAGGARES FARMS JIM DANIELS - MGR. 3-MILE CANYON BOARDMAN, ORE. 97818 481-9274	GILLIAM	YES 1975 USACE PERMIT	UNKNOWN P# 37346 P# 35425 P# 35426 P# 40920 P# 41314	STAINLESS WIRE MESH	12	1250	45 46 90 N 120 00 50 W
COMMENTS:		1975 USACE PERMIT # 071-OYA-1-000484								
028	268.5	C-38	CIRCLE C FARMS IVAN COOK RT. 1 BOX 1961 HERMISTON, ORE. 97838 567-7101	MORROW	YES STATE OF OREGON	UNKNOWN P# 33937	WIRE MESH	2	200	45 50 08 N 119 43 57 W
COMMENTS:		STATE OF OREGON PERMIT # 33937			UNKNOWN DATE OF ISSUE.					
029	271.5	C-39	PORT OF MORROW GARY NEIL, MGR. P.O. BOX 200 BOARDMAN, ORE. 97818 481-7678	MORROW	YES STATE OF OREGON	YES #G-10550	WIRE MESH	1	135	45 51 17 N 119 40 44 W
COMMENTS:		1988 OREGON PERMIT # G-10550								



<u>DOM</u>	<u>IRR</u>	<u>Farmsted</u>	<u>MUNI</u>
122	2	1	
	1	5	
34		3	
19	2		1
75	5	9	1

TOTAL: 90

September 21, 1992

FRITZ MUELLER

318 SE 50TH AVE
PORTLAND, OR 97215

REFERENCE: File(s) G-13120

We received your application(s) proposing to use water, along with supporting data and fees. Your receipt is enclosed unless you received it earlier. The application has been assigned the above referenced file number and will be reviewed in detail as time allows. If you need to call or write to us, be sure to reference the file number(s) listed above so we may assist you promptly.

Applications which are received in proper form with required maps, supporting data and fees can be considered for approval by issuance of permits following a mandatory 60-day waiting period and after public interest matters are resolved.

Processing of applications which require additional information will be delayed further. If you feel that a delay in the processing of your application will cause a hardship, please advise in writing.

If the application is approved, the use allowed by the permit will be subject to the Water Resources Commission's Basin Program statements, instream flow requirements, and demands of prior rights.

If you have any questions, please contact the Water Right Section at the telephone number referenced below.

cc: CWRE



RECEIVED

SEP 17 1992

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 6-13120
Permit No.

9-15-92

To Water Resources Department Salem.

Dear Sirs.

I am sending You this Application
for the Water Rights Division:

1. one Application Form
2. four " maps with legal description
3. one Land use Application from Clackamas County
4. one Water Well Report
5. Examination Fee \$ = 200.00
Recording Fee " = 100.00
Check total " = 300.00

Yours truly

Fritz Mueller

NUMBER 88465

Check 300⁰⁰ NO _____ Cash _____

____ Surface Application

____ Reservoir Application

Ground Water Application

____ Transfer Application

____ Power Claim

____ Hydroelectric Examination

____ Hydroelectric License

____ Copying To: Dave Marcoe

____ Assignment

____ Extension of Time

____ Other 200.⁰⁰ - Exam

____ P-6 100.⁰⁰ - Recording

____ Quadrangle

____ Basin

____ Protest

____ Constructors Examination

____ Constructors License

____ Adjudication

RECEIVED

WATER RIGHTS APPLICATION MAP

36 31
1 6

FOR: F. MUELLER

TIE TO GOV'T CORNER
NORTHEAST COR. SECTION 1

Application No. 6-13120

Permit No. 1, T.2 S., R.2 E., W.M.

TAX LOT 1000 CLACKAMAS COUNTY

LEGEND

SCALE: 1" = 400'

 NEW WELL, POINT SOURCE

0 400 1000 FT.

 EXISTING DOMESTIC WELL



PLANNED DISTRIBUTION LINE

RECEIVED

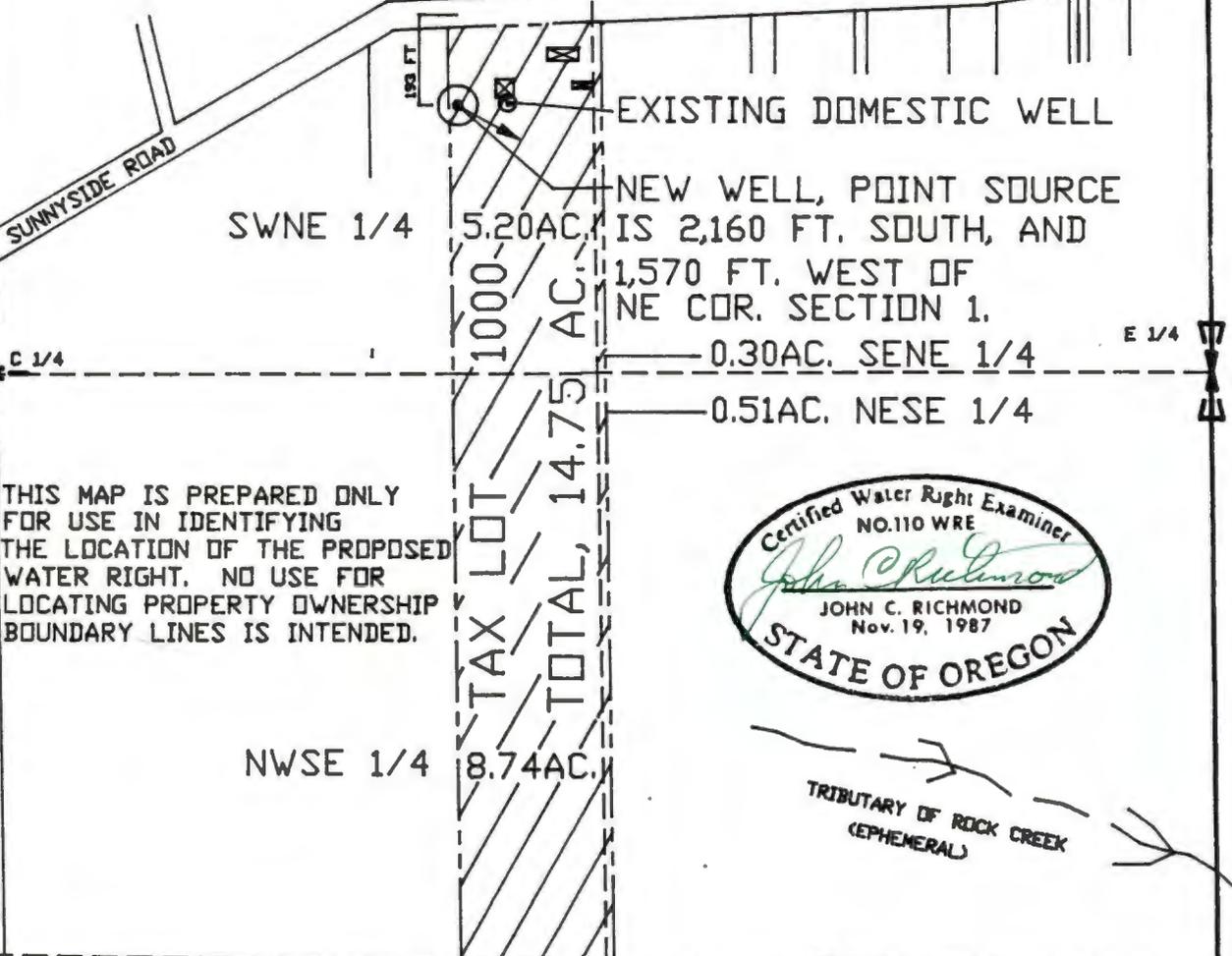
SEP 17 1992

WATER RESOURCES DEPT.
SALEM, OREGON

NOTE:

ALL INTERIOR SUBDIVISION
LINES ARE PROJECTED

NWNE 1/4 NENE 1/4
SWNE 1/4 SENE 1/4



SWNE 1/4

TAX LOT 1000
TOTAL, 14.75 AC.

EXISTING DOMESTIC WELL

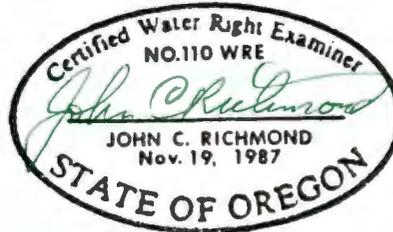
NEW WELL, POINT SOURCE
IS 2,160 FT. SOUTH, AND
1,570 FT. WEST OF
NE COR. SECTION 1.

0.30AC. SENE 1/4

0.51AC. NESE 1/4

NWSE 1/4 8.74AC.

THIS MAP IS PREPARED ONLY
FOR USE IN IDENTIFYING
THE LOCATION OF THE PROPOSED
WATER RIGHT. NO USE FOR
LOCATING PROPERTY OWNERSHIP
BOUNDARY LINES IS INTENDED.



TRIBUTARY OF ROCK CREEK
(EPHEMERAL)

920801 SEPT 92

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FRITZ MUELLER
318 S.E. 50TH AVENUE
PORTLAND, OREGON 97215

503-232-9000

to use the waters of TWO WELLS in the ROCK CREEK BASIN for NURSERY OPERATIONS 10.0 ACRES.

This permit is issued approving Application G-13120. The date of priority is SEPTEMBER 17, 1992. The use is limited to not more than 0.167 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 NE 1/4, SECTION 1, T 2 S, R 2 E, W.M.; WELL 1 - 2160 FEET SOUTH AND 1960 FEET WEST; WELL 2 - 2160 FEET SOUTH AND 1570 FEET WEST; BOTH FROM THE NE CORNER OF SECTION 1.

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

A description of the proposed place of use under this permit is as follows:

SW 1/4 NE 1/4	2.9	ACRES
SE 1/4 NE 1/4	0.1	ACRES
NE 1/4 SE 1/4	0.2	ACRES
NW 1/4 SE 1/4	6.8	ACRES

SECTION 1

TOWNSHIP 2 SOUTH, RANGE 2 EAST, W.M.

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

The permittee shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

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

Actual construction work shall begin on or before April 24, 1996 and shall be completed on or before October 1, 1997. Complete application of the water shall be made on or before October 1, 1998.

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

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

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

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

Issued this date, April 24, 1995.



Water Resources Department
Martha O. Pagel
Director

RECEIVED

OCT 24 1994

WATER DIVISION
SALES SECTION

PROPERTY FILE #

ATTENTION FILE: G-13120

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:

Fritz Mueller

10-19-94

Applicant Signature Date Co-Applicant (if any) Date



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

