

Name Schichtel's Nursery  
 By Andrew M. Schichtel  
 Address Route 2, Box 69-D  
Milton-Freewater, OR 97862

Application No. G11573  
 Permit No. G10765  
 Certificate No. 83545  
 Stream Index, Page No. 7-95

FEES PAID		
Date	Amount	Receipt No.
8-25-86	2510 <sup>00</sup>	50246
4-10-87	70.00	51860
FEES REFUNDED		
Date	Amount	Check No.

Date filed August 25, 1986  
 Priority April 10, 1987  
 Action suspended until Jan  
 Return to applicant \_\_\_\_\_  
 Date of approval NOV 24 1987

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**CONSTRUCTION**

Date for beginning NOV 24 1988  
 Date for completion OCT 1 1989  
 Extended to \_\_\_\_\_  
 Date for application of water OCT 1 1990  
 Extended to \_\_\_\_\_

**REMARKS**

Card for B OCT 18 1989  
 CARD FOR C OCT 26 1990  
128 letter sent 1/18/91

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_  
 Form "B" filed \_\_\_\_\_  
 Form "C" filed Jan. 18, 1991

**FINAL PROOF**

Blank mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Date certificate issued OCT 29 2007

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. G-11573

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

Andrew M. Schichtel, the holder of Permit No. G-10765

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the First day of October, 1990.

Remarks: We are replacing the pump in this well. This should

be done by this spring. Everything else is ready to go.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of January, 1991.

*Andrew Schichtel*

(Signature of Applicant)

Rt. 2 Box 69 D Milton-Freewater OR

(Address)

RECEIVED

JAN 18 1991

WATER RESOURCES DEPT  
SALEM, OREGON

OK  
LHM

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 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

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SCHICHTELS NURSERY  
51574 PHILLIPS ROAD  
MILTON FREEWATER, OREGON 97862

confirms the right to use the waters of ONE WELL in the UMATILLA BASIN for IRRIGATION OF 40.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 40.0 ACRES.

This right was perfected under Permit G-10765. The date of priority is APRIL 10, 1987. This right is limited to 0.30 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 SW 1/4, SECTION 29, T 6 N, R 35 E, W.M.; 1240 FEET SOUTH AND 35 FEET WEST FROM THE CENTER 1/4 CORNER, SECTION 29.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

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

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 SW 1/4	40.0 ACRES	
NW 1/4 SW 1/4		40.0 ACRES

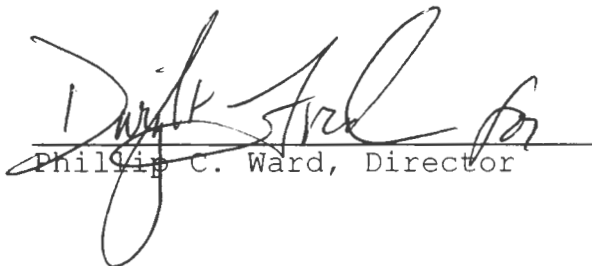
SECTION 29  
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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

WITNESS the signature of the Water Resources Director, affixed **OCT 29 2007**



Philip C. Ward, Director

Recorded in State Record of Water Right Certificates Number 83545

RECEIVED

AUG 25 1986

WATER RESOURCES DEPT  
SALEM, OREGON

6N R35 Sec 29

N

NW SW

NE SW

29

40 ac

40 ac

1240

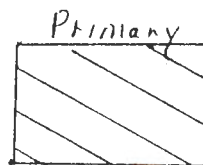
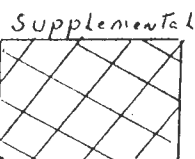
35

Application No. 2-11573  
Permit No. G10765

To be used as Final  
Proof Survey map for  
Field Inspection report.

JWG  
3/31/86

1" = 400'



RECEIVED

APR 10 1987

WATER RESOURCES DEPT.  
SALEM, OREGON



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

**Date Mailed: October 29, 2007**

## **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

Application G-11573  
Permit G-10765  
Certificate 83545

Permit/Certificate Holder: (include copy of map)

SCHICHTELS NURSERY ✓  
51574 PHILLIPS ROAD  
MILTON FREEWATER, OREGON 97862

<b>Copies Mailed</b>
By: <u>Connie Vance</u> (SUPPORT STAFF)
on: <u>OCT 29 2007</u> (DATE)

---

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## For Final Certificate

Copies of Final Certificate to be sent to:

1. Watermaster #5: (include copy of map) ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. VAULT ✓
5. FILE ✓

Other persons to receive copies: (Include map)

1. SCHICHEL'S NURSERY OREGON, INC ✓  
6745 CHESTNUT RIDGE  
ORCHARD PARK NY 14127

OREGON SECRETARY OF STATE  
**► Corporation Division**

HOME

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uniform commercial code uniform commercial code search documents & data services

### Business Name Search

[New Search](#) [Printer Friendly](#)

### Business Entity Data

09-10-2007  
10:41

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Duration Date	Renewal Date
230290-85	DBC	ACT	OREGON	01-03-1991		
<b>Entity Name</b> SCHICHTEL'S NURSERY OREGON, INC.						
<b>Foreign Name</b>						

[New Search](#) [Printer Friendly](#)

### Associated Names

<b>Type</b>	PPB	PRINCIPAL PLACE OF BUSINESS			
<b>Addr 1</b>	51574 PHILLIPS RD				
<b>Addr 2</b>					
<b>CSZ</b>	MILTON FREEWATER	OR	97862	<b>Country</b>	UNITED STATES OF AMERICA

*Please click here for general information about registered agents and service of process.*

Type	AGT	REGISTERED AGENT	Start Date	01-03-1991	Resign Date
<b>Name</b>	ANDREW	SCHICHTEL			
<b>Addr 1</b>	51574 PHILLIPS RD				
<b>Addr 2</b>					
<b>CSZ</b>	MILTON FREEWATER	OR	97862	<b>Country</b>	UNITED STATES OF AMERICA

<b>Type</b>	MAL	MAILING ADDRESS			
<b>Addr 1</b>	6745 CHESTNUT RIDGE				
<b>Addr 2</b>					
<b>CSZ</b>	ORCHARD PARK	NY	14127	<b>Country</b>	UNITED STATES OF AMERICA

Type	PRE	PRESIDENT	Resign Date
<b>Name</b>	GEORGE	V SCHICHTEL	
<b>Addr 1</b>	6745 CHESTNUT RIDGE RD		

<b>Addr 2</b>						
<b>CSZ</b>	ORCHARD PARK	NY	14127		<b>Country</b>	UNITED STATES OF AMERICA
<b>Type</b>	SEC	SECRETARY				<b>Resign Date</b>
<b>Name</b>	ANDREW	M	SCHICHTEL			
<b>Addr 1</b>	6745 CHESTNUT RIDGE					
<b>Addr 2</b>						
<b>CSZ</b>	ORCHARD PARK	NY	14127		<b>Country</b>	UNITED STATES OF AMERICA

[New Search](#)   [Printer Friendly](#)   [Name History](#)

<b>Business Entity Name</b>	<b>Name Type</b>	<b>Name Status</b>	<b>Start Date</b>	<b>End Date</b>
SCHICHTEL'S NURSERY OREGON, INC.	EN	CUR	01-03-1991	

Please read before ordering [Copies](#).

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<b>Image Date</b>	<b>Action</b>	<b>Transaction Date</b>	<b>Effective Date</b>	<b>Status</b>	<b>Name/Agent Change</b>	<b>Dissolved By</b>
01-22-2007	ANNUAL REPORT PAYMENT	01-22-2007	01-19-2007	SYS		
01-05-2007	NOTICE LATE ANNUAL	01-05-2007		SYS		
01-18-2006	ANNUAL REPORT PAYMENT	01-18-2006	01-17-2006	SYS		
01-06-2006	NOTICE LATE ANNUAL	01-06-2006		SYS		
11-24-2004	ANNUAL REPORT PAYMENT	11-24-2004	11-23-2004	SYS		
01-23-2004	ANNUAL REPORT PAYMENT	01-23-2004	01-22-2004	SYS		
01-09-2004	NOTICE LATE ANNUAL	01-09-2004		SYS		
12-17-2002	REINSTATEMENT AMENDED	12-17-2002		FI		
04-05-2002	ADMINISTRATIVE DISSOLUTION	04-05-2002		SYS		
01-04-2002	NOTICE LATE ANNUAL	01-04-2002		SYS		
01-22-2001	ANNUAL REPORT PAYMENT	01-22-2001		SYS		
01-12-	NOTICE	01-16-2001		SYS		

2001						
02-07-2000	CHANGED RENEWAL	02-07-2000		FI		
02-03-2000	STRAIGHT RENEWAL	01-20-2000		FI		
01-07-2000	NOTICE	01-10-2000		SYS		
01-08-1999	NOTICE	01-11-1999		SYS		
01-13-1999	STRAIGHT RENEWAL	01-05-1999		FI		
01-16-1998	STRAIGHT RENEWAL	01-06-1998		FI		
01-16-1998	CHANGED RENEWAL	01-06-1998		FI		
01-08-1997	STRAIGHT RENEWAL	12-30-1996		FI		
12-11-1995	AMENDED RENEWAL	12-11-1995		FI		
12-05-1994	STRAIGHT RENEWAL	12-01-1994		FI		
01-07-1994	NOTICE	01-11-1994		SYS		
01-11-1994	STRAIGHT RENEWAL	12-28-1993		FI		
05-10-1993	NB AMENDMENT	05-10-1993		FI		
01-04-1993	AMENDED RENEWAL	12-23-1992		FI		
04-17-1992	AMENDED RENEWAL	04-14-1992		FI		
02-14-1992	NB AMENDMENT	02-14-1992		FI		
01-10-1992	NOTICE	01-14-1992		SYS		
01-03-1991	NEW FILING	01-03-1991		FI		

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please contact : [businessregistry.sos@state.or.us](mailto:businessregistry.sos@state.or.us)



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STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SCHICHTELS NURSERY  
51574 PHILLIPS ROAD  
MILTON FREEWATER, OREGON 97862

confirms the right to use the waters of ONE WELL in the UMATILLA BASIN for IRRIGATION OF 40.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 40.0 ACRES.

This right was perfected under Permit G-10765. The date of priority is APRIL 10, 1987. This right is limited to 0.30 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

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G-11573.JWG

Certificate Number

83545

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

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 SW 1/4	40.0 ACRES	
NW 1/4 SW 1/4		40.0 ACRES

SECTION 29  
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_.

\_\_\_\_\_  
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number

G-11573.JWG

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STATE OF OREGON

**PROPOSED**

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SCHICHTELS NURSERY

~~ROUTE 2, BOX 69 D.~~ 51574 Phillips Rd  
MILTON FREEWATER, OREGON 97862

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G-11573.JWG

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WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_.

**PROPOSED**

\_\_\_\_\_  
Phillip C. Ward, Director

68 9/14/10

Recorded in State Record of Water Right Certificates Number

G-11573.JWG



# 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: May 5, 2006**

## NOTICE

Reference: Permit G 10765

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

# Mailing List for Proposed Certificate

Mailing Date:

Application      G-11573  
Permit            G-10765  
Certificate       PROPOSED

Permit/Certificate Holder: (include copy of map)

SCHICHEL'S NURSERY  
ROUTE 2, BOX 69 D  
MILTON FREEWATER, OREGON 97862

<b>Copies Mailed</b>
By: <i>Connie</i> (SUPPORT STAFF)
on: <u>5/5/2006</u> (DATE)

Other persons to receive copy of Proposed Certificate : (Include map)

- 1.
- 2.

---

---

## For Final Certificate

Copies of Final Certificate to be sent to:

1. Watermaster #5: (include copy of map)
1. Data Center (include copy of map)
2. Water Availability

Other persons to receive copies: (Include map)

- 1.
- 2.

# Mailing List for Proposed Certificate

Mailing Date:

Application       G-11573  
Permit            G-10765  
Certificate        PROPOSED

Permit/Certificate Holder: (include copy of map)

SCHICHEL'S NURSERY  
51574 PHILLIPS ROAD  
MILTON FREEWATER, OREGON 97862

**Copies Mailed**

By: \_\_\_\_\_  
(SUPPORT STAFF)

on: \_\_\_\_\_  
(DATE)

Other persons to receive copy of Proposed Certificate

: (Include map)

- 1.
- 2.

---

## **For Final Certificate**

Copies of Final Certificate to be sent to:

1. Watermaster #5: (include copy of map)
2. Data Center (include copy of map)
3. Water Availability
4. VAULT
5. FILE

Other persons to receive copies: (Include map)

1. SCHICHEL'S NURSERY OREGON, INC  
6745 CHESTNUT RIDGE  
ORCHARD PARK NY 14127

RECEIVED

AUG 25 1986

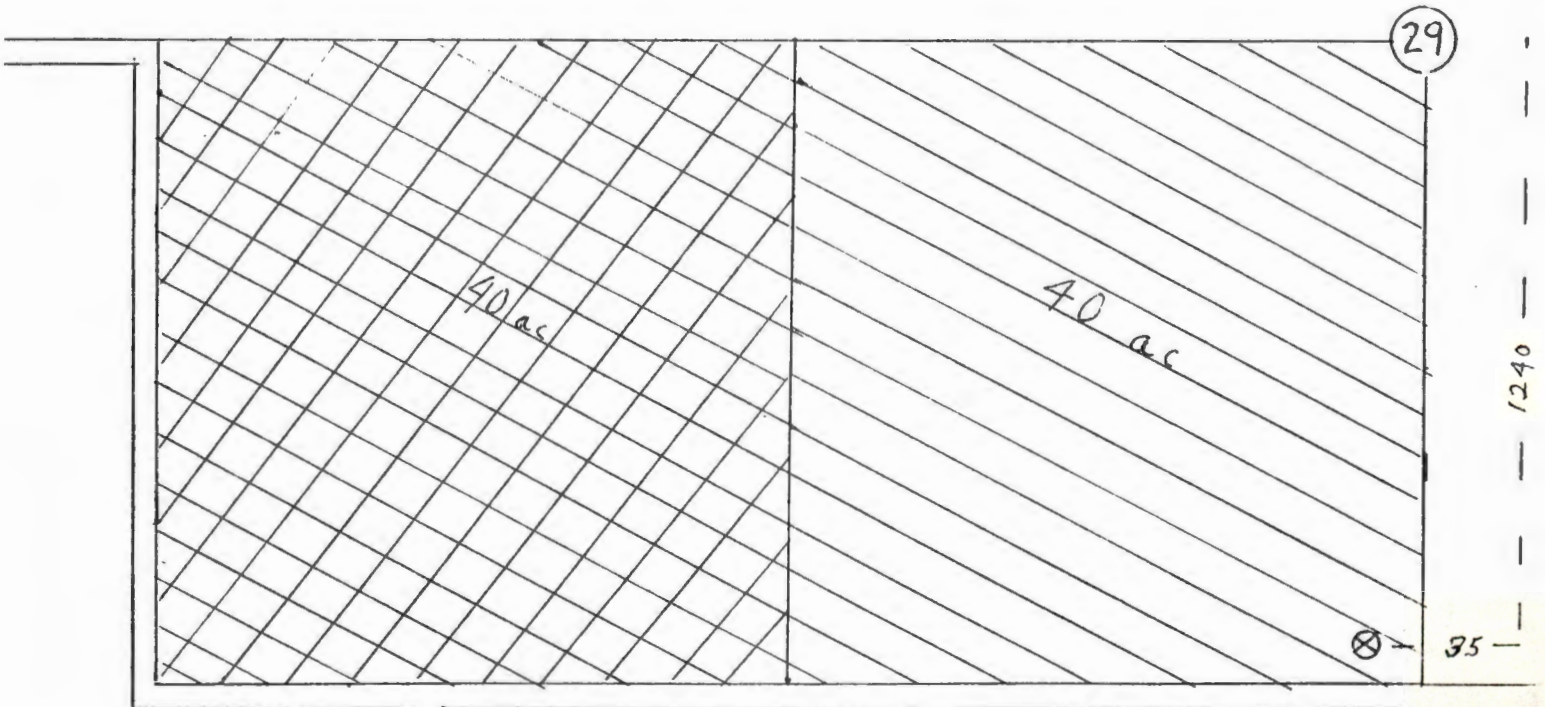
WATER RESOURCES DEPT  
SALEM, OREGON

6N R35 Sec 29

N

NW SW

NE SW

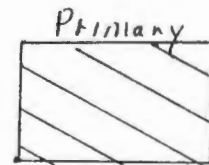


Application No. *D-11573*  
 Permit No. G10765

To be used as Final  
 Proof Survey map for  
 Field Inspection report.

JWG  
 3/31/06

1" = 400'



RECEIVED

APR 10 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

Info: Gary Worley,

15 HP Submersible 4' out

Buried PVC 6'

Rmn Bind 1/8" majority

45 PSI 32 heads

40' lengths 2" + 3"

61085

Permit No.

Application No.

7-22-92 A# G-11573 P# G10765

Info: Gary Worley employee of Schichtels Nursery  
Source: a well

diversion: 1240'S 35' W center of Sec 29 NE 1/4 SW 1/4 S29.  
T6N R35E.

pump/motor: 15 HP Submersible

pipe Buried 6" PVC mainline w/ risers every 6' 2600' approx.

Lateral Alum Hand line 40' lengths 2" + 3" 2600' approx.

Rain Bird 1/8" majority of heads.

at 45PSI 32 sprinklers max at one time.)

use: nursery.

tie: Aerial 41059 378 253L

lift: 52' static water level lands flat. pump sets at 232'

Jane Miller  
Field Inspector.

Inspector: Summers.

Comments: This is nursery with different plants rotated yearly. There is plenty of equipment to irrigate these areas.

$Q_{acres} \frac{80}{80} = 1$

$Q_{pump} = \underline{305} \text{ cfs Allowed}$

$3 \text{ heads } 1/8 \text{ RB} \times 3 \text{ spm} @ 45 \text{ psi} = \frac{15 \text{ HP} \times 7.04}{232 + 114} = \frac{105.6}{346}$

7/25/94

$3 \text{ spm} \times 32 \text{ heads max} = \frac{96}{\text{min}}$

7/25/94

Tony J. called today wanting to know  
allowed - indicated at 305 cts Pump 2

pm

2nd phase plan could start in 28-29 Oct

28 Oct

28 Oct

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28 Oct

# Abstract of Permit

This is to certify that I have examined APPLICATION G-11573 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Schichtels Nursery, by Andrew M. Schichtel of Route 2, Box 69D, Milton-Freewater, Oregon 97862, phone 938-4556, for the use of water from one well, for the PURPOSE of Irrigation of 40.0 acres and supplemental irrigation of 40.0 acres,

that the PRIORITY OF THE RIGHT dates from April 10, 1987,

and is limited to the amount of water which can be applied to beneficial use and shall not exceed <sup>305</sup> 100 cubic foot per second.

measured at the point of diversion from the well, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: 1240 feet South and 35 feet West from the Center of Section 29, being within the NE1/4 SW1/4 of Section 29, Township 6 North, Range 35 East, W.M., in the County of Umatilla.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

	PRIMARY IRRIGATION	
Township 6 North, Range 35 East, W.M., Section 29	NE1/4 SW1/4	40.0 acres
	SUPPLEMENTAL	
Township 6 North, Range 35 East, W.M., Section 29	NW1/4 SW1/4	40.0 acres

The AMOUNT OF WATER used for irrigation, together with the the amount secured under any other right existing for the same lands shall be limited to 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Actual construction work shall begin on or before October 30, 1988, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 89.

Complete application of the water to the proposed use shall be made on or before October 1, 19 90.

Witness my hand this 30th day of October, 19 87.

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. 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 that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION G-11573

PERMIT

G10765

permitted  
41051 378 253L  
Inspection - 7/22/92



## 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 = 15  
Efficiency = 7.04  
Lift = 232  
PSI = 45

### Results Calculated

---

$(hp)(\text{efficiency}) = 105.6$   
Head based on psi = 114.3  
Total dynamic head = 346.3  
(head + lift)

**Pump Capacity = 0.30 feet per second**



G4126

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF CANCELLATION	)	
OF A PORTION OF A WATER RIGHT	)	<u>O R D E R</u>
IN THE NAME OF BURLINGAME LAND	)	
AND LIVESTOCK, INC.	)	

On April 10, 1987, Schichtel's Nursery submitted an affidavit that Schichtel's Nursery is the owner of a certain water right and the lands to which the water right is appurtenant; that Schichtel's Nursery has abandoned any and all interest in and to the said water right and requests the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 45579, Volume 38, State Record of Water Right Certificates, in the name of Burlingame Land and Livestock, Inc., and is for the use of not to exceed 0.298 cubic foot per second from Well No. 1, with a date of priority of November 6, 1967, for supplemental irrigation of 23.2 acres in NE 1/4 SW 1/4 and 38.7 acres in NW 1/4 SW 1/4, Section 29, Township 6 North, Range 35 East, WM.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 45579, Volume 38, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 17th day of June, 1987.

*William H. Young*  
 WILLIAM H. YOUNG<sub>5106</sub>  
 Director

NOTICE: Judicial review may be obtained by filing a petition for review within 60 days from the service (date of mailing) of this order. Judicial review is pursuant to the provisions of ORS 536.075.

0337/c  
0395E

Nursery -  
12 CFS

✓ E 3049  
G- 4128  
G- 13852

S- 32844  
NA after G- 11573

# Platcard Report

Township 6N Range 35E Section 29

App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i - 12/31/1916	-	GR1130				20.0 IR												13.0 IR			
i - 12/31/1919	-	GR1157			20.0 IR																
i - 11/30/1917	-	GR1243					10.0 IR										40.0 IR				
i - 12/31/1921	-	GR1498		20.0 IR																	
i - 02/01/1922	-	GR3576									10.2 IR										
i - 12/31/1890	41	South Mud Creek		7.8 IR																	
i - 12/31/1870	1698	Goodman Spring Branch	CN											15.0 I* CN	4.0 I* CN						
- 12/31/1871			CN											2.2 I* CN							
- 12/31/1906			CN											6.0 I* CN	30.8 I* CN						
i - 12/31/1892	1715	Goodman Spring Branch	CN										40.0 I* CN					6.5 I* CN			

NA

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[Return to Platcard Query Screen](#)

Run Time: 6 seconds

# Platcard Report

## Township 6N Range 35E Section 29

				NE				NW				SW				SE						
	<u>App#</u> <b>Priority</b>	<u>Permit/ Certificate</u>	<u>Claim/ Decree</u>	<u>Status dlc/lot</u>	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
1	-	12/31/1892	1720	Goodman Spring Branch						2.5												
1	-	12/31/1892	1722	Goodman Spring Branch								5.0										
1	-	12/31/1892	1724	Goodman Spring Branch							34.8	9.0										
1	-	-	3827	Goodman Spring Branch				18.1												7.6		
1	-	-	3828	Goodman Spring Branch			7.0															
1	-	-	3829	Goodman Spring Branch					35.5	37.5												
1	-	02/16/1903	13083	Walla Walla River		7.3				10.0		10.0										
1	-	-	35092	Goodman Spring Branch																7.6		
1	-	12/31/1892	45001	Goodman Spring Branch									24.0							6.5		
1	-	-	45094	Dugger Creek											22.2							

NA

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# Platcard Report

Township 6N Range 35E Section 29

					NE				NW				SW				SE						
	<u>App#</u>	<u>Permit/ Certificate</u>	<u>Claim/ Decree</u>	<u>Status dlc/lot</u>	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC	
<b>i</b>	G9761 06/03/1980	G9051 56808																				16.7 IS (s)	
<b>i</b>	G10285 02/25/1982	G9595 -					6.92 IR																
	02/25/1982						28.0 IS (s)															13.0 IS (s)	
<b>i</b>	G11142 10/11/1983	G10382 63720				19.5 IR																	
	10/11/1983					7.1 IS (s)																	
<b>i</b>	G11573 04/10/1987	G10765 -											40.0 IR										
	04/10/1987												40.0 IS (s)										
<b>i</b>	G11628 02/27/1987	G10749 -					19.41 IS (s)																
<b>i</b>	G12053 -	G11440 -									40.54 IS (s)												
<b>i</b>	G13852 10/14/1994	G12930 -																				40.0 IR	

*Working*

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# Platcard Report

## Township 6N Range 35E Section 29

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC	
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
1	G13852 10/14/1994	G12930 -	NA											40.0 IS (s)	40.0 IS (s)								
1	G14382 09/03/1996	G13260 -			19.0 IR																		
1	G15559 07/09/2001	G15240 -										4.0 IR											
1	R58682 01/12/1981	R8212 56809															FI						
1	S4009 12/04/1914	S2297 1824		CN				PW CN															
1	S4883 04/28/1916	S2923 2764		CN											2.7 IR CN	6.0 IR CN							
1	S6506 04/28/1919	S4072 3878			2.0 IR																		
1	S8214 12/19/1921	S5309 51168		CN		13.0 IR CN	12.0 IR CN	1.4 IR CN															
1	S8214 12/19/1921	S5309 52225					12.0 IR	1.4 IR															
1	S9543 05/26/1924	S6318 7720										15.0 IR											

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# Platcard Report

## Township 6N Range 35E Section 29

					NE				NW				SW				SE					
	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
1	S11785 10/05/1927	S8193 9489		CN																	20.0 IR CN	
1	S15171 10/28/1933	S11101 11250					20.0 IR											5.0 IR				
1	S20648 03/27/1945	S16218 27021						9.8 IR	33.5 IR													
1	S32844 01/16/1959	S26001 32348		CN																	20.0 IS (s) CN	
1	S32844 01/16/1959	S26001 46242		CN																	20.0 IS (s) CN	
1	S32844 01/16/1959	S26001 76774																			20.0 IS (s)	
1	S57959 09/28/1978	S43973 -		xfr#: T8303													10.5 IS (s)					
1	S58681 01/12/1981	S45369 56810																				
	01/12/1981																					
1	U678 03/12/1954	U611 26521						4.8 IS (s)	37.8 IS (s)													

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# Platcard Report

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*Township 6N Range 35E Section 29*

					NE				NW				SW				SE					
	<u>App#</u> <u>Priority</u>	<u>Permit/</u> <u>Certificate</u>	<u>Claim/</u> <u>Decree</u>	<u>Status</u> <u>dlc/lot</u>	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
<b>i</b>	U790 02/24/1955	U701 24165									5.74 IR	11.33 IR										
	02/24/1955										34.8 IS (s)	9.0 IS (s)										

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STATE OF OREGON

COUNTY OF UMATILLA

PRELIMINARY  
SUBJECT TO REVISION

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SCHICHTELS NURSERY  
%ANDREW M. SCHICHEL  
ROUTE 2, BOX 69 D  
MILTON FREEWATER, OREGON 97862

PRELIMINARY  
SUBJECT TO REVISION

confirms the right to use the waters of ONE WELL in the UMATILLA BASIN for IRRIGATION OF 40.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 40.0 ACRES.

This right was perfected under Permit G-10765. The date of priority is APRIL 10, 1987. This right is limited to 0.305 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 SW 1/4, SECTION 29, T 6 N, R 35 E, W.M.; 1240 FEET SOUTH AND 35 FEET WEST FROM THE CENTER OF SECTION 29.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated 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 place of use to which this right is appurtenant is as follows:

NE 1/4 SW 1/4	<u>PRIMARY</u> 40.0 ACRES
	SUPPLEMENTAL.

**RECEIVED**

AUG 25 1986

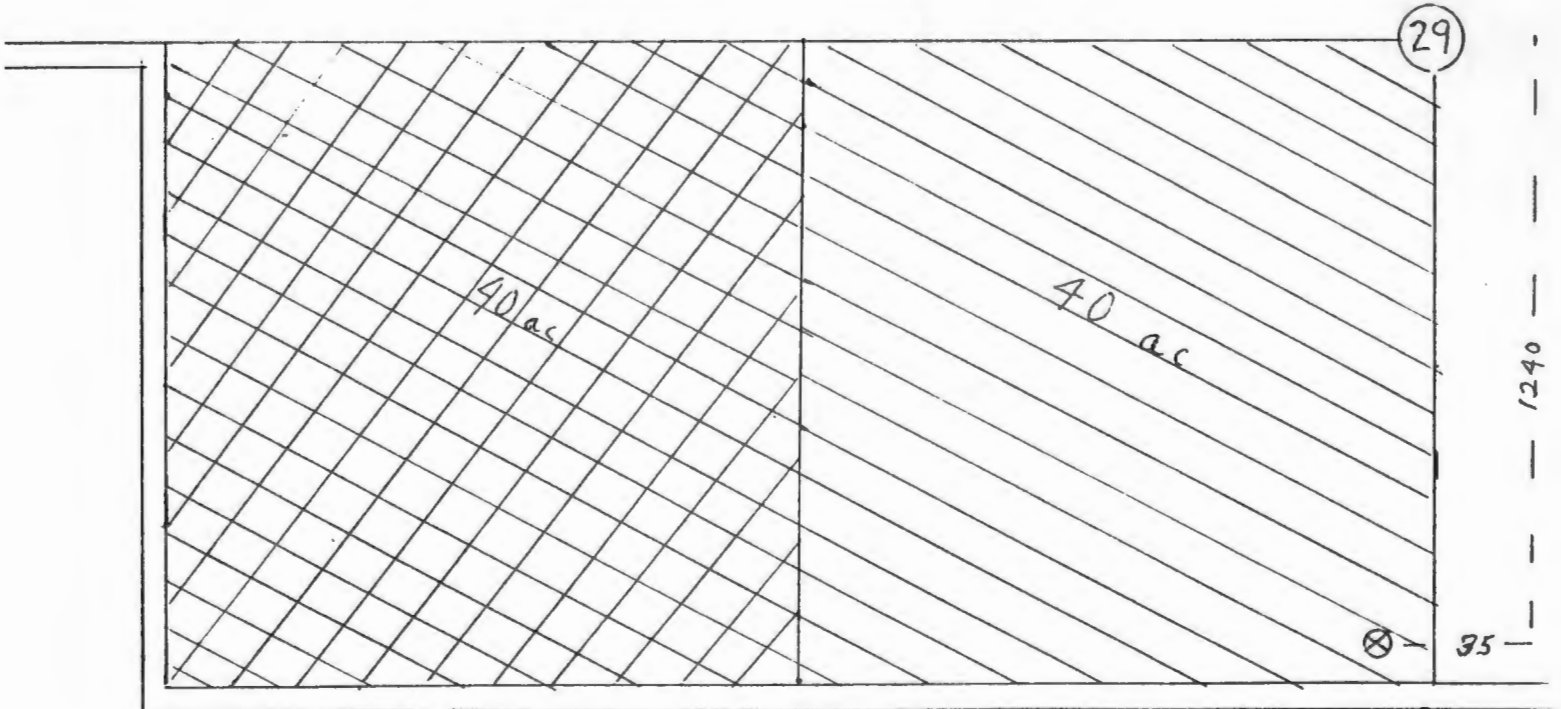
WATER RESOURCES DEPT  
SALEM, OREGON

6N R35 Sec 29

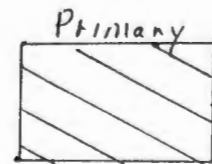
N

NW SW

NE SW



Application No. *B-11573*  
Permit No. *G10765*

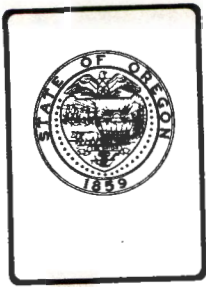


1" = 400'

**RECEIVED**

APR 10 1987

WATER RESOURCES DEPT  
SALEM, OREGON



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

January 18, 1991

ANDREW M SCHICHTEL  
SCHICHTELS NURSERY  
ROUTE 2 BOX 69 D  
MILTON FREEWATER OR 97862

REFERENCE: File G-11573

We have received your notice that complete application of water has been made under Permit G-10765.

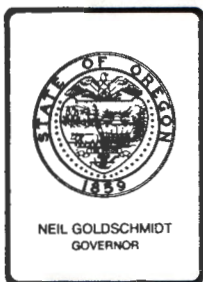
At a later date, a representative of this office will make an inspection and survey of your project.

You will then be mailed a proposed certificate of water right covering the actual use of water as found by our Inspector. Any use described in the permit that was not made will not be included in the certificate.

In the meantime, the permit you hold is valid evidence of your right so long as you continue to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739.

LHN:wcm  
0586W



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

January 3, 1991

ANDREW M SCHICHEL  
SCHICHEL'S NURSERY  
ROUTE 2 BOX 69 D  
MILTON FREEWATER OR 97862

REFERENCE: **File G-11573**

You stated the date for complete application of water described in your Permit G-10765, as being December 27, 1990. The date for complete application of water as set out in the permit was October 1, 1990.

With the thought that the date was in error, I am enclosing another Form C for reporting the correct date.

If complete application of water was not made until the indicated date and you wish to maintain the permit, an application should be submitted requesting additional time. A form for that purpose will be supplied upon request.

Sincerely,

LARRY H. NUNN  
Water Rights Specialist

LHN:wcm  
0563W

enclosure



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

December 2, 1987

Andrew M. Schichtel  
Schichtels Nursery  
Route 2, Box 69-D  
Milton-Freewater, OR 97862

REFERENCE: File G-11573

ENCLOSED: PermitG-10765

### PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Your permit has been recorded in this office, but you should hold the original permit as evidence of your water right. If the land is sold, an assignment to the new owner must be recorded in this office. Assignment blanks will be furnished upon request.

The permit fixes time limits for beginning of construction, completion of construction and complete application of water to beneficial use. The law requires that you begin actual construction within one year from the date of issuance of the permit or your right will be lost. The Water Resources Director is authorized to extend the time for completion of construction and for complete application of water upon proper showing, but has no authority to extend the time limit for beginning of construction.

Forms A, B and C may be attached for submitting (A) Notice of Beginning of Construction, (B) Notice of Completion of Construction and (C) Notice of Complete Application of Water. If your application has stated that construction has already been started, or that construction work is completed, or that complete application of water has been made, only the required forms will be attached.

The start of the drilling operation or other means of constructing the well will be considered as beginning of construction. If no canal system or other permanent type of distribution works is employed, the acquisition and installation of all the machinery or equipment necessary for the project will be considered as completion of construction.

When complete application of water has been made, Form C should be submitted as the first step in proof of appropriation. When proof satisfactory to the Water Resources Director has been made, the right will be confirmed by issuance of a certificate. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

The permit requires that an access port or other installation be provided to allow the measurement of the water level within the well at any time. Sketches of suggested methods of installation are attached.

Sincerely,

*William H. Young*  
WILLIAM H. YOUNG  
Director

WHY:wpc  
enclosures  
00728 11

378-3066

, 1987

Andrew M. Schichtel  
Schichtel's Nursery  
Route 2, Box 69-D  
Milton-Freewater, OR 97862

Dear Mr. Schichtel:

REFERENCE: File G-11573

This is to acknowledge return of Application G-11573 and the four prints of the supporting map along with the affidavit to provide for clearing our records of existing rights involved. Our Receipt 51860 covering the additional fees in the amount of \$70 you submitted is enclosed.

The application is now in satisfactory form and will be placed with the group to be considered for approval.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:wpc

Enclosure

0333E

*receipt mailed*

*6-8-87*

*ICB*

973-5008

June 2, 1967

Amory M. Schmitt  
Schmitt's Nursery  
Route 4, Box 64-D  
Millersville, Pa. 17352

Dear Mr. Schmitt:

Reference is made to your letter of May 15, 1967.

This is to acknowledge receipt of Application C-113 and the four plants of the supporting group along with the affidavit of pedigree for clearing out records of existing rights involved. Our Receipt 3188 covering the additional fees in the amount of \$10 you submitted is enclosed.

If application is not in satisfactory form, and will be placed with the group to be considered for approval.

Sincerely,

RAYNE J. OVERMAN  
Senior Water Rights Examiner

Water

Division

0332

378-3066

March 11, 1987

Andrew M. Schichtel  
Schichtel's Nursery  
Route 2, Box 69-D  
Milton-Freewater, OR 97862

Dear Mr. Schichtel:

REFERENCE: File G-11573

Since you have not returned your Application G-11573 or replied to correspondence regarding it, I assume you have reconsidered the matter of your proposed use of water and will not resubmit your application.

If we do not hear from you within 30 days from the date of this letter, your application will be rejected without further notice and the \$170 unearned permit recording fee will be returned.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:wpc

0467A  
9165D

378-3066

January 5, 1987

Andrew M. Schichtel  
Schichtel's Nursery  
Route 2, Box 69-D  
Milton-Freewater, OR 97862

Dear Mr. Schichtel:

REFERENCE: File G-11573

Your Application G-11573 which was returned to you has not been received. It was endorsed so that in order to retain its priority date, it must have been received in this office on or before December 29, 1986.

Your application has lost its priority, but may be reinstated with a new priority date when it is again received.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:wpc

0461A/1  
8097D

October 28, 1986

Andrew M. Schichtel  
Schichtel's Nursery  
Route 2, Box 69-D  
Milton-Freewater, OR 97862

Dear Mr. Schichtel:

REFERENCE: File G-11573

Application G-11573 in the name of Schichtel's Nursery, describing the proposed use of 1.0 cubic foot of water per second from one well for the primary irrigation of 40 acres and supplemental irrigation of 40 acres, together with the four prints of the supporting map and copy of the memorandum of lease, has been reviewed.

As mentioned in our recent telephone discussion, it will be necessary for you to provide for clearing our records of certain existing rights involved. Also, additional information and fees will be needed and you will need to sign the application in the space provided on the third page.

I am enclosing two statements which when properly completed by the legal owners of the property and any other parties having interest in the property and returned to this office will provide for clearing our records of the existing rights involved. If you should have any questions in completing the affidavits, it may be best to call or write and advise me of a telephone number and time that you can be reached.

Item 10 on the application will need to be completed by giving a brief description of the facilities you intend to install for conveying and delivering the water to the land.

The application requires \$200 examination fee and permit recording fees in the amount of \$240. To date, \$370 has been credited to the file. Therefore, an additional \$70 is needed to complete the fees.

In discussing these matters with Larry Powers, our representative in your area, I understand that you may wish to file for additional wells for the acreage described in your application. If so, you may amend your application by including the use of water from the other wells. You may wish to discuss this matter with Mr. Powers.

I am returning your application and the four prints of the supporting map for completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before December 29, 1986.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner  
WJO:wp  
cc: Larry Powers, Assistant Watermaster, District 5  
enclosures



## **Water Resources Department**

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

September 5, 1986

Andrew M. Schichtel  
Schichtel's Nursery  
Route 2, Box 69-D  
Milton-Freewater, OR 97862

REFERENCE: File G-11573

We have received your application for use of water for primary and supplemental irrigation of 80.0 acres along with supporting data and fees. Our Receipt 50246 is enclosed. Your application has been filed and assigned number G-11573.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will receive a permit shortly after the mandatory 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will be reviewed in detail and will be returned for completion or correction within 45 days.

If your application is approved, the permit authorizing the project described in the application would be subject to prior rights and require that the well be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The permit would also require that a weir, meter, or other suitable measuring device be installed, if required by the Watermaster, and a log be kept recording the amount of ground water withdrawals. If you have any questions regarding these provisions or the Well Standards, please contact this office.

Sincerely,

RALPH H. JACKSON, Supervisor  
Application/Permit Section

RHJ:wpc

enclosure  
0003/X  
6396D

RECEIVED  
AUG 25 1986  
WATER RESOURCES DEPT  
SALEM, OREGON

R127 REE 041

111539

MEMORANDUM OF LEASE

DATED 7 May, 1985.

BETWEEN: Umapine Oregon Nurseries, Inc. Owner  
Route 1, Box 175-D  
Milton-Freewater, Oregon 97862

AND George Schichtel, dba Schichtel's Nursery Tenant  
6745 Chestnut Ridge Road  
Orchard Park, New York 14127

Pursuant to Lease dated 22 February, 1985, Owner  
leased to Tenant with an option to purchase, the following real and  
personal property located in Umatilla County, Oregon:

See Exhibit A attached hereto and by this  
reference made a part of this memorandum.

Until further notice, all tax statements should be sent to  
the following address:

George Schichtel, dba  
Schichtel's Nursery  
6745 Chestnut Ridge Road  
Orchard Park, New York 14127

UMAPINE OREGON NURSERIES, INC.

By Howard H. Stensson

George V. Schichtel  
GEORGE V. SCHICTEL

STATE OF OREGON )  
                          ) SS  
COUNTY OF UMATILLA)

7 May, 1985.

Personally appeared Howard H. Stensson, who being duly

1-Memorandum of Lease

Application No. 2-11523  
Permit No. G10765

RECEIVED  
AUG 25 1986  
WATER RESOURCES DEPT  
SALEM, OREGON

R127 MS 043

EXHIBIT A

ASSETS

UNAPINE

74.6 acres  
(incl. underground irrigation & pumps)

78.2 acres  
(incl. underground irrigation & pumps)

Barn

Tree Digger

Iron Stakes

Miscellaneous machinery, including:

- 1964 green Chev truck flatbed
- 1964 green Chev  $\frac{1}{2}$  T pick-up
- 1974 brown Chev  $\frac{1}{2}$  T pick-up
- 1982 green Yanmar YN155D 4WD & trailer
- 1948 IHC Farmall C red
- 1952 grey 40 HP Ford tractor
- yellow scuffler Yanmar
- orange rototilla Yanmar
- orange sprayer 30 gal.
- orange fert spreader Yanmar
- orange Pak-Tank sprayer 40 gal.
- 1980 Economy label printer
- waterproof paper
- twins
- white 4-wheel trailer
- 100 plus lengths of 2" irrigation pipe
- red MH disc 10' X 20" double
- green 2-row transplanter
- disc 6' double
- springtooth harrow 8'
- green fert spreader 12'
- total of above, miscellaneous items,  
lock, stock & barrel

TOWNSHIP 6 NORTH, RANGE 35, E.W.M.

PARCEL 11

Section 30: Northeast Quarter of Southeast Quarter.

Application No.  
Permit No.

2-11573  
G10765

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SALEM, OREGON

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EXHIBIT A (cont'd)

PARCEL II:

Section 30: Commencing at a point 44 rods and 14.8 feet South of the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 30; running thence West 59 rods; thence South to the South line of the Southwest Quarter of the Northeast Quarter of Section 30; running thence East along said South line 13 rods; thence South 80 rods to the South line of the Northwest Quarter of the Southeast Quarter of said Section 30; thence East 46 rods to the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 30; thence North to the place of beginning;

EXCEPTING any and all water rights of way and roads.  
All being East of the Willamette Meridian, Umatilla County, Oregon;

PARCEL III:

North Half of Southwest Quarter of Section 29, Township 6 North, Range 35, E.W.M.: EXCEPTING a one-half interest in an irrigation ditch 2 feet wide and 1 foot deep across Northeast Quarter of Southwest Quarter of said Section 29, conveyed to Charles W. Records, by Deed recorded in Book 42, Page 465, Deed Records;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

$44 \times 16.5 = 726$   
 $14.8$   
 $740.8$

$59 \times 16.5 = 973.5$

$13 = 214.5$

Application No. *9-11573*  
Permit No. *G10765*

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SALEM, OREGON

FILED  
J. DEAN FOUQUETTE, SR.  
COUNTY CLERK

1985 JUN 20 P 1:17

C

R127 PAGE 045

STATE OF OREGON. } ss  
COUNTY OF UMATILLA. }

I, J. Dean Fouquette, Sr., County Clerk,  
certify that this instrument was received and  
recorded

ON JUN 20 1985

at 1:17 o'clock P.M. in the records  
of DEEDS of said County in

Book Page  
R-127 41

J. DEAN FOUQUETTE, SR.  
County Clerk

By *Beth Braum*  
Notary Public No. 111338

Corry, Byler, Row, Larsson & Hojan  
Attorneys At Law  
P.O. Box 216  
Pendleton, Oregon 97650

Application No. 2-11573

Permit No. G10765

2-11573

Application No. G-11573

Permit No. ....

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STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

WATER RESOURCES DEPT  
SALEM, OREGON

I, Schichtels Nursery, Andrew M. Schichtel  
(Name of Applicant)

of Rt 2 Box 69D Milton-Freewater  
(Mailing Address) (City)

State of Oregon 97862 Phone No. 503-938-4556 do hereby  
(Zip Code)

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

1. The development will consist of one well  
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 8" and an estimated depth of 300 feet.

2. The well or other source is to be located 1240 ft. S and 35 ft. W  
(N. or S.) (E. or W.)

from the center ~~corner~~ of Sec. 29  
(Public Land Survey Corner)

(If there is more than one well, each must be described)

being within the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of  
Sec. 29 Tp. 6N R. 35 E, W. M., in the county of Umatilla

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
<u>6N</u>	<u>35E</u>	<u>29</u>	<u>NE-SW primary</u>	<u>40</u>
<u>6N</u>	<u>35E</u>	<u>29</u>	<u>NW-SW Supplemental</u>	<u>40</u>

4. It is estimated that 134 feet of the well will require steel casing.  
(Kind)

5. Depth to water table is estimated 55 Well drilled by Clarence Summers  
(Feet)

200 00 20  
100 00 10  
140 00 70  
440 00

6. The amount of water which the applicant intends to apply to beneficial use is 1.0 cubic feet per second or 449 gallons per minute.

7. The use to which the water is to be applied is primary and supplemental irrigation.

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.  
N.A.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

1240 South of Johnson Creek

10.

DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

15 Horse power Electric PUMP,  
270 Feet drop pipe, 1/4 mile of 4' plastic line.

11. Construction work will begin on or before 2-1-86

12. Construction work will be completed on or before 2-1-87

13. The water will be completely applied to the proposed use on or before 2-1-88

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right. Pleasant View Ditch #E-170, 26001, L9482

Application No. 9-11573

Permit No. ....

Remarks: We can no longer get any water from Johnson Creek under Cert. # 45001 as that branch is dry. Please cancel Cert. # 45001 and make the well the primary source for the East 40 acres and the supplemental source to Pleasant View on the West 40 acres.

This permit, when issued, is for the beneficial use of water. 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 that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

x *Ordw Shehtr*  
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before December 29, 1986

WITNESS my hand this 28th day of October, 1986

William H. Young, Water Resources Director

By *Wayne J. Overcash*  
WAYNE J. OVERCASH

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APR 10 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 25 day of August, 1986, at 8 o'clock AM

Application No. 2-11573

Permit No.

Application No. 9-11573

Permit No. ....

### Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 1.0 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from one well

The use to which this water is to be applied is irrigation of 40.0 acres and supplemental irrigation of 40.0 acres

If for irrigation, this appropriation shall be limited to 1/30 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

gl(S) SUM

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is April 10, 1987

Actual construction work shall begin on or before ..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

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

PAK

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. G 1.15.73.....

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

I, Andrew M. Schichtel....., the holder of Permit No. G 10765  
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in  
accordance with the terms of said permit, on the 27th..... day of December....., 19 90

Remarks: We are replacing the pump in this well. This should

be completed by spring. Every thing else is ready to go.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of December....., 19 90.

*Andrew Schichtel*

(Signature of Applicant)

Rt. 2 Box 69 D Milton-Freewater OR

(Address)

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WATER RESOURCES DEPT.  
SALEM, OREGON

*Dun*

Application No. **G11573**  
Permit No. **G10765**

8-25-86

Name Schichtel's Nursery, Andrew M. Schichtel

Address Rt. 2, Box 69-D, Milton-Freewater, OR 97862

Assigned .....

Address .....

Beginning construction **NOV 24 1988**

Completion of construction **OCT 1 1989**

Extended to .....

Complete application of water **OCT 1 1990**

Extended to .....