

ASSIGNED

Name Speicaltrees Nursery Company  
By .....  
Address Rt. 1, Box 214A  
Dayton, OR 97114

Date filed January 4, 1983  
Priority JANUARY 4, 1983  
Action suspended until SUN

Return to applicant .....  
Date of approval JUN 13 1983

CONSTRUCTION  
Date for beginning JUN 13 1984

Date for completion OCT 1 1985  
Extended to .....

Date for application of water OCT 1 1986  
Extended to .....

PROSECUTION OF WORK

Form "A" filed STARTED  
Form "B" filed November 15, 1985  
Form "C" filed 8-26-87

FINAL PROOF

Blank mailed .....  
Proof received .....  
Date certificate issued MAR 16 2007

Application No. 64613  
Permit No. 47497  
Certificate No. 83195  
Stream Index, Page No. 2-90 C2

See file #64613

ASSIGNED

Date 7-10-84 To Whom Rosedale Nursery Company  
Date 12-18-86 Monrovia Nursery Co. - 12605E Alderman Rd. Dayton, Or. 97114

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
	<u>Rosedale Nursery Company</u>	<u>P.O. Box 9, Azusa, CA. 91702</u>	<u>6</u>	<u>1286</u>
	<u>Monrovia Nursery Co.</u>	<u>PO Box 562 Dayton or 97114</u>	<u>6</u>	<u>1705</u>

REMARKS

CARD FOR B OCT 16 1985  
Card for C DEC 2 1986  
Form 100 AUG 21 1987  
Form 128 sent SEP 3 1987

new address: 12455 SE LAFAYETTE HWY  
DAYTON, OR 97114

FEES PAID

Date	Amount	Receipt No.
<u>1-4-83</u>	<u>65.00</u>	<u>34310</u>
<u>3-2-83</u>	<u>56.00</u>	<u>35185</u>

Cert. Fee

FEES REFUNDED

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

NOTICE OF COMPLETION OF CONSTRUCTION

I, MONADIA NURSERY - OREGON, the holder of Permit No. 47497

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 1st day of OCTOBER, 19 65

RECEIVED  
NOV 15 1985  
WATER RESOURCES DEPT.  
SALEM, OREGON

OK  
JTB

Remarks: \_\_\_\_\_  
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

ment you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 13 day of OCTOBER, 19 65

Mark I. Booby (Monadia Nsy - Oregon) PO BOX 562, DAYTON, OR 97114  
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

LAFAYETTE & ALDERMAN  
45.15161  
-123.10644

**Alyssa Mucken**

---

**From:** Walter Suttle/Dayton/Monrovia [WSuttle@Monrovia.com]  
**Sent:** Wednesday, November 05, 2008 3:19 PM  
**To:** Alyssa Mucken  
**Subject:** RE: 2006/2007 water use form

Hello Alyssa,  
Thank you for helping me get the addresses changed for our water rights.  
Our current address is:

( Monrovia Nursery  
13455 SE Lafayette Hwy  
Dayton, OR 97114 ) ←

Here is the list of water rights that Monrovia has:

**Certified Water Rights**

**Certificate #/Original Owner**

- 34203 Robert Stockhoff app 91469
- 34204 Robert Stockhoff app 92345
- 39706 Robert Stockhoff app S-42922
- 39705 Robert Stockhoff app R-42921
- 39581 Phillip/Laverne Eichler app S-45142
- 39580 Phillip Eichler app R-45141
- 51884 Raymond Hinds app 9-5569

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- 83194 Monrovia Nursery Co app R-64612
- 83195 Monrovia Nursery Co app S-64613
- 83193 Monrovia Nursery Co app S-69000
- 84824 Monrovia Nursery Co app 6-11961
- 84825 Monrovia Nursery Co app 6-11962

**Permitted Water Rights**

**Permit #**

- G12366 Monrovia Nursery app 6-13183
- G12293 Monrovia Nursery Co app 9-13473

Thanks again for helping with this!

Walter Suttle

Alyssa Mucken <muckenam@wr.d.state.or.us>

To Walter Suttle/Dayton/Monrovia <WSuttle@Monrovia.com>

11/05/2008 09:20 AM

cc  
Subject RE: 2006/2007 water use form

Okay, I've updated my water use reporting mailing list as well as our static water level mailing list. If you'd like, I can send an email to our Water Rights section requesting them to update all of Monrovia's water rights with this address. I did a quick search on Monrovia and came up with the following rights that could be updated:

Permit G-12293  
Permit G-12366  
Certificate 83194  
Certificate 83195  
Certificate 83193  
Certificate 84824  
Certificate 84825

There may be more, under different names and such. But certainly, we can update as many as we are aware of. Let me know. Thanks!

---

Alyssa Mucken  
Water Measurement Specialist  
Oregon Water Resources Department  
725 Summer Street, Suite A  
Salem, Oregon 97301  
503-986-0837

---

**From:** Walter Suttle/Dayton/Monrovia [mailto:WSuttle@Monrovia.com]  
**Sent:** Wednesday, November 05, 2008 9:13 AM  
**To:** Alyssa Mucken  
**Subject:** RE: 2006/2007 water use form

Thank you Alyssa!

Yes, please do change the address to the 13455 Lafayette Hwy address. It is the same property, but there is a new office on it with another address. I think we usually get the mail, because our mail carrier knows us, but it would be best if you have the correct address.

Thanks again,

Walter Suttle

11/6/2008

STATE OF OREGON  
COUNTY OF YAMHILL  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY CO.  
12600 SE ALDERMAN RD  
DAYTON OR 97114

confirms the right to use the waters of PALMER CREEK AND A RESERVOIR CONSTRUCTED UNDER PERMIT R-8650 for NURSERY OPERATIONS WHICH INCLUDES USE ON CONTAINERIZED STOCK AND IN GREENHOUSES ON 80.6 ACRES.

This right was perfected under Permit S-47497. The date of priority is JANUARY 4, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 15.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

	Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
PALMER CREEK	5 S	3 W	WM	8	SE NW		700 FEET NORTH AND 1500 FEET EAST FROM E1/4 CORNER, SECTION 7
RESERVOIR	5 S	3 W	WM	7	SE NW	45	140 FEET NORTH AND 3080 FEET WEST FROM E1/4 CORNER, SECTION 7

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

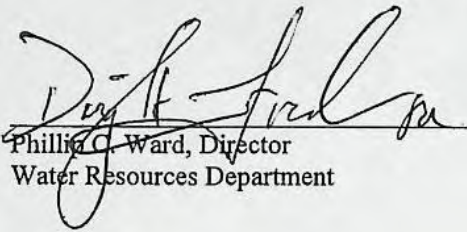
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	7	SW NE	45	26.6
5 S	3 W	WM	7	SW NW	44	2.3
5 S	3 W	WM	7	SE NW	44	22.3
5 S	3 W	WM	7	SE NW	45	8.4
5 S	3 W	WM	7	NE SW	44	12.8
5 S	3 W	WM	7	NW SW	44	6.2
5 S	3 W	WM	7	NW SE	45	2.0

**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.

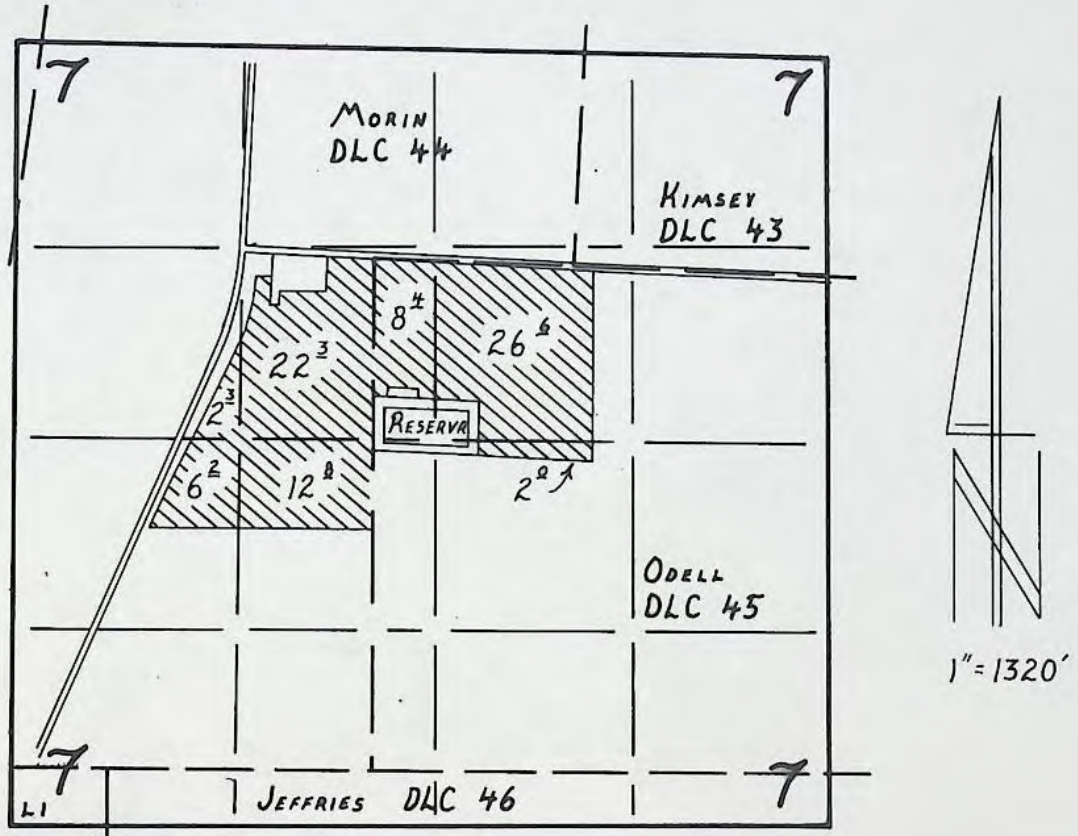
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MAR 16 2007.



Phillip C. Ward, Director  
Water Resources Department

# T. 5 S., R. 3 W., W.M.



## FINAL PROOF SURVEY

UNDER

Application No. R-64612, 64613 Permit No. R-8650, 47497  
IN NAME OF

Monrovia Nursery Company

Surveyed August 18, 1988, by Z.F. Saleh



# 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: March 16, 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 Scheduled Mailing Date:

**Application:** S-64613

**Permit:** S-47497

**Certificate:** 83195

**Permit/Certificate Holder:**

MONROVIA NURSERY CO.  
12600 SE ALDERMAN RD  
DAYTON OR 97114

<b>Copies Mailed</b>
by: <u>Connie Wase</u> (STAFF)
on: <u>MAR 16 2007</u> (DATE)

**Copies of Final Certificate to be sent to:**

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

**Other persons to receive copies: (include map):**

- 1.

**SECTION 7**  
**TWP. 5 S, R 3 W.**  
**SCALE: 1" = 400'**

Application No. R-64612, 64613 & 63099  
 Permit No. 47497  
 R 8650



**RECEIVED**  
 MARO 2 1983  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

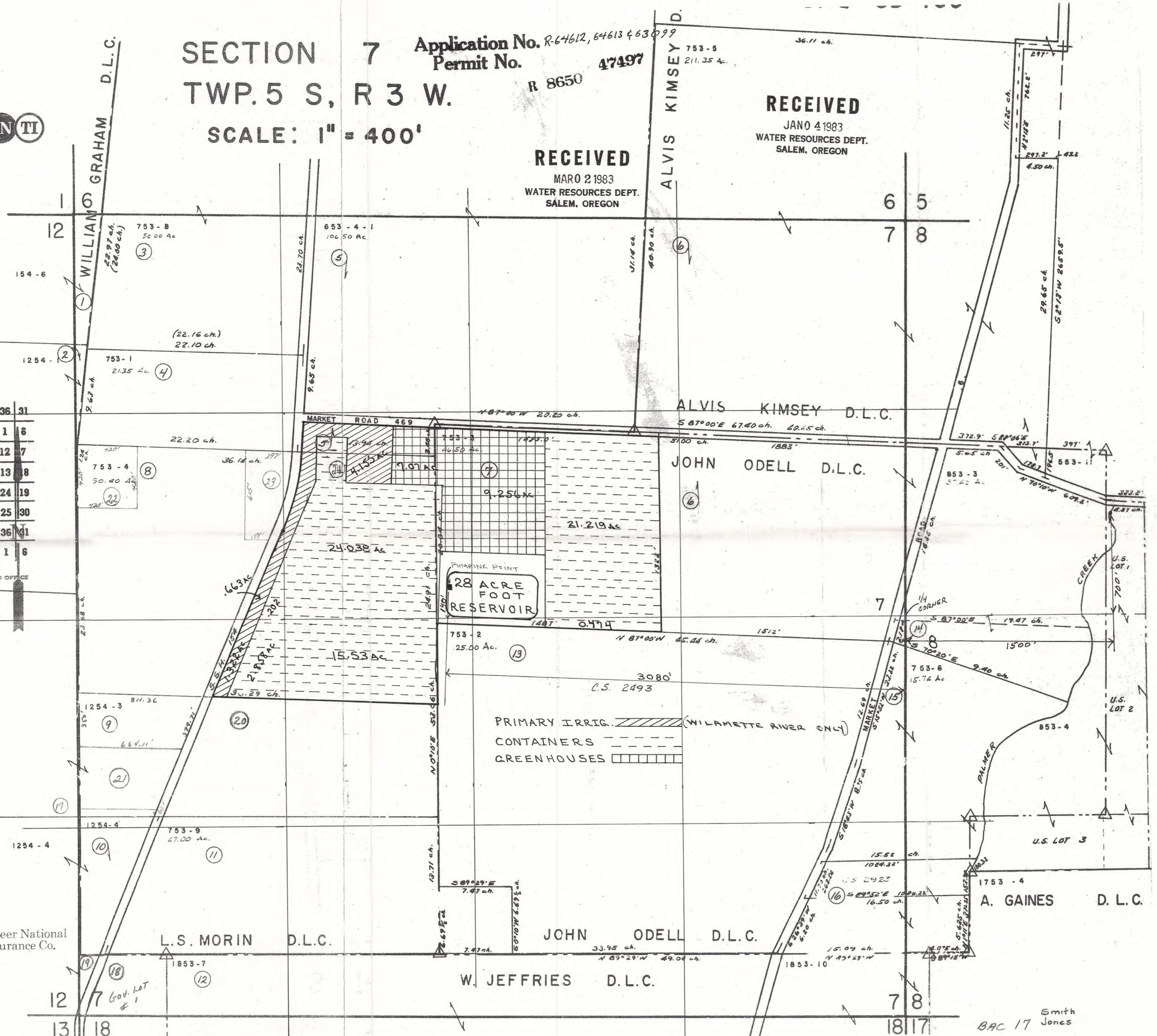
**RECEIVED**  
 JANO 4 1983  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

33	34	35	36	31
4	3	2	1	6
9	10	11	12	7
16	15	14	13	8
21	22	23	24	19
28	27	26	25	30
33	34	35	36	31
4	3	2	1	6

RIGHTS RESERVED  
 COUNTY ASSESSORS OFFICE

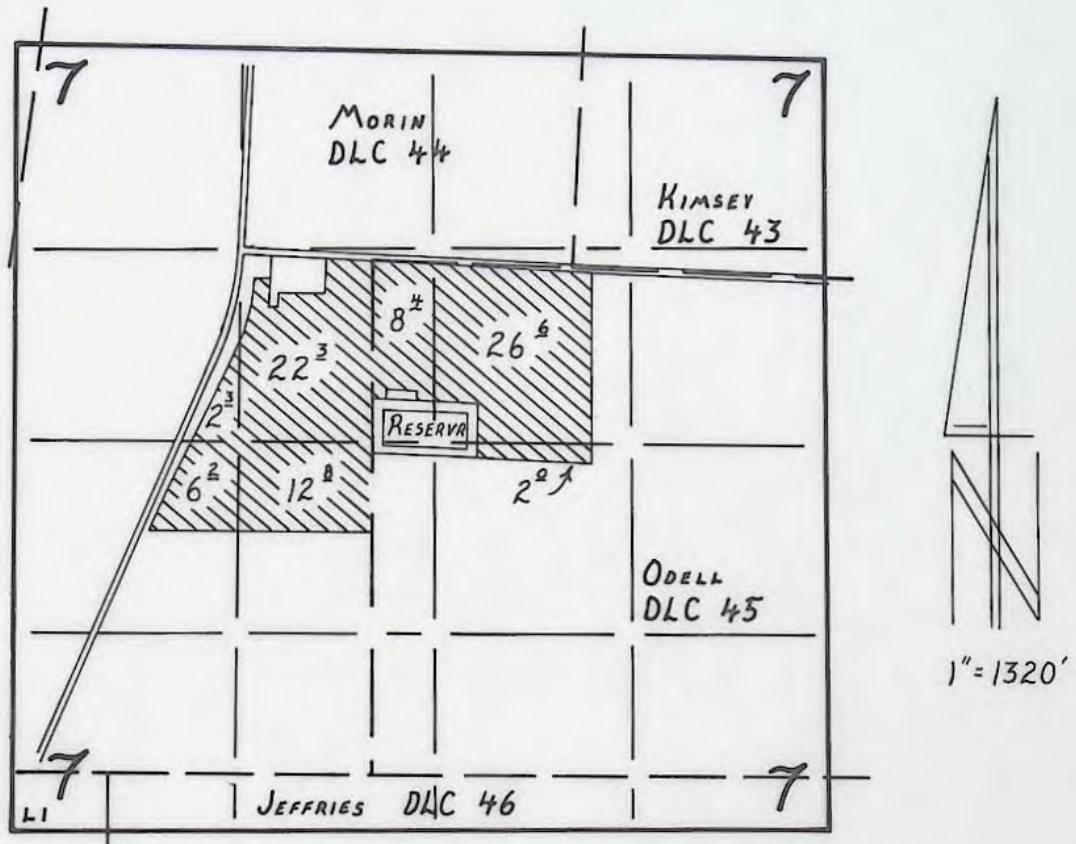
7-5-3

Pioneer National  
 Title Insurance Co.



BAC 17 Smith Jones

T. 5 S., R. 3 W., W.M.



FINAL PROOF SURVEY

UNDER

Application No. R-64612, 64613 Permit No. R-8650, 47497  
IN NAME OF

Monrovia Nursery Company

Surveyed August 18, 1988, by Z.F. Saleh

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY CO.  
12600 SE ALDERMAN RD  
DAYTON OR 97114

**PROPOSED**

confirms the right to use the waters of PALMER CREEK AND A RESERVOIR CONSTRUCTED UNDER PERMIT R-8650 for NURSERY OPERATIONS WHICH INCLUDES USE ON CONTAINERIZED STOCK AND IN GREENHOUSES ON 80.6 ACRES.

This right was perfected under Permit S-47497. The date of priority is JANUARY 4, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 15.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

	Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
PALMER CREEK	5 S	3 W	WM	8	SE NW		700 FEET NORTH AND 1500 FEET EAST FROM E1/4 CORNER, SECTION 7
RESERVOIR	5 S	3 W	WM	7	SE NW	45	140 FEET NORTH AND 3080 FEET WEST FROM E1/4 CORNER, SECTION 7

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	7	SW NE	45	26.6
5 S	3 W	WM	7	SW NW	44	2.3
5 S	3 W	WM	7	SE NW	44	22.3
5 S	3 W	WM	7	SE NW	45	8.4
5 S	3 W	WM	7	NE SW	44	12.8
5 S	3 W	WM	7	NW SW	44	6.2
5 S	3 W	WM	7	NW SE	45	2.0

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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83195

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

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

**PROPOSED**

Phillip C. Ward, Director  
Water Resources Department

# Mailing List for Certificate Scheduled Mailing Date:

**Application:** S-64613

**Permit:** S-47497

**Certificate:** PROPOSED

**Permit/Certificate Holder:**

MONROVIA NURSERY CO.  
12600 SE ALDERMAN RD  
DAYTON OR 97114

<b>Copies Mailed</b>
by: <u>Connie Ucar</u> (STAFF)
on: <u>12/15/2006</u> (DATE)

**Copies of Final Certificate to be sent to:**

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

**Other persons to receive copies: (include map):**

- 1.



# 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: DECEMBER 15, 2006**

## NOTICE

Reference: Permit S-47497 Application S-64613  
Permit S-49953 Application S-69000  
Permit R-8650 Application R-64612

Enclosed are proposed certificates of water rights and maps which illustrate the location of the rights. The proposed certificates and maps represent the extent water was used within the terms of the permits based upon a survey and inspection.

If you do not agree with the proposed certificates or maps, 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 certificates.

If you agree with the proposed certificates and maps, no response to this notice is required. Sometime after the 60 day period, the recorded certificates 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

SECTION 7  
TWP. 5 S, R 3 W.  
SCALE: 1" = 400'

Application No. R-64612, 64613 & 63099  
Permit No. 47497  
R 8650

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WATER RESOURCES DEPT.  
SALEM, OREGON

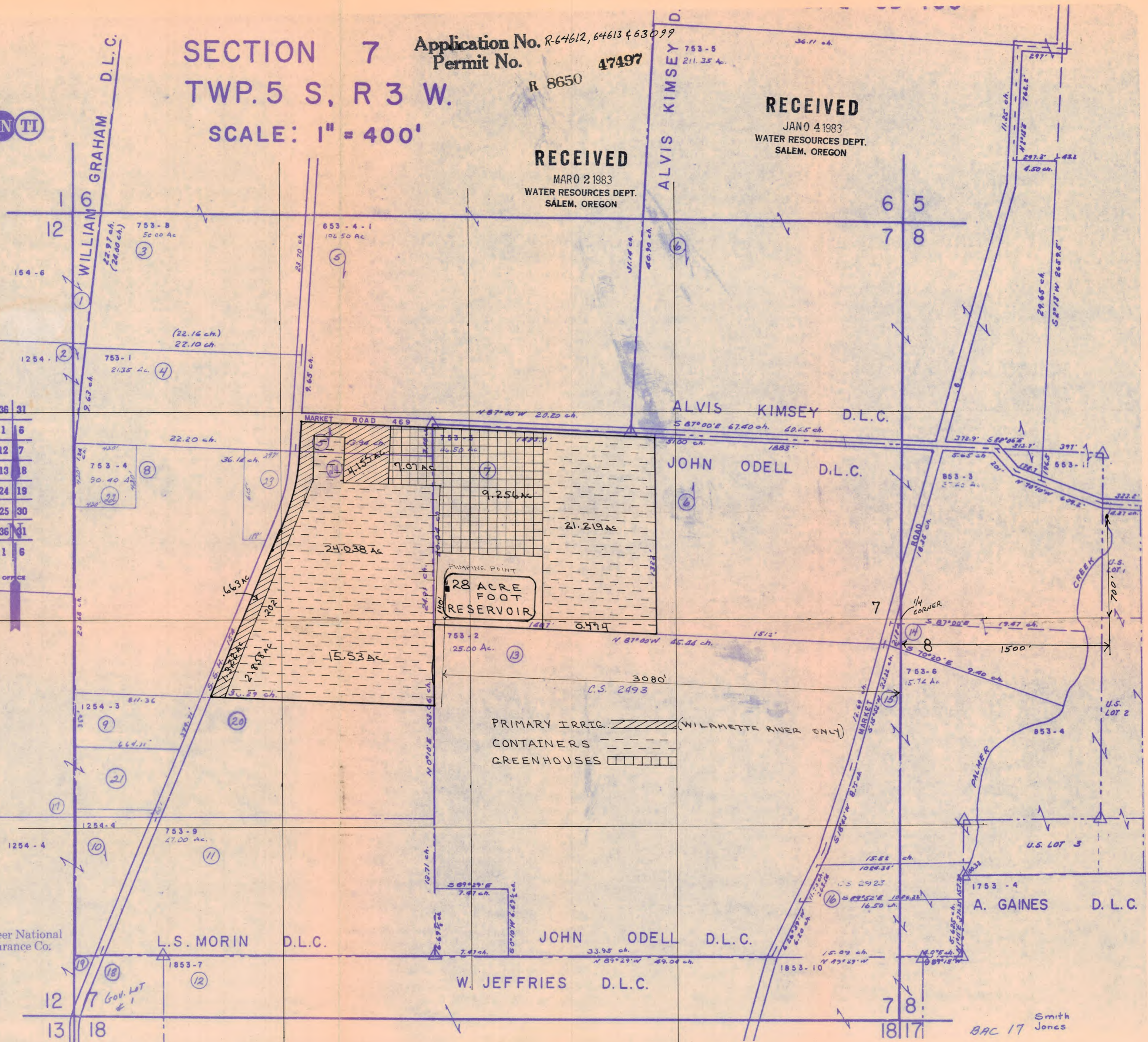
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RIGHTS RESERVED  
COUNTY ASSESSORS OFFICE

7-5-3

Pioneer National  
Title Insurance Co.



L.S. MORIN D.L.C.

JOHN ODELL D.L.C.

W. JEFFRIES D.L.C.

A. GAINES D.L.C.

BAC 17 Smith Jones

STATE OF OREGON  
 COUNTY OF YAMHILL  
 CERTIFICATE OF WATER RIGHT

see updated copy

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY CO.  
 12600 SE ALDERMAN RD  
 DAYTON OR 97114

confirms the right to use the waters of PALMER CREEK AND A RESERVOIR CONSTRUCTED UNDER PERMIT R-8650 for NURSERY OPERATIONS WHICH INCLUDES USE ON CONTAINERIZED STOCK AND IN GREENHOUSES ON 80.6 ACRES.

This right was perfected under Permit S-47497. The date of priority is JANUARY 4, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 15.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
5 S	3 W	WM	7	SE NW	45	140 FEET NORTH AND 3080 FEET WEST FROM E1/4 CORNER, SECTION 7

*NEED POD FOR PALMER CREEK*

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	7	SW NE	45	26.6
5 S	3 W	WM	7	SW NW	44	2.3
5 S	3 W	WM	7	SE NW	44	22.3
5 S	3 W	WM	7	SE NW	45	8.4
5 S	3 W	WM	7	NE SW	44	12.8
5 S	3 W	WM	7	NW SW	44	6.2
5 S	3 W	WM	7	NW SE	45	2.0

*(will use AFD MAP along w/ FPS map)*  
*700' N 1/4 1500' E from SW 1/4 corner, Section 7.*

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

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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

\_\_\_\_\_  
Phillip C. Ward, Director  
Water Resources Department

M. J. J. Nursery Co.  
12600 SE Alderwood Rd.  
Dayton, Or. 97114

ASSIGNED Basecote Nursery Company  
P.O. Box 0  
Azusa, CA. 91702

# Abstract of Permit

This is to certify that I have examined APPLICATION 64613 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions: **ASSIGNED**

This permit is issued to Special Trees Nursery of Route 1, Box <sup>562</sup> 214, Dayton Oregon 97114, phone 868-7971, for the use of the waters of Palmer Creek and reservoir to be constructed under Application R-64612, Permit R-8650 for the PURPOSE of nursery operations which includes use on containerized stock <sup>(and use)</sup> in greenhouses

that the PRIORITY OF THE RIGHT dates from January 4, 1983

and is limited to the amount of water which can be applied to beneficial use and shall not exceed <sup>8.66</sup> 7.26 cfs 15.0 cubic feet per second.

The POINT OF DIVERSION is to be LOCATED: Palmer Creek - 700 feet North and 1500 feet East from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 8; Reservoir - 140 feet North and 3080 feet West from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 7, Township 5 South, Range 3 West, WM, in the County of Yamhill.

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

Township 5 South, Range 3 West, WM	Section 7	✓ SW 1/4	NW 1/4	0.202 acres
		- SE 1/4	NW 1/4	24.038 acres
		✓ NW 1/4	SW 1/4	2.858 acres
		✓ NE 1/4	SW 1/4	15.530 acres
		✓ SW 1/4	NE 1/4	21.219 acres
		✓ NW 1/4	SE 1/4	0.474 acres

Containerized stock

✓ SE 1/4	NW 1/4	7.070 acres
✓ SW 1/4	NE 1/4	9.256 acres

Greenhouses

80.647 AC

Z. P. S.  
8-18-88  
INSPECTION

Actual construction work shall begin on or before June 13, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 85 .

Complete application of the water to the proposed use shall be made on or before October 1, 19 86 .

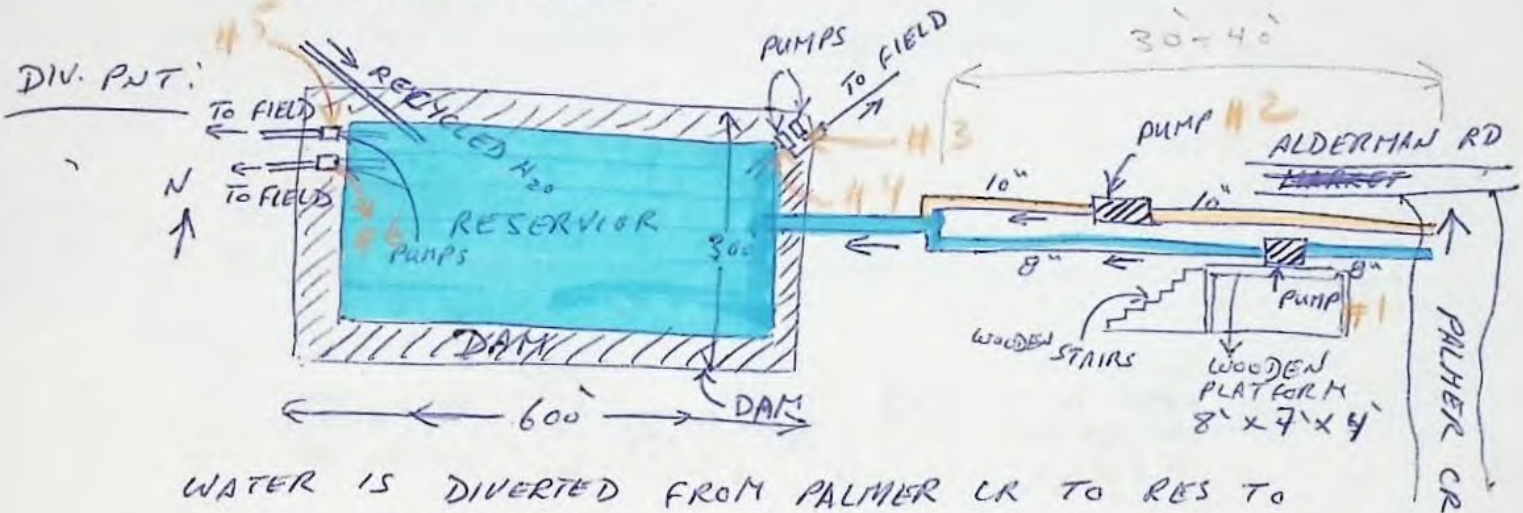
Witness my hand this 13th day of June, 19 83 .

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

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.

INFORMATION : MARK BUCHHOLZ STATED, THAT HE USES WATER FOR NURSERY & GREENHOUSES, CONTAINARIZED STOCK. PHONE # 868-7941.

SOURCE: PALMER CR & RESERVIOR P#47497 FOR CONTAINARIZED STOCK & GREEN HOUSES.



WATER IS DIVERTED FROM PALMER CR TO RES TO FIELD, THEN RUNOFF WATER IS RECYCLED & PUMPED TO RESERVIOR TO BE USED AGAIN.

	# 1	# 2	# 3	# 4	# 5	# 6
<u>MOTOR</u>	MARATHON ELEC 75 HP 3545 RPM	G.E. 6DHP 1770 RPM	U.S. ELECT. <del>DDT</del> 75 HP 1765 RPM	U.S. ELECT 75 HP 1765 RPM	G.E. 30 HP 3540 RPM	50 HP 3550 LE-324-TD R7918AA-W MODEL #
<u>PUMP</u>	CORNELL DDC 6" x 4" 4YB-75-2 120 PSI RUNNING MEASUREMENT DEVICE MCCROMETER 600 GPM RUNNING DIAL → 474609 AC.FE X.001	CORNELL DDC 6" x 4" 80 PSI RUNNING MEAS. DEVICE MCCROMETER 1000 GPM RUN. 076582 AC.FE X.001 AC.FE X.001 READING.	WORTHINGTON DDT 10" DISCH. 16" CAS. S.S., A.P. THERE IS PRESSURE GAUGE	WORTHINGTON DDT 10" DISCH. 16" CAS. S.S., A.P. THERE IS PRESSURE GAUGE.	CORNELL DDC 4" x 3"	CORNELL DDC 5" x 4" 86 PSI RUNNING

PIPE: 4000' 10" STEEL  
4000' 8" STEEL  
1", 2", 3", 4" ENOUGH PIPE TO COVER ALL FIELD UNDER THIS PERMIT.  
25 SPRINKLER FOR EACH ACRE 2 NOZZLES FOR EACH SPRINKLER.  
80.5 ACRES X 50 NOZZLES = 4025 HEADS MAX  
R.B. 1/8" x 3/16" , TORQ 1 1/4"

USE: CONTAINARIZED STOCK, GREENHOUSES.  
LIFT: +30 FT FROM PALMER CR TO RES.

TIE: IN SPECIFICATION  
Zeidan G. Saleh  
G.I. 8-18-88



# STATE OF OREGON

County of **YAMHILL**

ASSIGNED. See Misc. Rec., Vol. 6 Page 1705  
7 1286

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION **64613** and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to **Special Trees Nursery of Route 1, Box 214A, Dayton Oregon 97114, phone 868-7971, for the use of the waters of Palmer Creek and reservoir to be constructed under Application R-64612, Permit R-8650**

for the PURPOSE of **nursery operations which includes use on containerized stock in greenhouses**

that the PRIORITY OF THE RIGHT dates from **January 4, 1983**

and is limited to the amount of water which can be applied to beneficial use and shall not exceed **15.0 cubic feet per second.**

The POINT OF DIVERSION is to be LOCATED: **Palmer Creek - 700 feet North and 1500 feet East from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 8; Reservoir - 140 feet North and 3080 feet West from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 7, Township 5 South, Range 3 West, WM, in the County of Yamhill.**

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

Township 5 South, Range 3 West, WM	Section 7	<u>Containerized stock</u>	
		SW 1/4	NW 1/4 0.202 acres
		SE 1/4	NW 1/4 24.038 acres
		NW 1/4	SW 1/4 2.858 acres
		NE 1/4	SW 1/4 15.530 acres
		SW 1/4	NE 1/4 21.219 acres
		NW 1/4	SE 1/4 0.474 acres
		<u>Greenhouses</u>	
		SE 1/4	NW 1/4 7.070 acres
		SW 1/4	NE 1/4 9.256 acres

Actual construction work shall begin on or before **June 13, 1984** and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 **85**.

Complete application of the water to the proposed use shall be made on or before October 1, 19 **86**.

Witness my hand this **13th** day of **June**, 19 **83**.

/s/ JAMES E. SEXSON  
WATER RESOURCES DIRECTOR

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.



## STATE OF OREGON

County of YAMHILL

ASSIGNED, See Misc. Rec., Vol. 6 Page 1286

1705

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 64613 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to SpecialTrees Nursery of Route 1, Box 214A, Dayton Oregon 97114, phone 868-7971, for the use of the waters of Palmer Creek and reservoir to be constructed under Application R-64612, Permit R-8650 for the PURPOSE of nursery operations which includes use on containerized stock in greenhouses

that the PRIORITY OF THE RIGHT dates from January 4, 1983

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 15.0 cubic feet per second.

The POINT OF DIVERSION is to be LOCATED: Palmer Creek - 700 feet North and 1500 feet East from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 8; Reservoir - 140 feet North and 3080 feet West from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 7, Township 5 South, Range 3 West, WM, in the County of Yamhill.

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

Township 5 South, Range 3 West, WM	Section 7	Containerized stock	
		SW 1/4 NW 1/4	0.202 acres .
		SE 1/4 NW 1/4	24.038 acres .
		NW 1/4 SW 1/4	2.858 acres .
		NE 1/4 SW 1/4	15.530 acres .
		SW 1/4 NE 1/4	21.219 acres .
	NW 1/4 SE 1/4	0.474 acres .	
		Greenhouses	
	SE 1/4 NW 1/4	7.070 acres .	
	SW 1/4 NE 1/4	9.256 acres .	

Actual construction work shall begin on or before June 13, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

Complete application of the water to the proposed use shall be made on or before October 1, 1986.

Witness my hand this 13th day of June, 1983.

/s/ JAMES E. SEXSON  
WATER RESOURCES DIRECTOR

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.

APPLICATION 64613 ASSIGNED, See Misc. Rec., Vol. 6 Page 1705

PERMIT

47497

## Certificate Checklist

**Application:** S-64613

**Permit:** S-47497

**Certificate:** Proposed

**Calculations:**  $Q_{\text{acres}} = 80.6 \times 0.15 = 12.09 \text{ cfs}$   
 $Q_{\text{sprinklers}} = 46.7 \text{ cfs (attached)}$   
(80.6 acres, 25 per acre = 2,015 sprinklers w/ 2 heads each)  
 $Q_{\text{permit}} = 15.0 \text{ cfs}$   
 $Q_{\text{pumps}} = 6 \text{ large pumps will be more than adequate.}$

**Extent of Beneficial Use to be Certificated:** 15.0 cfs for 80.6 acres

**Permit Conditions Met?** N/A

**Conflict?** No. Though there is at least one underlying certificated right, it is for irrigation, which does not conflict with nursery use (per JWG).

Notes:

1. Pressures measured in the field (e.g., 120 psi) seem unrealistic for the nozzle sizes. Lower assumptions have been made.
2.  $Q_{\text{acres}} < Q_{\text{permit}}$ , so I assume that either the 0.15 cfs/ac standard didn't exist at time of permitting, or an exception was deliberately made. Therefore, I'm going with  $Q_{\text{permit}}$ .



# Platcard Report

## Township 5S Range 3W Section 7

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		
<b>i</b> - 04/14/1967	S32243 -		see transfers dlc: 43	40.0 IR	11.4 IR	0.7 IR	4.2 IR														
04/14/1967			see transfers dlc: 45			35.2 IR	34.4 IR				11.4 IR	12.4 IR			4.8 IR	6.4 IR	28.6 IR	19.3 IR	7.8 IR		
04/14/1967			see transfers dlc: 44		28.6 IS (s)	2.0 IS (s)		37.5 IS (s)			0.9 IS (s)										
04/14/1967			see transfers dlc: 45													21.0 IS (s)	9.0 IS (s)				
<b>i</b> - 04/14/1967	S32243 -		DN xfr#: T8808 dlc: 43	40.0 IR DN	11.4 IR DN	0.7 IR DN	4.2 IR DN														
04/14/1967			DN xfr#: T8808 dlc: 45			35.2 IR DN	34.4 IR DN				11.4 IR DN	12.4 IR DN			4.8 IR DN	6.4 IR DN	28.6 IR DN	19.3 IR DN	7.8 IR DN		
04/14/1967			DN xfr#: T8808 dlc: 44		28.6 IS (s) DN	2.0 IS (s) DN		37.5 IS (s) DN			0.9 IS (s) DN										
04/14/1967			DN xfr#: T8808 dlc: 45													21.0 IS (s) DN	9.0 IS (s) DN				
<b>i</b> - 04/14/1967	S32243 64748		SP see transfers dlc: 43	40.0 IR SP	11.4 IR SP	0.7 IR SP	4.2 IR SP														
04/14/1967			SP see transfers dlc: 45			35.2 IR SP	34.4 IR SP				11.4 IR SP	12.4 IR SP			4.8 IR SP	6.4 IR SP	28.6 IR SP	19.3 IR SP	7.8 IR SP		

# Platcard Report

## Township 5S Range 3W Section 7

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			
<b>i</b> - 04/14/1967	<u>S32243</u> <u>64748</u>		SP <u>see transfers</u> dlc: 44		28.6 IS (s) SP	2.0 IS (s) SP		37.5 IS (s) SP			0.9 IS (s) SP											
04/14/1967			SP <u>see transfers</u> dlc: 45													21.0 IS (s) SP	9.0 IS (s) SP					
<b>i</b> - 05/28/1969	<u>S34436</u> <u>64749</u>		CN <u>see transfers</u> dlc: 44					10.3 IR CN	9.4 IR CN													
<b>i</b> G5569 07/19/1971	<u>G5435</u> <u>51884</u>		dlc: 44						1.7 IR	14.2 IR												
<b>i</b> G11961 09/19/1989	<u>G11196</u> -				28.6 NU	31.4 NU		37.5 NU	3.4 NU	38.9 NU	16.5 NU	6.5 NU										
<b>i</b> G11962 09/18/1989	<u>G11272</u> -				28.6 NU	2.0 NU		37.5 NU		0.9 NU												
<b>i</b> G13473 07/20/1993	<u>G12293</u> -				28.6 NU	30.0 NU		37.5 NU	3.9 NU	32.4 NU	12.8 NU	7.5 NU	12.8 NU	19.4 NU		2.1 NU	12.0 NU	3.2 NU				
<b>i</b> R45141 07/08/1968	<u>R5153</u> <u>39580</u>		dlc: 46												ST							
<b>i</b> R64612 01/04/1983	<u>R8650</u> -					ST				ST	ST							ST				
<b>i</b> R80000 01/01/1993	<u>71689</u>																	ST				

Page: [First](#) [Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [Next](#) [Last](#)

[Return to Platcard Query Screen](#)

Run Time: 2 seconds

# Platcard Report

## Township 5S Range 3W Section 7

	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			
<b>i</b>	S27417 07/03/1952	S21587 22533		dlc: 45													3.6 IR						
<b>i</b>	S32215 03/26/1958	S25418 28152		dlc: 45													21.0 IR	9.0 IR					
<b>i</b>	S42922 10/13/1966	S31859 39706		dlc: 44		28.6 IR	2.0 IR		37.5 IR				0.9 IR										
<b>i</b>	S43490 04/14/1967	S32243 51491		CN dlc: 43	40.0 IR CN	11.4 IR CN	0.7 IR CN	4.2 IR CN															
	04/14/1967			CN dlc: 45			35.2 IR CN	34.4 IR CN				11.4 IR CN	12.4 IR CN			4.8 IR CN	6.4 IR CN	28.6 IR CN	19.3 IR CN	7.8 IR CN			
	04/14/1967			CN dlc: 44		28.6 IS (s) CN	2.0 IS (s) CN		37.5 IS (s) CN			0.9 IS (s) CN											
	04/14/1967			CN dlc: 45													21.0 IS (s) CN	9.0 IS (s) CN					
<b>i</b>	S45142 07/08/1968	S33206 39581		dlc: 46											7.9 IR	7.9 IR			11.5 IR	3.2 IR			
<b>i</b>	S46087 05/28/1969	S34436 51492		CN dlc: 44						10.3 IR CN	9.4 IR CN												
<b>i</b>	S53040 04/23/1975	S40028 53421		dlc: 45																		3.0 IR	

Page: [First](#) [Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [Next](#) [Last](#)

[Return to Platcard Query Screen](#)

Run Time: 2 seconds



# Platcard Report

## Township 5S Range 3W Section 7

	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		
<b>i</b>	S70109 10/31/1989	-									0.6 IR	4.2 IR		1.3 IR								
<b>i</b>	S70110 10/31/1989	-				28.6 IR	2.0 IR		37.5 IR			0.9 IR										
<b>i</b>	S70736 10/10/1990	<u>S51959</u> -												4.9 IR								
	10/10/1990														0.1 IS (s)			11.5 IS (s)	3.2 IS (s)			
<b>i</b>	S71731 07/01/1991	-										14.4 IR	12.3 IR		0.9 IR							
	07/01/1991													0.9 IR (s)								
<b>i</b>	S76860 01/26/1995	-			40.0 IR (s)	11.4 IR (s)	7.4 IR (s)	38.6 IR (s)				26.0 IR (s)	12.3 IR (s)	20.2 IR (s)	13.4 IR (s)	30.6 IR (s)	36.2 IR (s)	21.3 IR (s)	23.3 IR (s)			

Page: [First](#) [Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#)

[Return to Platcard Query Screen](#)

Run Time: 1 seconds

# Water Rights Information Query Results

**Owner/Contact Information**

RAYMOND W HINDS  
 RT 2 BOX 96  
 DAYTON OR 97114



[View All Associated Scanned Documents](#)

**Application(s)**

Application	Received	
G 5569	07/09/1971	Map

**Permit(s)**

Permit	Signature	
G 5435	03/30/1984	Map

**Certificate(s)**

Certificate	Signature	Certificate Type
51884	03/30/1984	Original

**Claim(s)**

n/a

**Decree(s)**

n/a

**Order(s)**

n/a

**Transfer(s) Misc. Info**

n/a

Authority	File Location
	Salem

**Document Process**

n/a

**Point(s) of Diversion**

Location (T-R-S-QQ)	DLC/Lot	Source	Tributary to	Max Rate	Rate	Max Acre Feet	Acre Feet	Legal Description	Rema
5.0S-3.0W-7-SENW		WELL 1	PALMER CREEK	0.13	0.13			2850 FT N & 650 FT W FM SOUTHERLY SE COR, DLC 44	

**Uses from this Point of Diversion**

Use	P/S	Priority Date	Start Date	End Date	Acres	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Status	Remarks
IR	P	07/09/1971	1/1	12/31		1/80	2.5	0.13	0.13			NC	

**Place of Use**

Use	P/S	Priority Date	Location (T-R-S-QQ)	DLC/Lot	Acres	Status	Remarks
IR	P	07/19/1971	5.0S-3.0W-7-SWNW	44/	1.7	NC	
IR	P	07/19/1971	5.0S-3.0W-7-SENW	44/	14.2	NC	

**Water Right Genealogy**

*No genealogy records available for this water right, try the family link below instead. If you are aware of the correct genealogy, please forward this information to [WRIS Genealogy](#)*

# Water Rights Information Query Results

## Owner/Contact Information

PALMER CREEK WATER DISTRICT  
IMPROVEMENT CO.  
PO BOX 152  
DAYTON OR 97114



[View All Associated Scanned Documents](#)

## Application(s)

Application	Received	
S 43490	04/14/1967	Map

## Permit(s)

Permit	Signature	
S 32243	08/23/1990	Map

## Certificate(s)

Certificate	Signature	Certificate Type
64748	08/23/1990	Confirming

## Claim(s)

n/a

## Decree(s)

n/a

## Order(s)

Volume-Page	Signature
44-333	08/23/1990
55-400	05/01/2001

## Transfer(s)

Transfer	Begin Date	Expire Date	Type	Status	Confirming	Remaining	Changes
T6383			Regular	Remaining Approved		Y	
T8729	05/01/2001		Temporary Transfer	Confirming Approved	Y		
T8808			Temporary Transfer	Changes Rejected			Y

## Misc. Info

Authority	File Location
	Salem

## Document Process

Action	Date	Comments
<b>Transfer T 8808</b>		
Transfer Application Received	05/14/2001	
Initial Public Notice Published	06/28/2001	Comments Due 07/28/2001
Final Order Issued	09/08/2004	
<b>Transfer T 9451</b>		
Transfer Application Received	05/28/2003	
Final Order Issued	08/18/2003	

## Point(s) of Diversion

Location (T-R-S-QQ)	DLC/Lot	Source	Tributary to	Max Rate	Rate	Max Acre	Acre Feet	Legal Description	Rem
---------------------	---------	--------	--------------	----------	------	----------	-----------	-------------------	-----

Monterey Nursery Co (SARV 6114)  
12600 SE Alameda Rd 868-7941  
Dayton, Or 97114  
868-7941

ASSIGNED Seedale Nursery Comp.  
P.O. Box 562  
Azusa, CA. 91702

# Abstract of Permit

MARK BUCHHOLZ (MANAGER)

This is to certify that I have examined APPLICATION R-64612 and do hereby grant the same SUBJECT TO EXISTING RIGHTS AND THE FOLLOWING LIMITATIONS AND CONDITIONS:

This permit is issued to Specialtrees Nursery Company of Route 2, Box <sup>562</sup>~~214A~~, Dayton, Oregon 97114, phone 868-7831, for the construction of a reservoir and storage of water from Palmer Creek, tributary of Willamette River, to be appropriated under Application 64613, Permit 47497 for nursery operations which include use on containerized stock and in greenhouses

The dam will be LOCATED in the: SE 1/4 NW 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 of Section 7, Township 5 South, Range 3 West, WM, in the County of Yamhill.

The maximum height will be 6.5 feet above the stream bed or ground surface at the centerline. The top width will be 12 feet, slope of upstream face 2:1, slope of downstream face 3:1, and height of dam above water line when full 2 feet.

The area submerged by the reservoir, when full, will be 3.8 acres, and the maximum depth of water will be 8 feet.

The locations and dimensions of the spillway are: None.

The location and dimensions of the outlet conduits will be: None.

The structure is out of the channel.

The dam will be earthfill construction.

Z.P.S.  
8-18-88  
INSPECTION

46087 ✓  
6-5569 ✓  
63099 ✓  
49222 ✓  
43490 ✓  
55468 ✓  
32215 ✓  
55391 ✓  
NCR  
3.P.S.  
11-4-88

The right hereunder shall be limited to the storage of 28.0 acre-feet.

The PRIORITY DATE of this permit is January 4, 1983.

Actual construction work shall begin on or before June 13, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

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

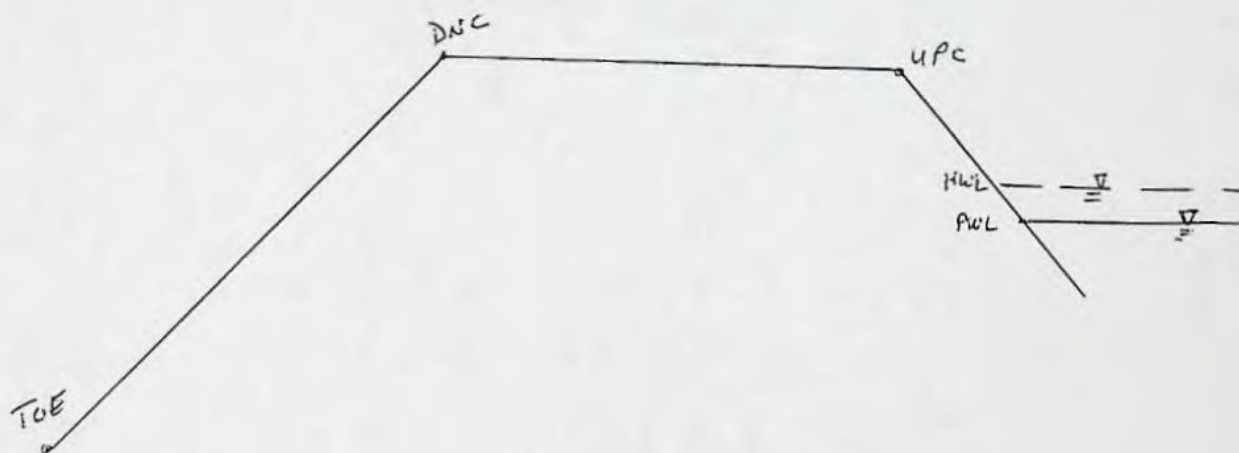
Witness my hand this 13th day of June, 1983.

WATER RESOURCES DIRECTOR

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.

INFO: MARK BUCHHOLZ NURSERY MANAGER STATED THE DEPTH OR RESERVOIR IS 8 FE MAX. THE LENGTH OF DAM IS 1800 FE <sup>MADE</sup> FROM GRAVEL. 7 FE DEEP ~~AT THE~~ NOW. PHONE # 868-7941.

SOURCE: PALMER CREEK FOR IRRIGATION OF NURSERY. RECYCLED WATER FROM NURSERY.



<u>PWL</u>	<u>HWL</u>	<u>UPC</u>	<u>DNC</u>	<u>TOE</u>
0/100	7/101	4/104	20/104	32/99

SPILLWAY: THERE IS NO SPILLWAY

TIE: INSPECTION.

Jordan P. Saleh  
G.I.  
8-18-88

Monica Harvey  
1760 E. Aldinger Rd,  
Dayton, O. 97114

ASSIGNED Asenate Nursery Company

# Abstract of Permit

P.O. Box 0  
Azusa, CA. 91702

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for the PURPOSE of nursery operations which includes use on containerized stock <sup>and use</sup> in greenhouses

that the PRIORITY OF THE RIGHT dates from January 4, 1983

and is limited to the amount of water which can be applied to beneficial use and shall not exceed <sup>8.66</sup> 7.26 cfs 15.0 cubic feet per second.

The POINT OF DIVERSION is to be LOCATED: Palmer Creek - 700 feet North and 1500 feet East from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 8; Reservoir - 140 feet North and 3080 feet West from the E 1/4 Corner of Section 7, being within the SE 1/4 NW 1/4 of Section 7, Township 5 South, Range 3 West, WM, in the County of Yamhill.

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Z. C. S.  
E-18-88  
INSPECTION

Township 5 South, Range 3 West, WM	Section 7	<u>Containerized stock</u>	
		✓ SW 1/4	NW 1/4 0.202 acres
		- SE 1/4	NW 1/4 24.038 acres
		✓ NW 1/4	SW 1/4 2.858 acres
		✓ NE 1/4	SW 1/4 15.530 acres
		✓ SW 1/4	NE 1/4 21.219 acres
✓ NW 1/4	SE 1/4 0.474 acres		

<u>Greenhouses</u>	
✓ SE 1/4	NW 1/4 7.070 acres
✓ SW 1/4	NE 1/4 9.256 acres

80.647 A C

Actual construction work shall begin on or before June 13, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 85 .

Complete application of the water to the proposed use shall be made on or before October 1, 19 86 .

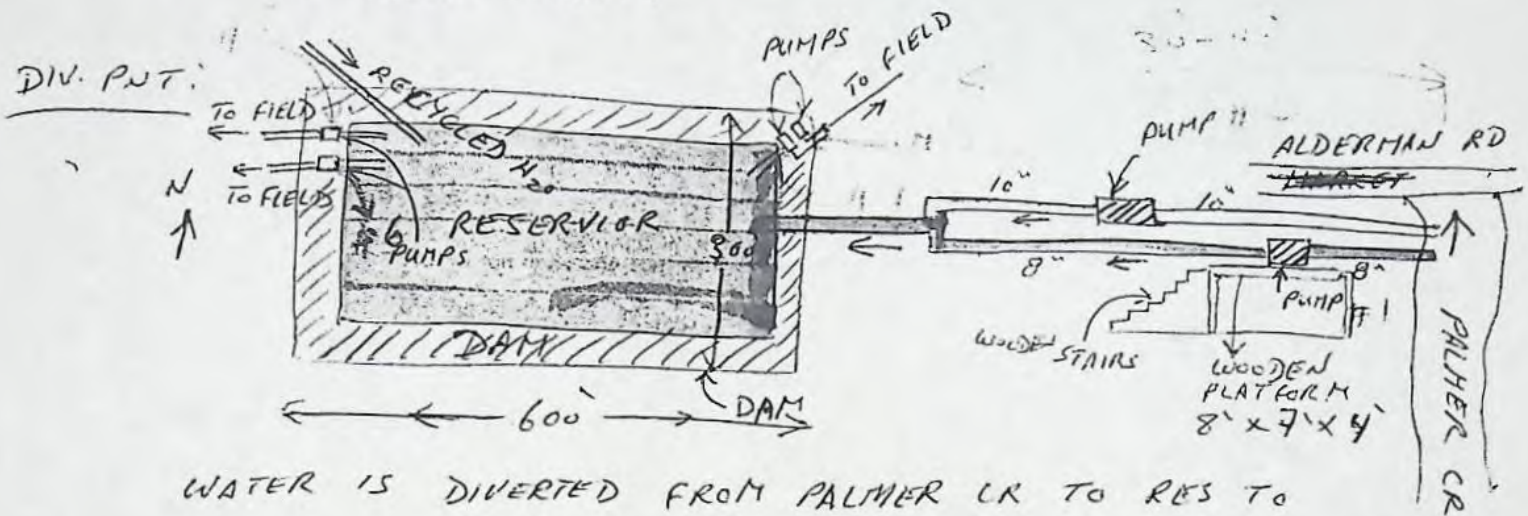
Witness my hand this 13th day of June, 1983 .

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

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.

INFORMATION : MARK BUCHHOLZ STATED, THAT HE USES WATER FOR NURSERY & GREENHOUSES, (CONTAINARIZED) STOCK. PHONE # 868-7941.

SOURCE: PALMER CR & RESERVIOR #47497 FOR CONTAINARIZED STOCK & GREEN HOUSES.



WATER IS DIVERTED FROM PALMER CR TO RES TO FIELD, THEN RUNOFF WATER IS RECYCLED & PUMPED TO RESERVIOR TO BE USED AGAIN.

	# 1	# 2	# 3	# 4	# 5	# 6
<u>MOTOR</u>	MARATHON ELEC 75 HP 3545 RPM	G.E. 6DHP 1770 RPM	U.S. ELECT. <del>75 HP</del> 75 HP 1765 RPM	U.S. ELECT 75 HP 1765 RPM	G.E. 30 HP 3540 RPM	50 HP 3550 LE-324T. LR7917AA- MODEL #
<u>PUMP</u>	CORNELL DDC 6" x 4" 4YB-75-2 MO PSI RUNNING MEASUREMENT DEVICE MCCROMETER 600 GPM RUNNING DIAL → 474609 AC. 66 X.001	CORNELL DDC 6" x 4" 80 PSI RUNNING MEAS. DEVICE MCCROMETER 1000 GPM R.W. 076582 AC. 66 X.001	WORTHINGTON DDT 10" DISCH 16" CAS. S.S., A.P. THERE IS PRESSURE GAUGE	WORTHINGTON DDT 10" DISCH. 16" CAS. S.S., A.P. THERE IS PRESSURE GAUGE.	CORNELL DDC 4" x 3"	CORNELL DDC 5" x 4" 86 PSI RUNNING

PIPE: 4000' 10" STEEL  
4000' 8" STEEL  
1", 2", 3", 4" ENOUGH PIPE TO COVER ALL FIELD UNDER THIS PERMIT.  
25 SPRINKLER FOR EACH ACRE 2 NOZZLES FOR EACH SPRINKLER  
80.5 ACRES X 50 NOZZLES = 4025 HEADS MAX

R.B. 1/8" x 3/16" , TORQ 1/64  
USE: CONTAINARIZED STOCK, GREENHOUSES. TIE: IN SPECIFICATION  
LIAT: 430 FT FROM PALMER CR TO RES.  
Zeidan G. Saleh  
1-88

App: S 64613 Permit: S 47497 Snapshot: 144815

**Auditing checklist**

- Does the shape on the map generally match the shape on the screen?
- Was the correct map/existing data used?
- Is the geo-referenced map accurate to the layer the editor deemed to be the best?
- Is the right digitized in the correct TRSQQ?
- Are all the pou/pod id accounted for and do they correspond to the correct geometry?
- Are tech initials, agency, date added, and feature quality code fields populated?
- Are overages/underages accounted for in the delta size field?
- Have appropriate remarks been entered?

**Snapshot**

SnapshotID	Type	Status	Expiration Date	Authority	License Nbr	License Type	Contract Nbr	Contract Type	Snapshot Origin	Snapshot Status	WRID	FamilyID
144815	SW	NC							CT	AC	48548	48548

**Application**

Application	Received	Additional Record	Scanned Image
S 64613		N	Image NOT linked Image NOT scanned

**Permit**

Permit	Signature	Drought Name	Begin Date	End Date	Additional Record	Scanned Image	Final Proof Image
S 47497	06/13/1984				N	Image linked Image scanned	Image linked Image scanned

**Certificate**

**Claim**

**Decree**

**Orders**

**Transfer**

**Owner**

First Name	Middle	Last Name	Company	Other Name	Entity Type	Street1	Street 2	City	State	Zip	County	Email	Home Phone	Company Phone	Fax	Inactive	Begin Date	End Date	Additional Record
			MONROVIA NURSERY CO.			12600 SE ALDERMAN RD		DAYTON	OR	97114	YAMH					N			N

**County**

County
Yamhill

**Related Docs**

Document Type	Document Nbr	Volume	Page	Paragraph	Remarks
MRE		7	1705		
MRE		6	1286		
PR	R 8650				

**PODs**

POD Loc ID	POD Nbr	POD Name	Src Type	Streamcode	Source	Tributary to	Location (QQ-S-T-R)	River Mile	Lat/ Long	Legal Description	Def	ST Flow	Max Rate	Rate	Max Acre Feet	Acre Feet	POD Type	Status	Remarks	Mapped?
190328	1		ST	PALMER CR > YAMHILL R - 02114007600052	PALMER CREEK	YAMHILL RIVER	SENW 08 05.00S 03.00W WM DLC/LOT:50/			700 FEET NORTH AND 1500 FEET EAST FROM E1/4 CORNER, SECTION 7	P	N	7.26	3.63 (est)			SW	NC		Not Mapped
<b>Uses from this Point of Diversion</b>																				
Use	P/S	Priority Date	Start Date	End Date	ST Flow	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Surface Elevation	Households	Status	Remarks					
NU	P	01/04/1983	1/1	12/31	N	1/40	5.0	7.26	1.21 (est)					NC	CONTAINERIZED					
NU	P	01/04/1983	1/1	12/31	N	1/80	2.5	7.26	1.21 (est)					NC	IN GROUND					
NU	P	01/04/1983	1/1	12/31	N	1/80	2.5	7.26	1.21 (est)					NC	ANY OTHER CROP					
190329	2		RS	PALMER CR > YAMHILL R - 02114007600052	A RESERVOIR	PALMER CREEK	SENW 07 05.00S 03.00W WM DLC/LOT:45/			140 FEET NORTH AND 3080 FEET WEST FROM E1/4 CORNER, SECTION 7	P	Y	7.26	3.63 (est)			ST	NC		Not Mapped
<b>Uses from this Point of Diversion</b>																				
Use	P/S	Priority Date	Start Date	End Date	ST Flow	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Surface Elevation	Households	Status	Remarks					
NU	P	01/04/1983	1/1	12/31	Y		5.0	7.26	1.21 (est)					NC	CONTAINERIZED					
NU	P	01/04/1983	1/1	12/31	Y		2.5	7.26	1.21 (est)					NC	IN GROUND					
NU	P	01/04/1983	1/1	12/31	Y		2.5	7.26	1.21 (est)					NC	ANY OTHER CROP					
													Totals:	7.26		0				

**Limits**

Max Rate CFS	Acre Feet	Rate/Acre	Duty	Acres	Surf Elev	Begin Season	End Season
7.26		1/40	5.0	80.65		1/1	12/31
7.26		1/80	2.5	80.65		1/1	12/31

**POUs**

POU Use Id	Use	P/S	Priority Date	Use Status	Acres	Remarks	Mapped?
155762	NU	P	01/04/1983	NC	80.647		Not Mapped

Acres	QQ	SCTN	Twp	Range	DLC/Lot	Status	Remarks	Taxlot
21.219	SWNE	7	5.0 S	3.0 W	45/	NC	CONTAINERIZED	
9.256	SWNE	7	5.0 S	3.0 W	45/	NC	GREENHOUSES	
0.202	SWNW	7	5.0 S	3.0 W	44/	NC	CONTAINERIZED	
2.82	SEW	7	5.0 S	3.0 W	44/	NC	GREENHOUSES	
4.25	SEW	7	5.0 S	3.0 W	45/	NC	GREENHOUSES	
24.038	SEW	7	5.0 S	3.0 W	44/	NC	CONTAINERIZED	
15.53	NESW	7	5.0 S	3.0 W	44/	NC	CONTAINERIZED	
2.858	NWSW	7	5.0 S	3.0 W	44/	NC	CONTAINERIZED	
0.474	NWSE	7	5.0 S	3.0 W	45/	NC	CONTAINERIZED	
Total Acres: 80.647								

CommentsWater Right Genealogy

- Permit: S 47497 \*
  - Cert:

Document Process

n/a



STATE OF OREGON  
COUNTY OF YAMHILL

*Two versions on  
my machine; this  
is 47497.*

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY COMPANY  
12600 S.E. ALDERMAN ROAD  
DAYTON, OREGON 97114

**DRAFT**

confirms the right to use the waters of PALMER CREEK AND RESERVOIR, CONSTRUCTED UNDER PERMIT R-8650, a tributary of YAMHILL RIVER, for the purpose of NURSERY OPERATIONS WHICH INCLUDES USE ON CONTAINERIZED STOCK AND USE IN GREENHOUSES.

The right has been perfected under Permit 47497. The date of priority is JANUARY 4, 1983. The right is limited to not more than 7.26 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 NW 1/4, AS PROJECTED WITHIN DLC 50, SECTION 8, T 5 S, R 3 W, W.M.; PALMER CREEK - 700 FEET NORTH AND 1500 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 7; SW 1/4 NE 1/4, AS PROJECTED WITHIN DLC 45, SECTION 7, T 5 S, R 3 W, W.M., RESERVOIR - 140 FEET NORTH AND 3080 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 7.

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

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

	<u>CONTAINERIZED STOCK</u>	<u>GREENHOUSES</u>
SW 1/4 NE 1/4	21.219 ACRES	9.256 ACRES
NW 1/4 SE 1/4	0.474 ACRE	
SE 1/4 NW 1/4		4.25 ACRES
ALL AS PROJECTED WITHIN DLC 45		
SW 1/4 NW 1/4	0.202 ACRE	
SE 1/4 NW 1/4	24.038 ACRES	2.82 ACRES
NE 1/4 SW 1/4	15.53 ACRES	
NW 1/4 SW 1/4	2.858 ACRE	
AS PROJECTED WITHIN DLC 44 SECTION 7 TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.		

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

**DRAFT**

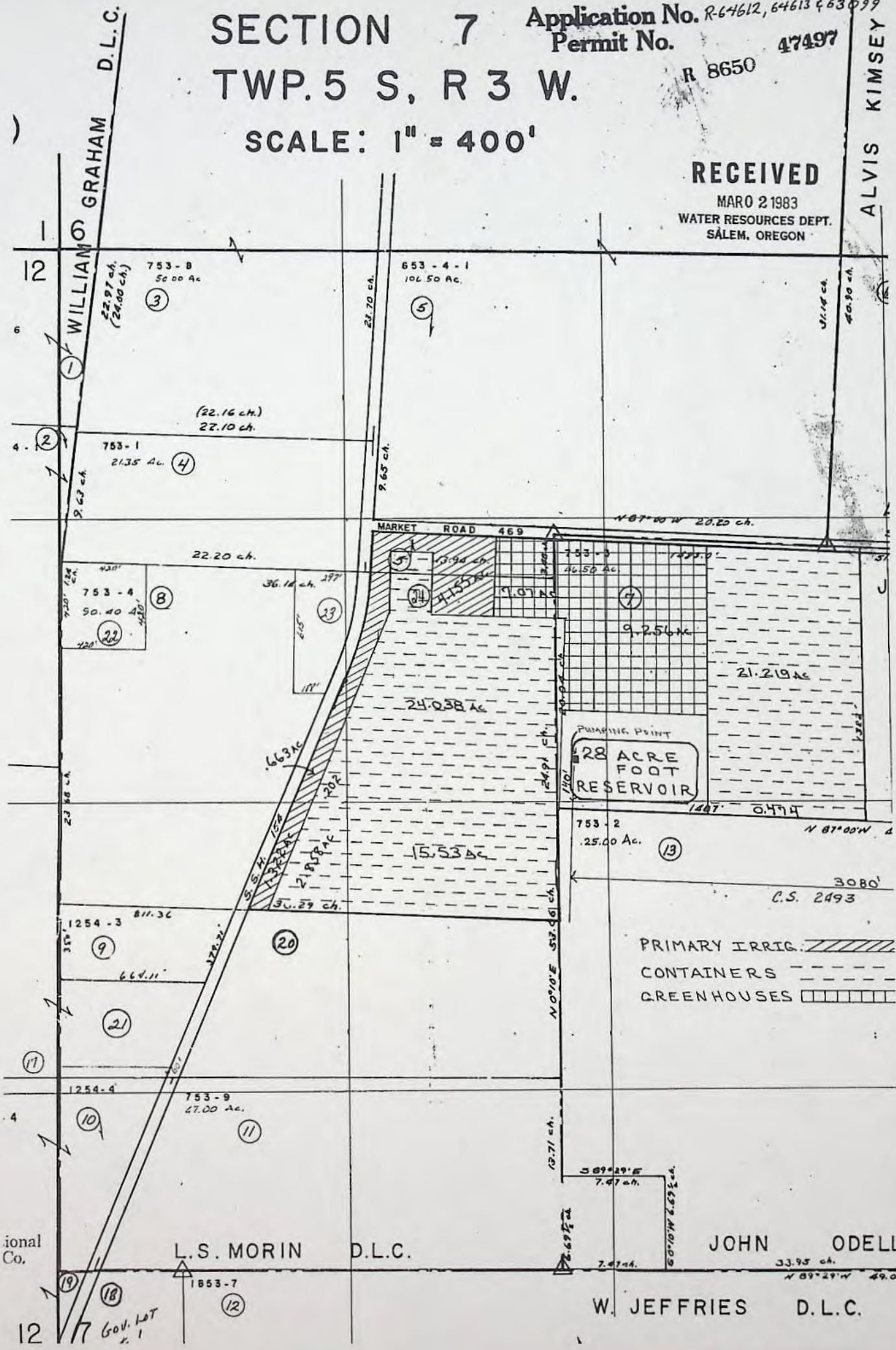
SECTION 7  
 TWP. 5 S, R 3 W.  
 SCALE: 1" = 400'

Application No. R-64612, 64613 & 63099  
 Permit No. 47497

R 8650

RECEIVED  
 MARO 2 1983  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

ALVIS KIMSEY D.



ional Co.

L.S. MORIN D.L.C.

JOHN ODELL

W. JEFFRIES D.L.C.

STATE OF OREGON  
COUNTY OF YAMHILL  
PROPOSED CERTIFICATE OF WATER RIGHT

*Two versions  
on my machine;  
this is version A  
(47497.A)*

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY COMPANY  
12600 SE ALDERMAN ROAD  
DAYTON, OREGON 97114

**DRAFT**

confirms the right to use the waters of PALMER CREEK, a tributary of YAMHILL RIVER, for NURSERY OPERATIONS.

This right was perfected under Permit 47497. The date of priority is JANUARY 4, 1983. This right is limited to 7.26 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 8, T 5 S, R 3 W, W.M.; 700 FEET NORTH AND 1500 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 7.

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

The 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:

SW 1/4 NE 1/4            26.6 ACRES  
AS PROJECTED WITHIN DLC 45

SW 1/4 NW 1/4            2.3 ACRES  
SE 1/4 NW 1/4            22.3 ACRES  
BOTH AS PROJECTED WITHIN DLC 44

SE 1/4 NW 1/4            8.4 ACRES  
AS PROJECTED WITHIN DLC 45

NE 1/4 SW 1/4            12.8 ACRES  
NW 1/4 SW 1/4            6.2 ACRES  
BOTH AS PROJECTED WITHIN DLC 44

NW 1/4 SE 1/4            2.0 ACRES  
AS PROJECTED WITHIN DLC 45

SECTION 7  
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

**DRAFT**

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

Sur

Joe R-04612

64613

Application No. ....

47497

Permit No. ....

1-4-83 ASSIGNED

Name Spocialtrees Nursery Company

Address Rt. 1, Box 214A, Dayton, OR 97114

Assigned

Rosedale Nursery Co.

ASSIGNED

Address

P.O. Box 9 Azusa CA. 91702

Beginning construction JUN 13 1984

Completion of construction OCT 1 1985

Extended to

Complete application of water OCT 1 1986

Extended to

New Owner:

Marrovia Nursery Co.  
126 SE Alderman Rd.  
Dayton, Or. 97114

DATE 5/2/91

MEMO

TO: Certificate Section

FROM: Dam Safety

RE: File R- R-64612  
Special trees Nursery Res.

We recommend approval for 28 acre-feet.

Please include the following statement on the certificate:

"The dam is to be operated and maintained in accordance to the approved plans and specifications."

Howard Daggett

Application  
# 63099  
is part of  
the map  
was proof  
made on  
a permit under  
this app?

**STATE OF OREGON WATER RESOURCES DEPARTMENT**  
**Application for Permit to Appropriate Surface Water**

**RECEIVED**

JANO 4 1983

WATER RESOURCES DEPT  
 SALEM, OREGON

I, Special Trees Nursery (Name of Applicant)

of Route #1 Box 214A, Dayton (Mailing Address) (City)

State of Oregon, 97114 Phone No. 868-7971 do hereby (Zip Code)

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

1. The source of the proposed appropriation is Palmer Creek and reservoir  
 ..... a tributary of Willamette River  
 on Palmer Creek

2. The point of diversion is to be located 700 ft. North and 1500 ft. East  
 (N. or S.) (E. or W.)  
 from the East 1/4 corner of Section 7 within the SE 1/4 NW 1/4 of Section 8, T 5S, R 3W  
 (Public Land Survey Corner)  
 The point of diversion on the reservoir is located 140 ft. North and 3080 ft.  
 (If there is more than one point of diversion, each must be described)  
West from the E 1/2 corner of Section 7

..... being within the SE 1/4 of the NW 1/4 of  
 Sec. 7 Tp. 5S R. 3W, W. M., in the county of Yamhill  
 (N. or S.) (E. or W.)

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

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
5S	3W	7	SW 1/4 NW 1/4	0.202
		7	SE 1/4 NW 1/4	24.038
		7	NW 1/4 SW 1/4	2.858
		7	NE 1/4 SW 1/4	15.530
		7	SW 1/4 NE 1/4	21.219
		7	NW 1/4 SE 1/4	.474
Containers on lands above and greenhouses on lands below				
		7	SE 1/4 NW 1/4	7.070
		7	SW 1/4 NE 1/4	9.256

65.691

16.326

40.00 ex  
 81.00 (15.53)  
 121.00

6709B

4. The amount of water which the applicant intends to apply to beneficial use is .....15 cfs.....  
cubic feet per second..... and 28 acre feet stored water.....  
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is nursery...operations...which...include...use...on.....  
containers...and...in...greenhouses.....

6.

DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, 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.

AT PALMER CREEK  
60 HP PUMP (CENTRIFUGAL) 8" P.V.C MAINLINE  
480V 3 PH PUMPING TO RESERVOIR

ON RESERVOIR -  
1 - 50 HP CENTRIFUGAL PRESENTLY IN USE  
1 30 HP CENTRIFUGAL " " "

ANOTHER 50 HP & 30 HP TO BE USED WHEN  
PROJECT IS COMPLETE.

If for domestic use state number of families to be supplied .....

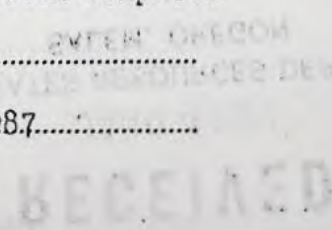
7. Construction work will begin on or before reservoir completed and part of system complete

8. Construction work will be completed on or before ..... October 1986.....

9. The water will be completely applied to the proposed use on or before ..... October 1987.....

Application No. 64613 .....

Permit No. ....



Remarks:.....  
.....  
.....  
.....  
.....  
.....  
.....

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.

*David P. Cox*  
Signature of Applicant

David P. Cox, Partner.....

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

*In order to retain its priority, this application must be returned to the Water Resources Director with corrections 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*  
*4<sup>th</sup> day of January, 1983, at 3:01 o'clock*  
*P.M.*

*Application No. 64613.....*

*Permit No.....*

Application No. 63613

Permit No. ....

PC

### 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 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 15.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Palmer Creek and Reservoir to be constructed under Application R-64612 Permit

The use to which this water is to be applied is nursery operations which includes use on containerized stock and in greenhouses

If for irrigation, this appropriation shall be limited to ..... of one cubic foot per second or its equivalent for each acre irrigated.....

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

The priority date of this permit is January 4, 1983

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.....

BAK B

378-3066  
or  
1-800-452-7813  
(message line)

February 3, 1983

Jim Newcomb, Construction Supervisor  
Specialtrees Nursery Company  
Route 2, Box 214A  
Dayton, OR 97114

Dear Mr. Newcomb:

REFERENCE: Files R-64612 and 64613

Your Reservoir Application R-64612 describing the construction of a reservoir and storage of 28.0 acre-feet of water therein from Palmer Creek for nursery operations which would include use on containers in greenhouses, and Application 64613 describing the proposed use of 15 cubic feet per second of water from Palmer Creek and 28.0 acre-feet of stored water from the reservoir for nursery operations which would include use on containers and in greenhouses, have been reviewed.

As mentioned while you were in this office, we will need the engineering data for the reservoir and maps showing the acreage to be supplied water.

Application 64613, as prepared, requires the examination fee of \$40 and permit recording fees for the use of the 15.0 cfs in the amount of \$81 for a total of \$121. To date, \$65 has been credited to this application. Therefore, an additional \$56 is needed.

We will continue to hold action for a reasonable length of time pending receipt of the engineering data for the reservoir, maps showing the project and fees.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJO:wpc

4873B

378-3066  
or  
1-800-452-7813  
(message line)

January 7, 1983

Special Trees Nursery  
Route 1, Box 214A  
Dayton, OR 97114

REFERENCE: Files R-64612 and 64613

We have received your applications for use of water for nursery operations along with the supporting data and fees. Your applications have been filed and assigned numbers R-64612 and 64613.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will be considered for approval 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 applications are approved, the projects described in the applications will be subject to the Water Policy Review Board's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Sincerely,

RALPH H. JACKSON, Supervisor  
Application/Permit Section

RHJwpc

2134B/2  
4385B

June 23, 1983

Specialtrees Nursery Company  
Route 2, Box 214A  
Dayton, OR 97114

R-64612 and 64613

R-8650 and 47497

378-3066  
or  
1-800-452-7813  
(message line)

April 1, 1983

Jim Newcomb, Construction Supervisor  
Specialtrees Nursery Company  
Route 2, Box 214A  
Dayton, OR 97114

Dear Mr. Newcomb:

REFERENCE: Files R-64612, R-64613 and 63099

This is to acknowledge the plans and specifications to support your Reservoir Application R-64612 along with the maps to support your Applications R-64612 and 63613 and the Application 63099 filed in the name of Palmer Creek Water District Improvement Company.

Your Applications R-64612 and 64613 now appear to be in satisfactory form and will be placed with the group to be considered for approval.

Sincerely,

WAYNE J. OVERCASH  
Senior Water Rights Examiner

WJCawpc

cc: Sam Sweeney, Secretary Treasurer

5780B

YAMHILL COUNTY TITLE  
& ESCROW, INC.  
ESCROW TRUST ACCT. 610-001

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE - FORM WVC-3 V-2

DATE	DESCRIPTION	AMOUNT
7-6-84 E# 119445	Assignment of Water Rights	10.00



*Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

July 12, 1984

Rosedale Nursery Company, a California Corporation  
PO Box Q  
Azusa, CA 91702

REFERENCE: Files Numbered R-64612 and 64613

Gentlemen:

The assignment of Permits Numbered R-8650 and R47497 from Special Trees Nurseries to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our Receipt Number 43454 covering the recording fee of \$10 which was submitted by Yamhill County Title.

Under the terms of Permit Number 47497, an adequate water system is to be on hand by October 1, 1985 and water used to the fullest extent intended on or before October 1, 1986. Forms for reporting are enclosed.

Sincerely,

Thomas E. Shook  
Senior Water Rights Examiner

TES/jw

Enclosure

cc: Mike Ladd, Watermaster, District #18

STATE OF OREGON  
COUNTY OF YAMHILL  
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY COMPANY  
12600 S.E. ALDERMAN ROAD  
DAYTON, OREGON 97114

*No map  
inst.  
Russ is redoing  
map -  
Do not issue  
9/21/93  
go*

confirms the right to use the waters of PALMER CREEK AND RESERVOIR, CONSTRUCTED UNDER PERMIT R-8650, a tributary of YAMHILL RIVER, for the purpose of NURSERY OPERATIONS WHICH INCLUDES USE ON CONTAINERIZED STOCK AND USE IN GREENHOUSES.

The right has been perfected under Permit 47497. The date of priority is JANUARY 4, 1983. The right is limited to not more than 7.26 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 NW 1/4, AS PROJECTED WITHIN DLC 50, SECTION 8, T 5 S, R 3 W, W.M.; PALMER CREEK - 700 FEET NORTH AND 1500 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 7; SW 1/4 NE 1/4, AS PROJECTED WITHIN DLC 45, SECTION 7, T 5 S, R 3 W, W.M., RESERVOIR - 140 FEET NORTH AND 3080 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 7.

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

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

	<u>CONTAINERIZED STOCK</u>	<u>GREENHOUSES</u>
SW 1/4 NE 1/4	21.219 ACRES	9.256 ACRES
NW 1/4 SE 1/4	0.474 ACRE	
SE 1/4 NW 1/4		4.25 ACRES
ALL AS PROJECTED WITHIN DLC 45		
SW 1/4 NW 1/4	0.202 ACRE	
SE 1/4 NW 1/4	24.038 ACRES	2.82 ACRES
NE 1/4 SW 1/4	15.53 ACRES	
NW 1/4 SW 1/4	2.858 ACRE	
AS PROJECTED WITHIN DLC 44		
SECTION 7		
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.		

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

SECTION 7  
TWP. 5 S, R 3 W.  
SCALE: 1" = 400'



RECEIVED  
MAR 2 1983  
WATER RESOURCES DEPT.  
SALEM, OREGON

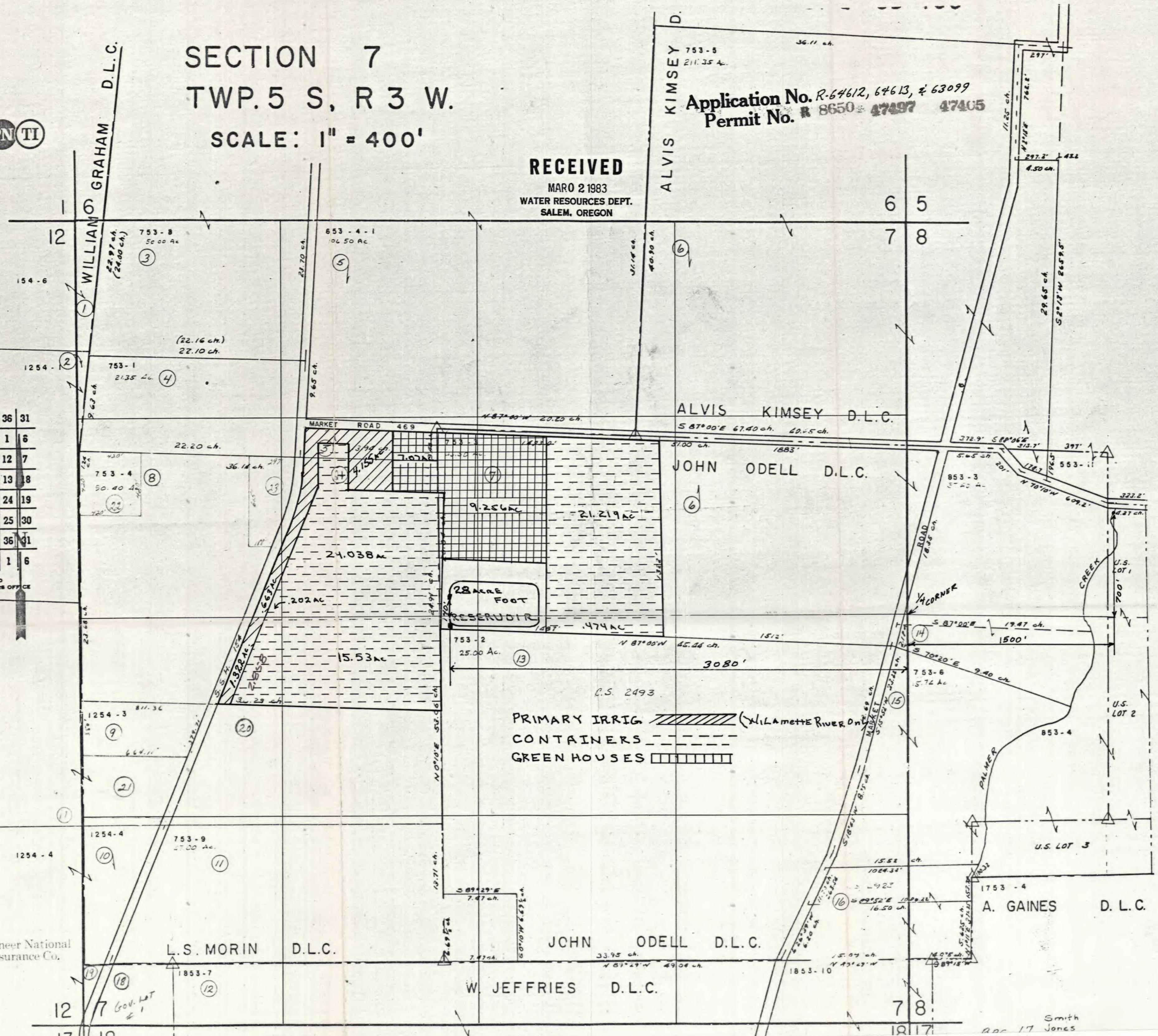
Application No. R-64612, 64613, & 63099  
Permit No. R 8650-47497 47405

33	34	35	36	31
4	3	2	1	6
9	10	11	12	7
16	15	14	13	8
21	22	23	24	19
28	27	26	25	30
33	34	35	36	31
4	3	2	1	6

RIGHTS RESERVED  
COUNTY ASSESSORS OFFICE

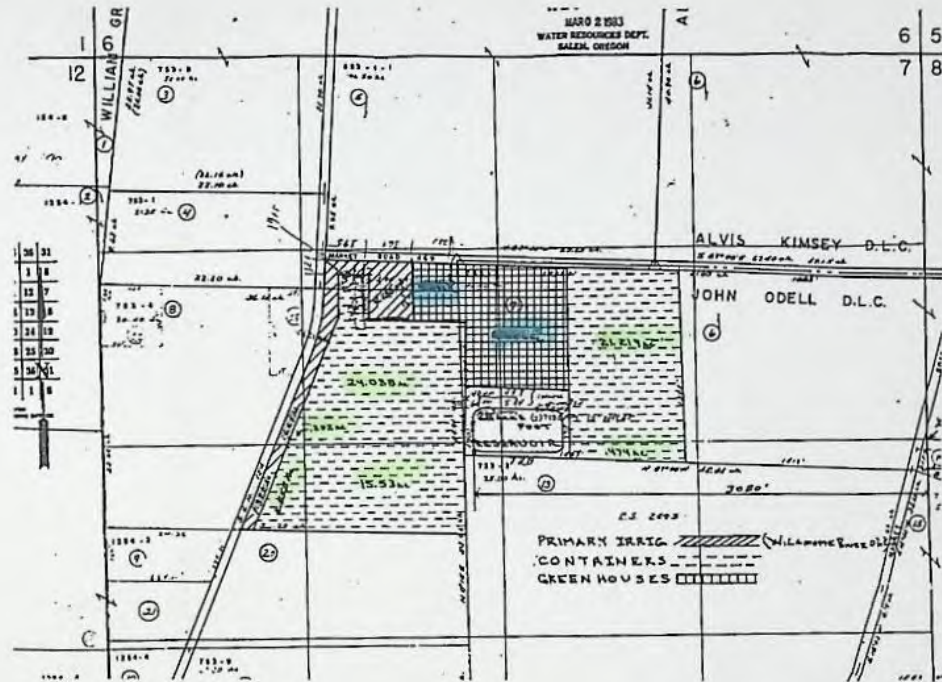
7-5-3

Pioneer National  
Title Insurance Co.



Smith  
D.C. 17 Jones

Map from S-63099



STATE OF OREGON  
 COUNTY OF YAMHILL  
 PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY COMPANY  
 12600 S.E. ALDERMAN ROAD  
 DAYTON, OREGON 97114

confirms the right to use the waters of PALMER CREEK AND RESERVOIR, CONSTRUCTED UNDER PERMIT R-8650, a tributary of YAMHILL RIVER, for the purpose of NURSERY OPERATIONS WHICH INCLUDES USE ON CONTAINERIZED STOCK AND USE IN GREENHOUSES.

The right has been perfected under Permit 47497. The date of priority is JANUARY 4, 1983. The right is limited to not more than 7.26 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, AS PROJECTED WITHIN A. GAINES DLC, SECTION 8, T 5 S, R 3 W, W.M.; PALMER CREEK - 700 FEET NORTH AND 1500 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 7, RESERVOIR - (140 FEET NORTH AND 3080 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 7.) AS PROJECTED WITHIN JOHN ODELL DLC 45

3E

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

	CONTAINERIZED STOCK	GREENHOUSES
	<u>CONTAINERIZED STOCK</u>	<u>GREENHOUSES</u>
		2.82 ACRES
SW 1/4 NE 1/4	21.219 ACRES	9.256 ACRES
NW 1/4 SE 1/4 SE 1/4 NW 1/4 AS PROJECTED WITHIN JOHN ODELL DLC 45	0.474 ACRES	4.25 ACRES
		4.25 ACRES
SW 1/4 NW 1/4	0.202 ACRES	—
SE 1/4 NW 1/4	24.038 ACRES	2.82 ACRES
NE 1/4 SW 1/4	15.53 ACRES	—
NW 1/4 SW 1/4	2.858 ACRES	—
AS PROJECTED WITHIN L.S. MORIN DLC SECTION 7		
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.		

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

STATE OF OREGON

COUNTY OF YAMHILL

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY COMPANY  
12600 S.E. ALDERMAN ROAD  
DAYTON, OREGON 97114

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3E

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	CONTAINERIZED STOCK	GREENHOUSES
SW 1/4 NW 1/4	0.202 ACRE	
SE 1/4 NW 1/4	24.038 ACRES	2.82 ACRES
AS PROJECTED WITHIN L.S. MORIN DLC		
NW 1/4 SW 1/4	2.858 ACRES	
NE 1/4 SW 1/4	15.53 ACRES	
SW 1/4 NE 1/4	21.219 ACRES	9.256 ACRES
NW 1/4 SE 1/4	0.474 ACRE	
SE 1/4 NW 1/4		4.25 ACRES
AS PROJECTED WITHIN JOHN ODELL DLC <sup>45</sup>		
SECTION 7		
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.		

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

RECEIVED

AUG 26 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

Form C (690-9-77)

**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. 64613

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

I, ROSEDALE NURSERY COMPANY, the holder of Permit No. 47497

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 NOVEMBER, 1985

Remarks: WE FINISHED DEVELOPING THE FINAL 40 ACRES AND THE FULL 94 ACRES IS NOW UNDER IRRIGATION.

IN WITNESS WHEREOF, I have hereunto set my hand this FIRST day of NOVEMBER 1, 1985  
Mark I. Buchholz GENERAL MANAGER P.O. BOX 562 DAYTON, OR 97114  
(Signature of Applicant) (Address)

Form B (690-9-77)

Application No. 64613

**NOTICE OF COMPLETION OF CONSTRUCTION**

I, ROSEDALE NURSERY COMPANY, the holder of Permit No. 47497

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the FIRST day of NOVEMBER, 1985

Remarks: If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this FIRST day of NOVEMBER 1, 1985  
Mark I. Buchholz P.O. BOX 562 DAYTON, OR 97114  
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

MAILED TO WRB - Salem 1 Nov -85



# MONROVIA NURSERY CO. - OREGON



POST OFFICE BOX 562  
DAYTON, OREGON 97114  
(503) 868-7941

WHOLESALE ONLY

8/24/87

**RECEIVED**

AUG 26 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

Water Resources Department  
3850 Portland Rd NE  
Salem, OR 97310

Gentlemen,

In response to your letter of 21 August 1987 regarding notice of completion and water application in file #64613, permit #47497, you note that your office has not received notice from us.

I have checked our files and find a photo copy of the notice sent to Water Resources Department on 1 November 1985.

I hope this will be sufficient for your records.

Sincerely,

*Mark 1. Buchholz*

Mark Buchholz  
General Manager

Encl.

MB/sk

*8/28  
B 30 days off  
but C says  
all 94 are  
irrigated which  
imply const.  
are complete  
at least some  
time prior to  
end of irrig. season.  
set up survey.*





UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE  
USE, \$300

WATER RESOURCES DEPT.  
3850 PORTLAND ROAD N.E.  
SALEM, OREGON 97310

RETURN  
TO



Print Sender's name, address, and ZIP Code in the space below.

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## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

AUG 21 1987

Monrovia Nursing Co.  
12600 SE Alderman Rd.  
Dayton, OR 97114

REFERENCE: File 64613

According to the terms of your Permit 47497, complete application of water was to have been made by October 1, 1986.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of December 2, 1986.

Ors 537.360 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit"

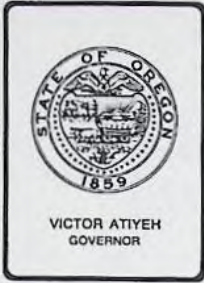
In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is recieved within 60 days from the date of this letter, the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact Ves Garner, Manager, Survey/Certificate Section.

1497B

CERTIFIED - RETURN RECEIPT REQUESTED



## *Water Resources Department*

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

January 12, 1987

Monrovia Nursery Company  
12600 SE Alderman Rd.,  
Dayton, OR 97114

REFERENCE: Files Numbered R-64612 & 64613

Gentlemen:

The assignment of Permits Numbered R-8650 and 47497 from Rosedale Nursery Company to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the signed copy is enclosed along with our Receipt Number 51042 covering the recording fee of \$10 which you submitted.

Sincerely,

THOMAS E. SHOOK  
Senior Water Rights Examiner

TES/jw

Enclosure

RECEIVED

DEC 15 1986

WATER RESOURCES DEPT.  
SALEM, OREGON

ASSIGNMENT

I, ROSEDALE NURSERY COMPANY of

12600 S.E. Alderman Rd. Dayton, Oregon 97114  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

do hereby assign all my interest in and to water right Application  
R-64612 R-8650  
Number 64613, Permit Number 47497, as filed in the office  
of the Water Resources Director, to:

Monrovia Nursery Co.  
(NAME)

12600 S.E. Alderman Rd. Dayton, Oregon 97114  
(MAILING ADDRESS) (CITY) (STATE) (ZIP)

TELEPHONE NUMBER (503) 868-7941

WITNESS my hand this 12<sup>th</sup> day of December 1986.

Monrovia Nursery Co. Patricia [Signature]  
(SIGNATURE OF PERMITTEE)

The completed assignment must be submitted to the Water Resources Director, 3850 Portland Road, NE, Salem, OR 97310, together with a recording fee of \$10.

12-15-86  
10.00  
51042



## *Water Resources Department*

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

December 10, 1986

Pat Tate  
Monrovia Nursery Company, Oregon Division  
12600 SE Alderman Rd.,  
Dayton, OR 97114

REFERENCE: Files Numbered R-64612 & 64613

Please find enclosed a form when signed and returned along with the required fees in the amount of \$10 will authorize us to change the names on the above applications, (Permit Nos. R-8650 and 47497.)

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

Sincerely,

STEPHEN C. BROWN  
Senior Water Rights Examiner

SCB/jw

Enclosures



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

RECEIVED

NOV 15 1985

WATER RESOURCES DEPT  
SALEM, OREGON

PHONE 378-8508

November 8, 1985

Rosedale Nursery Company  
P. O. Box 562  
Dayton, OR 97114

REFERENCE: File Number 64613

Gentlemen:

You stated the completion date of the project described in your Permit 47497 as being November 1, 1985 and this is the same day the form was signed. The date for completion of construction was October 1, 1985 as set out in the permit.

With the thought that the completion date was in error, I am enclosing Form B for your use in reporting the correct date.

If construction was not completed 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,

Stephen C. Brown  
Senior Water Rights Examiner

SCB:kh

enclosure



## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8508

November 8, 1985

Rosedale Nursery Company  
P. O. Box 562  
Dayton, OR 97114

Copy

REFERENCE: File Number 64613

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Stephen C. Brown  
Senior Water Rights Examiner

SCB:kh

enclosure

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Remarks: WE FINISHED DEVELOPING THE FINAL 90 ACRES AND THE FULL 94 ACRES IS NOW UNDER IRRIGATION.

IN WITNESS WHEREOF, I have hereunto set my hand this FIRST day of NOVEMBER 1, 1985

Mark I. Buchholz GENERAL MANAGER P.O. BOX 562 DAYTON, OR 97114  
(Signature of Applicant) (Address)

Application No. 64613

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(Signature of Applicant) (Address)

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RECEIVED

NOV 6 1985

WATER RESOURCES DEPT  
SALM, OREGON

RECEIVED

NOV 6 1985

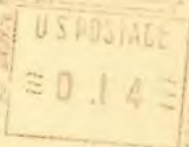
WATER RESOURCES DEPT  
SALM, OREGON

WATER RESOURCES DEPT.  
3850 PORTLAND ROAD N.E.  
SALEM, OREGON 97310

RECEIVED

NOV - 4 1985

WATER RESOURCES DEPT REG.  
SALEM, OREGON



*Rosedale Nursery Co.  
P.O. Box 8  
Azusa, CA 91702*

OCT 19 1985

OCT 31 1985

