

INTO SALEM

PHONE CALL

FOR MON 03201 DATE 3-31 TIME 111 A.M. P.M.

M. WALTER SUTTLE

OF LOCAL # PHONED

PHONE FAX MOBILE (503)-868-7911 RETURNED YOUR CALL

MESSAGE EXT 241 PLEASE CALL

AS FILE # G-13183 WILL CALL AGAIN

CAME TO SEE YOU

MONROVIA NURSERY WANTS TO SEE YOU

SIGNED

SENDER: COMPLETE THIS SECTION

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

G-13183
 Monrovia Nursery Co.
 13455 SE Lafayette Hwy.
 Dayton, OR. 97114



9590 9402 4402 8248 9823 00

2. Article Number (Transfer from service label)

7017 0660 0001 0610 6182

COMPLETE THIS SECTION ON DELIVERY

A. Signature

*Marilyn D. Whyte Agent
 Addressee

B. Received by (Printed Name)

Marilyn D. Whyte

C. Date of Delivery

6-17

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

RECEIVED

JUN 19 2019

OWRD

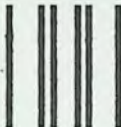
3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

USPS TRACKING #



9590 9402 4402 8248 9823 00

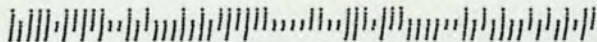


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

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

Oregon Water Resources Department
725 Summer St. Ne. Suite A
Salem, OR. 97301



Mailing List for Final Certificate

Application: G-13183

Permit: G-12366

Certificate: 94768

Permit/Certificate Holder:

MONROVIA NURSERY CO.
13455 SE LAFAYETTE HWY
DAYTON OR 97114

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

Copies Mailed	
by:	<u>TM</u> (STAFF)
on:	<u>12/27/2019</u> (DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #: 16
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

5. Palmer Creek Water District Improvement
14395 SE Wallace Rd
Dayton OR 97114
6. Robert Long, CWRE – CWMH20



Oregon
Kate Brown, Governor

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

DATE MAILED: DEC 27 2019

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.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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

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

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

STATE OF OREGON
 COUNTY OF YAMHILL
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MONROVIA NURSERY CO.
 13455 SE LAFAYETTE HWY
 DAYTON OR 97114

confirms the right to the use of water perfected under the terms of Permit G-12366. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13183

SOURCE OF WATER: TWO WELLS IN THE WEST BRANCH PALMER CREEK BASIN

PURPOSE or USE: INDUSTRIAL USE (HEATING AND COOLING)

RATE OF ALLOWED USE: 0.34 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 11, 1992

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	6	NW SW	44	PRODUCTION WELL - 800 FEET SOUTH AND 1550 FEET WEST FROM C1/4 CORNER, SECTION 6
5 S	3 W	WM	6	NW SW	44	INJECTION WELL - 660 FEET SOUTH AND 1550 FEET WEST FROM C1/4 CORNER, SECTION 6

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
5 S	3 W	WM	6	NE SW	44

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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

Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- (a) An average water level decline of 3 or more feet per year for five consecutive years; or
- (b) A total water level decline of 15 or more feet; or
- (c) A hydraulic interference decline of 15 or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.

- (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
- (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
- (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
- (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (e) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3) procedures for review and approval.

The use of water under this right for industrial use (heating and cooling) in excess of 5,000 gallons per day shall be subsequent in the priority to future beneficial consumptive use unless a two well system is constructed and all waste water is recharged to the same groundwater reservoir from which it was withdrawn.

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

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

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

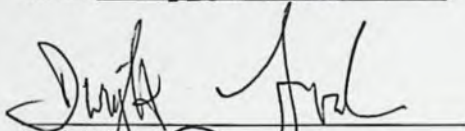
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

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

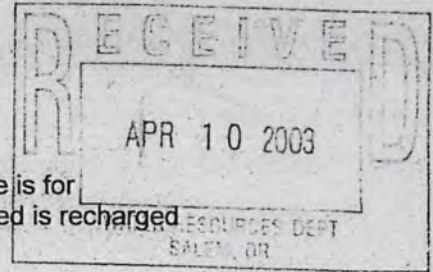
Issued DEC 27 2019.



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

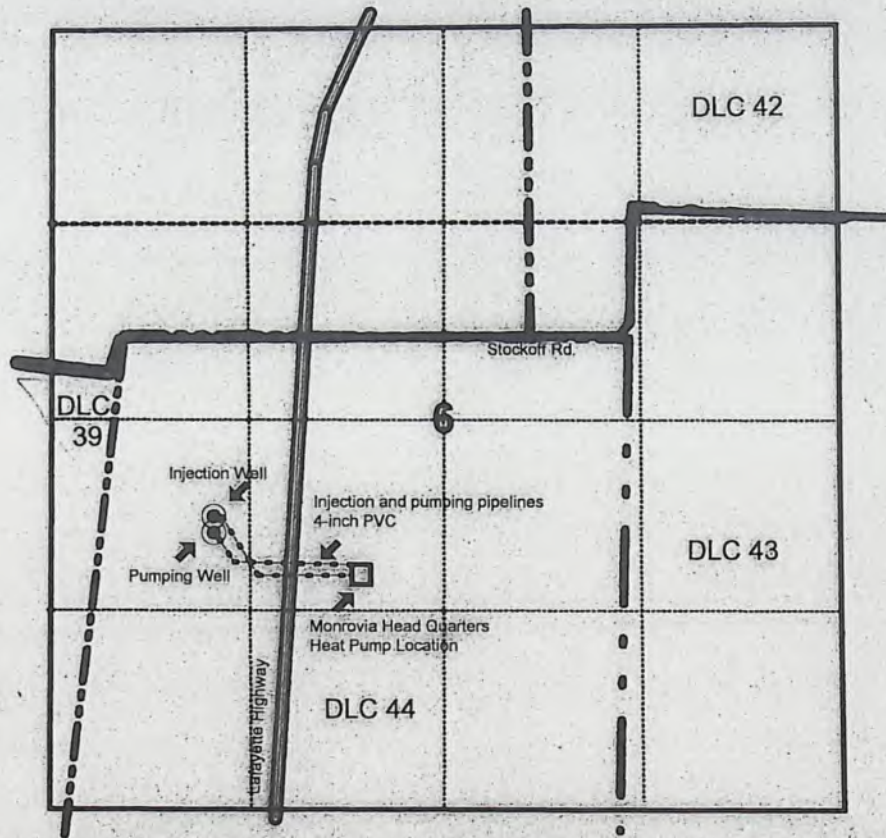


**Claim Of Beneficial Use Map
MONROVIA File # 18**



Diversion of groundwater from one well in the Willamette Basin. Groundwater use is for heating and cooling of the Monrovia headquarters building. All groundwater diverted is recharged to the aquifer via an injection well.

T.5S., R.3W., Section 6, W.M



Scale
1"=1320'

Production Well located 800'S & 1550'W from center of Section 6
Injection Well located 660'S & 1550'W from center of Section 6
Tax Lot 5306
Survey Date 11/12/02

**Application # G-13183
Permit# G-12366**

Certificate # _____



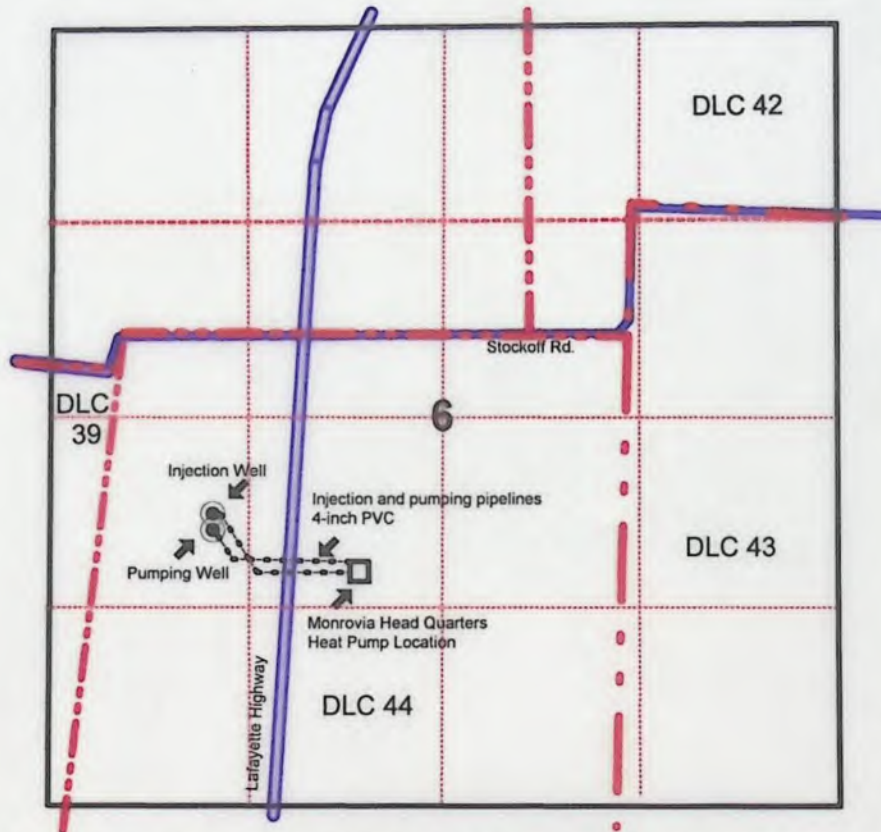
EXPIRATION DATE: 12/31/04

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or the location of property ownership lines.

**Claim Of Beneficial Use Map
MONROVIA File # 18**

Diversion of groundwater from one well in the Willamette Basin. Groundwater use is for heating and cooling of the Monrovia headquarters building. All groundwater diverted is recharged to the aquifer via an injection well.

T.5S., R.3W., Section 6, W.M

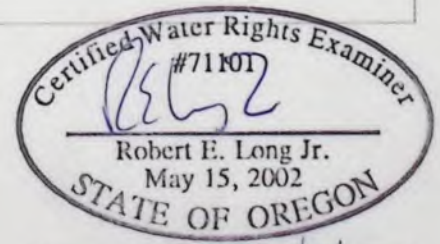


Scale
1"=1320'

**Production Well located 800'S & 1550'W from center of Section 6
Injection Well located 660'S & 1550'W from center of Section 6
Tax Lot 5306
Survey Date 11/12/02**

**Application # G-13183
Permit# G-12366**

Certificate # _____



EXPIRATION DATE: 12/31/04

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or the location of property ownership lines.

6

MEMO -Proof to Satisfaction (March 17, 2014)

Application # <u>G-13183</u>	Permit # <u>G-12366</u>	Transfer #
WRD Reviewer <u>J Skaug</u>	Date <u>5/23/19</u>	
WRD Peer Reviewer	Date	

Research

- Organize file in chronological order
- Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- Water Organization identified using AOI? ___ No Yes
If "Yes" cc: Palmer Creek WR Dist Impr & Add to Mailing List
- Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor 1200 tax lot
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- Print Platcard & check for Place of Use Conflict? No ___ Yes
If "Yes", provide copy of certificate & relevant map
- Print BLM Cadastral Survey DLC 44
- Does Claim Map identify correct DLC, Gov't Lots, QQ's? ___ No Yes
If "No", either ___ WRD amend map OR ___ prepare Order of Certification

Reviewing Claim

- Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A
- Well Completed 10/11/99 → A date = 4/11/1996 B date = 10/1/1998
- Fish Conditions
 - Meter/measuring device yes one is installed
 - * Water Use Reporting there is two different meter - recording conditions - we look at the lesser of the two
 - * Pump Test (post December 19, 1988) approved 2018
 - * Other Conditions (heating/cooling verbage)
 - SWL yes march → first march SWL measurements LW = 3/20/01
 - C-Date 10/1/1999 (? the claim was submitted in 2003 after cdate survey in 2002) PW = 3/20/01
 - Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

- 1) Palmer Creek Water Dist. Improvement
14395 SE Wallace Road
Dayton OR 97114
- 2) Robert Long, CWR&E - CWM H2O

cert # 94768

* Ext to approved moving cdate to 10/1/2004 to meet 11-21-15 the SWL measurement condition - final cert going out

Pump Capacity Calculator

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 5
Efficiency = 6.61
Lift = 0
PSI = 40

Results Calculated

(hp)(efficiency) = 33.05
Head based on psi = 101.6
Total dynamic head = 101.6
(head + lift)

Pump Capacity = 0.325 cubic feet per second $\times 2 = 0.650$

the did not provide enough info so this just an estimate

Claim States: 117 gpm = 0.26 cfs $\times 2 = 0.52 \text{ cfs}$



Tax Lots

Identify Tax Lots

[OR Map](#)

- Off
- On

County: Yamhill
 Taxlot: R5306 01200
 Owner1: MONROVIA NURSERY CO
 Owner2:
 Owner Address: PO BOX 1385, AZUSA CA 91702
 Site Address: 13455 SE LAFAYETTE HWY, , OR
 Acres: 33
 TRSQQ: WMS 00S3 00W6XXXX
 Effective Date: January 1, 2018

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

TL 1200


OREGON SECRETARY OF STATE
► Corporation Division

HOME

[business information center](#)
[business name search](#)
[oregon business guide](#)

[referral list](#)
[business registry/renewal](#)
[forms/fees](#)
[notary public](#)

[uniform commercial code](#)
[uniform commercial code search](#)
[documents & data services](#)



Business Name Search

[New Search](#)

[Printer Friendly](#)

Business Entity Data

05-24-2019
11:05

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
201848-26	FBC	ACT	CALIFORNIA	07-24-1984	07-24-2019	
Entity Name	MONROVIA NURSERY COMPANY					
Foreign Name						

[New Search](#)

[Printer Friendly](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	13455 SE LAFAYETTE HWY				
Addr 2					
CSZ	DAYTON	OR	97114	Country	UNITED STATES OF AMERICA

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

Type	AGT	REGISTERED AGENT	Start Date	07-14-2004	Resign Date	
Of Record	+62580-83	NATIONAL REGISTERED AGENTS, INC.				
Addr 1	780 COMMERCIAL ST SE STE 100					
Addr 2						
CSZ	SALEM	OR	97301	3465	Country	UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS			
Addr 1	817 E MONROVIA PLACE				
Addr 2					
CSZ	AZUSA	CA	91702	Country	UNITED STATES OF AMERICA

Type	PRE	PRESIDENT		Resign Date	
Name	MILES	R	ROSEDALE		
Addr 1	817 E MONROVIA PLACE				
Addr 2					
CSZ	AZUSA	CA	91702	Country	UNITED STATES OF AMERICA








Type	SEC	SECRETARY			Resign Date	
Name	FRANK		VAN STRAALLEN			
Addr 1	817 E MONROVIA PLACE					
Addr 2						
CSZ	AZUSA	CA	91702		Country	UNITED STATES OF AMERICA

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

Business Entity Name	Name Type	Name Status	Start Date	End Date
MONROVIA NURSERY COMPANY	EN	CUR	07-31-1987	
ROSEDALE NURSERY COMPANY	EN	PRE	07-24-1984	07-31-1987

Please read before ordering Copies.

[New Search](#) [Printer Friendly](#) **Summary History**

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	07-09-2018		FI		
	CHANGE OF REGISTERED AGENT/ADDRESS	12-14-2017		FI		
	AMENDED ANNUAL REPORT	07-07-2017		FI		
	CHANGE OF REGISTERED AGENT/ADDRESS	06-12-2017		FI		
	AMENDED ANNUAL REPORT	07-08-2016		FI		
	AMENDED ANNUAL REPORT	08-19-2015		FI		
	AMENDED ANNUAL REPORT	06-20-2014		FI		
	AMENDED ANNUAL REPORT	07-16-2013		FI		
	CHANGE OF REGISTERED AGENT/ADDRESS	02-28-2013		FI		
	AMENDED ANNUAL REPORT	09-10-2012		FI		
	ANNUAL REPORT PAYMENT	08-09-2011		SYS		
	ANNUAL REPORT PAYMENT	08-10-2010		SYS		



ASSESSMENT & TAX
CARTOGRAPHY

SECTION 6 T.5S. R.3W. W.M.
YAMHILL COUNTY OREGON
1" = 400'



CANCELLED TAX DIS
1124

DATE PRINTED: 1/25/2016

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or suitable for legal, engineering, surveying or any purpose other than assessment and taxation.

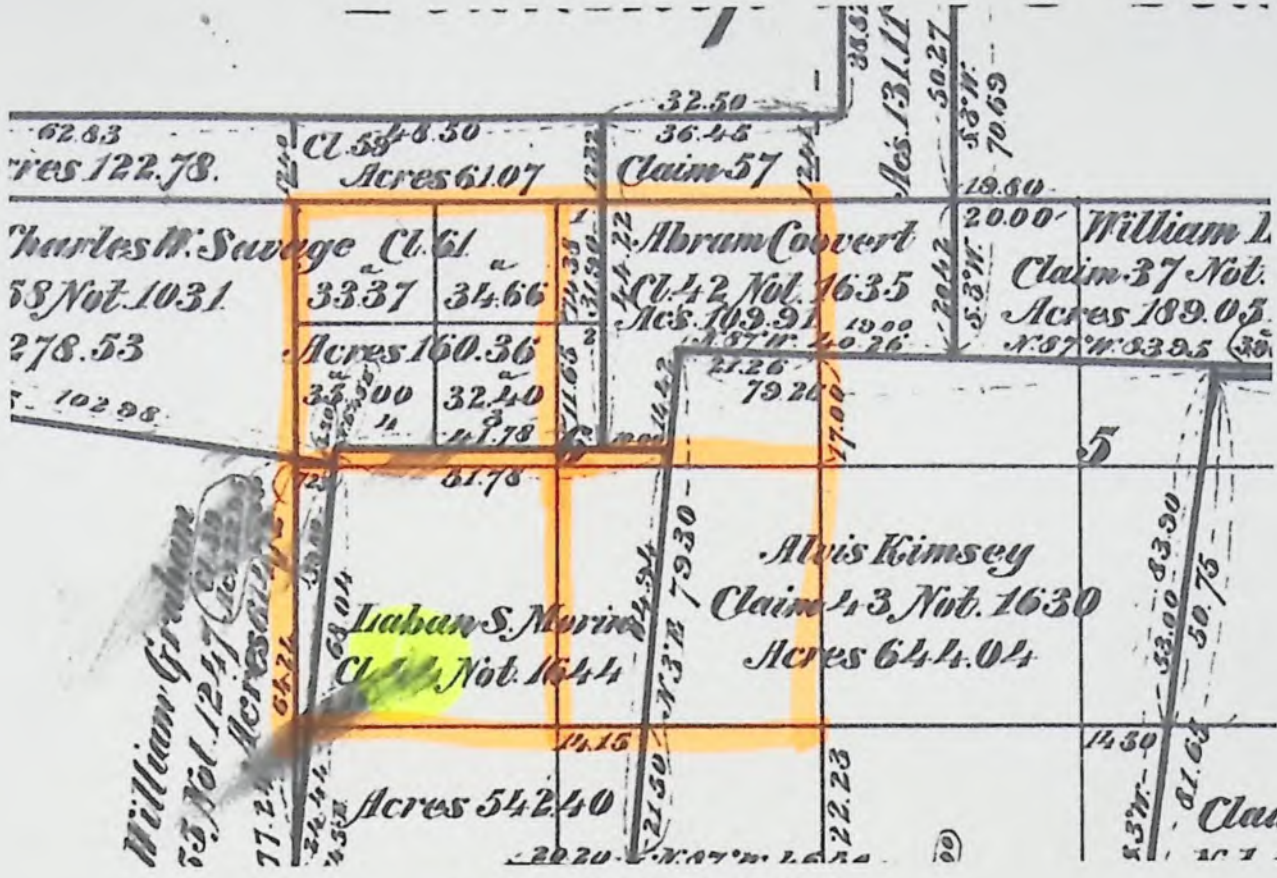


Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Permit: G 12366 *

No Conflict

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
CERT 34204 OR *	ROBERT STOCKHOFF	G-2345	G-2128	34204	6/1/1962	NC	IR	05.00S-03.00W-06-NESW		44		13.8000
CERT 84824 OR *	MONROVIA NURSERY CO.	G-11961	G-11196	84824	9/18/1989	NC	NU	05.00S-03.00W-06-NESW		44		33.8000
CERT 84825 OR *	MONROVIA NURSERY CO.	G-11962	G-11272	84825	9/18/1989	NC	NU	05.00S-03.00W-06-NESW		44		33.8000
PERMIT G 12293 *	MONROVIA NURSERY CO.	G-13473	G-12293		7/20/1993	NC	NU	05.00S-03.00W-06-NESW				33.8000
CERT 39706 OR *	ROBERT STOCKHOFF	S-42922	S-31859	39706	10/13/1966	NC	IS	05.00S-03.00W-06-NESW		44		13.8000
CERT 64748 CF *	PALMER CREEK WATER DISTRICT IMPROVEMENT CO.	S-43490	S-32243	64748	4/14/1967	NC	IS	05.00S-03.00W-06-NESW		44		13.8000
CERT 89028 OR *	PALMER CREEK WATER DISTRICT IMPROVEMENT CO.	S-68709	S-50945	89028	6/29/1987	NC	IS	05.00S-03.00W-06-NESW		44		16.4000
CERT 83193 OR *	MONROVIA NURSERY CO.	S-69000	S-49953	83193	1/21/1987	NC	NU	05.00S-03.00W-06-NESW		44		17.6000
PERMIT S 54761 *	PALMER CREEK WATER DISTRICT IMPROVEMENT CO.	S-70110	S-54761		10/31/1989	NC	AG	05.00S-03.00W-06-NESW				
							IS	05.00S-03.00W-06-NESW				33.8000
PERMIT S 55019 *	PALMER CREEK WATER DISTRICT IMPROVEMENT CO.	S-76860	S-55019			NC	IR	05.00S-03.00W-06-NESW				2.1000



DLC 44

Injection well (drilled 1992)

Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS Aquifer
YAMH 1928	Columbia River Basalt	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	

Well Test

No data matches search criteria.

Measured Water Level

(Click to Collapse...)

Records/Page:

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	OWRD	Method	Status	MP Height
3/9/2019		44.30	115.70	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/17/2018		34.85	125.15	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/19/2017		40.26	119.74	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/12/2016		41.53	118.47	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/21/2015		44.14	115.86	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/8/2014		49.46	110.54	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/16/2013		39.16	120.84	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/10/2012		39.36	120.64	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/12/2011		37.67	122.33	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/6/2010		38.73	121.27	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/14/2009		39.34	120.66	CWRE	PERMIT CONDITION PROGRAM	ETAPE	FALLING	2.40
3/1/2008		32.55	127.45	CWRE	PERMIT CONDITION PROGRAM	ETAPE	FALLING	2.40
3/17/2007		22.52	137.48	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/17/2006		36.84	123.16	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/13/2005		46.16	113.84	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/1/2004		27.99	132.01	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/11/2003		17.77	142.23	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.60
4/23/2002		21.52	138.48	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.60
3/20/2001		25.08	134.92	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.66
10/26/1996		35.91	124.09	USGS	GWATER	ETAPE	STATIC	
11/13/1992		37.00	123.00	DRILLER	WELL LOG	REPORTED	UNKNOWN	

Production well (drilled 1991)

Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS Aquifer
YAMH 783	Columbia River Basalt	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers	

Well Test

No data matches search criteria.

Measured Water Level

(Click to Collapse...)

Records/Page:

Measured Water Level

Date	Time	Water Level (BLSD)	WL Elev (ft AMSL)	Organization	OWRD	Method	Status	MP Height
3/9/2019				CWRE	PERMIT CONDITION PROGRAM	NOT MEASURED	UNKNOWN	
3/17/2018				CWRE	PERMIT CONDITION PROGRAM	NOT MEASURED	UNKNOWN	
3/8/2017				CWRE	PERMIT CONDITION PROGRAM	NOT MEASURED	UNKNOWN	1.00
3/12/2016		46.52	128.48	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/21/2015		47.89	127.11	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/8/2014		54.81	120.19	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/16/2013		42.58	132.42	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/10/2012		44.17	130.83	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/12/2011		43.08	131.92	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/6/2010		45.37	129.63	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/14/2009		46.22	128.78	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/1/2008		39.95	135.05	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/17/2007		36.93	138.07	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/17/2006		46.25	128.75	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/13/2005		51.72	123.28	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/1/2004		42.23	132.77	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/11/2003		31.90	143.10	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
4/23/2002		30.00	145.00	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/20/2001		30.66	144.34	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MONROVIA NURSERY

~~12600 SE ALDERMAN RD~~
DAYTON, OREGON 97114

13455 SE Lafayette Hwy

(503) 868-7941

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

APPLICATION FILE NUMBER: G-13183

SOURCE OF WATER: TWO WELLS IN WEST BRANCH PALMER CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE (HEATING AND COOLING)

RATE OF USE: ^{OK} 0.34 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 11, 1992

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 6, T5S, R3W, W.M.;
PRODUCTION WELL: 800 FEET SOUTH AND 1550 FEET WEST; INJECTION WELL: 660
FEET SOUTH AND 1550 FEET WEST, BOTH FROM THE C 1/4 CORNER OF SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

✓ NE 1/4 SW 1/4
SECTION 6
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

Installed
→

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting

Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A total water level decline of 15 or more feet; or
- (C) A hydraulic interference decline of 15 or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

Keep but Condition to the Lessor Condition
The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.

(A) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.

(B) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.

(C) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.

(D) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

Submitted SWC measurements before date but only March one 15 in 2001

(E) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3) procedures for review and approval.

The use of water under this permit for industrial use (heating and cooling) in excess of 5,000 gallons per day shall be subsequent in priority to future beneficial consumptive use unless a two well system is constructed and all waste water is recharged to the same groundwater reservoir from which it was withdrawn.

STANDARD CONDITIONS

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

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter. *approved 2018*

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

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

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

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

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

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

Issued April 11, 1996

Martha O. Page
for Martha O. Page, Director
Water Resources Department

*Cdate 10/1/1999
? Survey done in 2002
claim submitted 2003*

Mailing List for Extension FO Copies

FO Date: November 22, 2019

Copies Mailed

Application: G-13183
Permit: G-12366

By: TM
On: 11/22/2019

Original mailed to permit holder

Monrovia Nursery
12600 SE Alderman Rd.
Dayton, OR 97477

Copies sent to:

1. WRD - App. File G-13183/ Permit G-12366
2. Agents or CWREs representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

4. WRD - Watermaster District 16, Joel Plahn

CASEWORKER: JDP

FINDINGS OF FACT

Except as expressly stated herein, The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated October 1, 2019.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to no additional conditions.

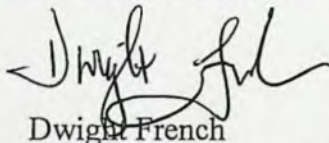
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-13183, Permit G-12366, therefore, is approved. The deadline for completing construction is extended from October 1, 1998, to October 1, 2004. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 1999, to October 1, 2004.

DATED: November 22, 2019



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

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at 503-986-0802.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension PFO Copies

PFO Date: October 1, 2019

Copies Mailed

Application: G-13183

By: TM

Permit: G-12366

On: 8/10/19

Original mailed to Applicant:

Monrovia Nursery
12600 SE Alderman Rd.
Dayton, OR 97477

Copies sent to:

1. WRD - App. File G-13183/ Permit G-12366
2. Agent or CWRE representing the Permit Holder

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 16, Joel Plahn

CASEWORKER: JDP

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

Application for Extension of Time

In the Matter of the Application for an Extension of Time)	PROPOSED
for Permit G-12366, Water Right Application G-13183, in)	FINAL
the name of Monrovia Nursery)	ORDER

Permit Information

Application:	G-13183
Permit:	G-12366
Basin:	2B – Middle Willamette / Watermaster District 16
Date of Priority:	November 11, 1992
Source of Water:	two wells in West Branch Palmer Creek Basin
Purpose or Use:	industrial use (heating and cooling)
Maximum Rate:	0.34 cubic foot per second (cfs)

Please read this Proposed Final Order in its entirety.

In Summary, the Department proposes to:

- Grant an extension of time to complete construction of the water system from October 1, 1998, to October 1, 2004.
- Grant an extension of time to apply water to full beneficial use from October 1, 1999, to October 1, 2004¹.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315. ,

¹Pursuant to ORS 537.630(5), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Application – Application for Extension of Time
Department – Oregon Department of Water Resources
FOF – Finding of Fact
PFO – Proposed Final Order
Production Well – YAMH 783
Injection Well – YAMH 1928
cfs - cubic foot per second

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(2) provides in pertinent part that the Oregon Water Resources Department (Department) for good cause shown shall order and allow an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefor; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides that in order to approve an application for an extension of time to complete construction or apply water to full beneficial use, the Department shall make the findings in OAR 690-315-0040(1) including a finding that there is “good cause” to approve the extension. OAR 690-315-0040(2)-(4) contains the factors that the Department must consider to make findings that support a “good cause” determination.

FINDINGS OF FACT

1. On April 11, 1996, Permit G-12366 was issued by the Department. The permit authorizes the use of up to 0.34 cfs of water from two wells in West Branch Palmer Creek Basin for industrial use (heating and cooling). The permit specified actual construction of the well to begin by April 11, 1997, construction of the water system was to be completed by October 1, 1998, and complete application of water was to be made on or before October 1, 1999.
2. On August 14, 2019, the permit holder, Monrovia Nursery, submitted an “Application for Extension of Time” (Application) to the Department, requesting both the time to complete construction of the water system be extended from October 1, 1998, to October 1, 2004, and the time to apply water to full beneficial use under the terms and conditions of Permit G-12366 be extended from October 1, 1999, to October 1, 2004. This is the first permit extension requested for Permit G-12366.

3. On August 20, 2019, notification of the Application for Permit G-12366 was published in the Department's Public Notice. No public comments were received regarding the Application.

Review Criteria [OAR 690-315-0040]

In order to approve an Application for an Extension of Time to complete construction and/or apply water to full beneficial use pursuant to ORS 537.230 or 537.630, or to begin construction, pursuant to ORS 537.248, the Department must make the findings in OAR 690-315-0040(1)(a) – (d).

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

4. On August 14, 2019, the Department received a completed Application and the fee specified in ORS 536.050 from the permit holder.

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

5. Construction of the wells began prior to permit issuance.
6. According to the well log received by the Department on July 31, 1991, construction of YAMH 783 (Production Well) began July 26, 1991.

Based on Finding of Fact (FOF) 5 and 6, the Department has determined that the prosecution of the construction of the well began prior to April 11, 1997.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

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

In order to make a finding of "good cause" to approve the extension, the Department shall consider whether the applicant has demonstrated "reasonable diligence" in previous performance under the permit. OAR 690-315-0040(2)(a). In determining "reasonable diligence", the Department shall consider, but is not limited to, the following factors: a) The amount of construction completed within the time allowed in the permit or previous extension; b) The amount of beneficial use made of the water during the permit or previous extension time limits; c) Water right holder conformance with the permit or previous extension conditions; and d) Financial investments made toward developing the beneficial use of water.

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

The amount of construction completed within the time allowed in the permit.²

7. Construction of the Production Well, and of YAMH 1928 (Injection Well) began prior to permit issuance.
8. No other work was accomplished during the original development time frame under Permit G-12366 as a majority of the work was completed prior to permit issuance.

The Application provides evidence of progress of physical work made towards completion of the water system, enough to qualify as the minimum necessary for the Department to find good cause and reasonable diligence towards complete application of water to a beneficial use.

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

The water right permit holder's conformance with the permit conditions.

9. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the required March static water level measurements have not been received by the Department before October 1, 1999, and (2) annual reports of the amount of water used each month have not been received by the Department.

Based on FOF 9, the Department has determined that the permit holder has not demonstrated compliance with following permit conditions as required by Permit G-12366:

- "The water user shall install a meter or other suitable measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year"; and
- "...a water level in the well shall be made each year during the period March 1 through March 31. The permittee/appropriator shall submit a record of the measurement to the Department."

The Department recognizes that the permit contains two conditions regarding the requirement to submit annual water use reports, which may result in confusion about what is necessary to demonstrate compliance. The file contains record of annual water use reports being submitted for years 1996 through September 2002. No additional water use reports have been submitted since 2002. The permit holder is hereby given notice that annual water use reports must be submitted to the Department by December 1 every.

In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

² "Actual Construction" is defined in OAR 690-315-0020(3)(d)(A) and (B) as physical work performed toward completion of the water system which demonstrates the water right permit holder's good faith and intention to complete the project with reasonable diligence. Actual construction does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land or planting crops.

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

The amount of beneficial use made of the water during the permit time.

10. A maximum rate of 0.34 cfs of water has been appropriated from the Production Well for industrial use (heating and cooling).

Based on FOF 9, the Department has determined that beneficial use of water has not yet been demonstrated under this permit because not all permit conditions were satisfied by October 1, 1999.

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

11. An approximate total of \$52,100 has been invested. The costs included items associated with repair, maintenance, and operation of a water system which are not "actual construction" under this permit and therefore are not counted towards development. After deducting these costs, the approximate total investment for "actual construction" to date is approximately \$42,400 which is the total projected for complete development of this project.

Based on FOF 11, the Department has determined that the permit holder had made an investment, which provides evidence of good cause and reasonable diligence towards the complete application of water to a beneficial use.

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

The Application provides evidence of progress towards completion of the water system; a financial investment has been made; the permit holder has not demonstrated compliance with all permit conditions, and; beneficial use has not been demonstrated. The Department has determined the applicant has demonstrated the minimum necessary for the Department to find reasonable diligence towards complete application of water to a beneficial use.

The Market and Present Demands for Water [OAR 690-315-0040(4)(a-f)]

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

- *(a) The amount of water available to satisfy other affected water rights and scenic waterway flows;*
- *(b) Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d);*
- *(c) The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife;*

- (d) *Economic investment in the project to date;*
- (e) *Other economic interests dependent on completion of the project; and*
- (f) *Other factors relevant to the determination of the market and present demands for water and power.*

OAR 690-315-0040(4)(a)

The amount of water available to satisfy other affected water rights and scenic waterway flows.

12. A review of the amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-12366; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an Application for a new water right is submitted.

OAR 690-315-0040(4)(b)

Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).

13. The points of appropriation for Permit G-12366, located within the Palmer Creek Basin, are located within Amity Hills / Walnut Hill Ground Water Limited Area.
14. Palmer Creek is not located within or above any state or federal scenic waterway.
15. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

OAR 690-315-0040(4)(c)

The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.

16. Palmer Creek is located within an area ranked “moderate” for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife.

OAR 690-315-0040(4)(d)

Economic interests dependent on completion of the project.

17. An approximate total of \$42,400 has been invested in the project.

OAR 690-315-0040(4)(e)

Other economic interests dependent on completion of the project.

18. No other economic interests dependent on completion of the project have been identified.

OAR 690-315-0040(4)(f)

Other factors relevant to the determination of the market and present demand for water and power.

19. No other factors relevant to the determination of the market and present demand for water and power have been identified.

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

20. The use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

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

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

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

22. No unforeseen events were identified that contributed to the extended the length of time needed to fully develop and perfect Permit G-12366.

Denial of the Extension Will Result in Undue Hardship [OAR 690-315-0040(2)(i)]

23. A denial of the extension would result in undue hardship, and that there are no other reasonable alternatives exist for meeting water use needs

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

24. The Application provides evidence of good faith of the appropriator under Permit G-12366.

Based on FOF 5, 6, 7, 10, 11, and 17, the Department has determined that the applicant has shown good faith and reasonable diligence.

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

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

25. As of August 14, 2019, work is complete.

Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2004, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms and conditions of Permit G-12366 is both reasonable and necessary.

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

The Department must find that there is "good cause" to approve the extension. In making a "good cause" finding, the Department shall consider the requirements set forth under OAR 690-315-0040(2).

The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

CONCLUSIONS OF LAW

1. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
2. The applicant has complied with the construction timeline requirements to begin actual construction as required by ORS 537.630, OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
3. Based on Finding of Facts 5, through 24, completion of construction and full application of water to beneficial use can be accomplished by October 1, 2004, as required by OAR 690-315-0040(1)(c).
4. The applicant can complete the project within the time period requested for the extension on the project and is granted only for the reasonable time necessary to complete water development and apply water to beneficial use. OAR 690-315-0050(5).
5. The applicant has demonstrated good cause for the extension.

continued on following page

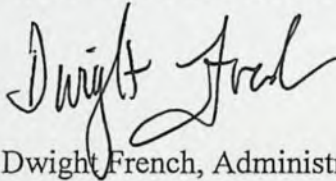
PROPOSED ORDER

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

Extend the time to complete construction of the water system under Permit G-12366 from October 1, 1998, to October 1, 2004.

Extend the time to apply water to beneficial use under Permit G-12366 from October 1, 1999, to October 1, 2004.

DATED: October 1, 2019



Dwight French, Administrator,
Water Right Services Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100 and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **November 15, 2019**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:

Application: G-13183

Permit: G-12360

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

Applicant/Permit

Holder(s) Monrova Nursery
12600 SE Alderman Rd.
Dayton, OR 97114

Proposed Completion Date: 10-1-2004

WRIG...Money Received on: Aug 14, 2019

Extension Specialist ...

Added to tracking spreadsheet

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

Tonya Miller...

Recent Assignment (Check WRIS for Update)

Publish on Public Notice (initial 30-day comment): Date of
notice 8/20/2019

Update WRIS Database

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

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

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

NOTES:

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: 6-13183 Permit: 6-12366 Permit Amendment? No Yes T- pending approved

Permit Holder's Name: Monrovia Nursery

Permit Holder's Mailing Address: 12600 Alderman Rd., Dayton OR 97114

email _____

Phone Number: 503-868-7941

Agent/CWRE _____

Drainage Basin: 2B County: Yamhill Watermaster District: 16 Watermaster: Joel Plahn
Mid Willamette

Date Permit was issued: 4-11-1996 Priority Date: 11-11-1992 Date of PN: 8-20-2019

Source: two wells in West Branch Palmer Creek Basin

Use: indust. use (heating and cooling)

"Q": 0.34 cfs

Orig "A" Date: 4-11-97 Orig "B" Date: 10-1-98 Orig "C" Date: 10-1-99

Extension request received: 8-14-2019 Last Authorized Date: _____ "C" Date: _____ Last Authorized Date: _____

Request Number (1, 2, 3...): 1 Proposed "B" Date: 2004 Proposed C Date: 2004

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
		Begin construction: <u>4-11-1997 (A-date)</u> <u>YAMH (783)</u> ^{start} <u>7-26-91</u>
X		<u>meter on other</u>
X		<u>SWL</u> <u>3-1-3-31</u>
	X	<u>AWUR</u> <u>1999-2003</u> <u>none since</u>

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

- Yes No
- Work was accomplished within the time allowed in the permit or previous extension
 - Water right permit holder conformed with the permit or previous extension conditions
 - Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used 0.34 cfs/gpm/af of the total permitted quantity of water on _____ acres
 - Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$ 50,600 Estimated Remaining Cost: \$ 0

GW REVIEW: Y N

MITIGATION REVIEW: Y N

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

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

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a critical or limited Ground Water Area? Name of area Amity Hills
- within a sensitive, threatened or endangered species area source: "/gisdata/dsw/projects/salmon/div33map.aml"
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- within an area ranking low/moderate / high/Highest (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Maps (by region)"

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

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

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

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

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

5-year Progress Report Checkpoints (Years: _____)

Other: _____

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

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES: Discuss AWUR condition w/ Dwight.
Which (may or shall) is the test?

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____ FO Issuance Date: _____

Reviewer's Name: _____ Date: _____



**Oregon Water Resources Department
Attribute Report**

Report Date: Aug 15, 2019

General:

TRSQQ:	WM5.00S4.00W1NESE WM5.00S3.00W6NESW WM5.00S3.00W6SWNW WM5.00S3.00W6SEW WM5.00S4.00W1SESE WM5.00S3.00W6SWSW WM5.00S3.00W6SESW WM5.00S3.00W6NWSW
DLC:	WM5S4W 55 WM5S3W 39 WM5S3W 44
Latitude:	45.1626381762
Longitude:	-123.1110109792
Buffer ft:	1320
DEM Elev. ft. (NAVD1929):	188.705
Lidar Elev. ft. (NAVD1988):	183.33
Basin Name:	Willamette
Basin Plan:	2B (6)-Middle Willamette (Coast Range)
County:	Yamhill
WM District:	16
WM Region:	NORTHWEST
ODFW Region, District:	Northwest Region, NWWD-Coast Range Unit
Irrigation District AOI:	<u>PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY</u>
Irrigation District, Other:	
Dams (Permit):	-
Water Rights:	<u>Platcard for WM5.00S4.00W1</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S4.00W1</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u>
Well Logs:	<u>Logs for WM5.00S4.00W1</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S4.00W1</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u>

Rules:

Withdrawn Authority:	-
Groundwater Restricted:	Amity Hills/Walnut Hill, Limited, <u>OAR 690-502-0210</u>
GW Restricted Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	Rules apply
Division 33:	Statewide
	Lower Columbia
Irrigation Season of Use:	Yamhill River Adj. Status: Adjudicated Subarea: undefined Irr. Season: Apr 1 to Sept 30 Duty: 2.5 Rate: 1/80
Water Quality Limited Pollutant 2012:	-
Fish Habitat 2018:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	-

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-
HUC 10:	1709000807
HUC Watershed:	Yamhill River
WAB Wshed Order:	6
WAB Analysis:	<u>YAMHILL R > WILLAMETTE R - AT MOUTH</u>
Streamflow:	OWRD Opportunities: Good ODFW Needs: Moderate Combined Priority: Not a priority
Gaging Station Data:	-

Sources:**General**

Oregon Public Land Survey Quarter-quarters. Bureau of Land Management, Oregon Water Resources Department.. n.d. 1:24,000.

Donated Land Claims. Oregon Water Resources Department. January 1, 1995. 1:100,000.

Elevation. DEM 10m. - -

Elevation. Lidar Elevation. DOGAMI Bare Earth 1:3.

OWRD Administrative Basins. Oregon Water Resources Department. January 1, 1995.

Oregon Counties. Bureau of Land Management (BLM), Oregon State Office.. January 1, 2008.

OWRD Watermaster Districts. Oregon Water Resources Department. March 31, 2014.

OWRD Regions. Oregon Water Resources Department. January 1, 1995.

ODFW Districts and Regions. Oregon Department of Fish and Wildlife. August 28, 2012.

Water Organizations Oregon Water Resources Department. April 1, 2013. 1:24,000.

Large Dams Inventory. Oregon Water Resources Department. August 12, 2014. 1:24,000.

Rules

Withdrawn Authority Areas. Oregon Water Resources Commission. January 1, 2007.

OWRD Groundwater Restricted Areas. Oregon Water Resources Department. October 5, 2016.

OWRD Groundwater Restricted Areas - Subunits. Oregon Water Resources Department. April 1, 2009.

ODEQ Groundwater Management Areas (GWMAs). Oregon Department of Environmental Quality. April 21, 2008.

Groundwater Umatilla Municipal Wells 5-mile buffer. Oregon Water Resources Department. June 28, 2012.

National Marine Fisheries Service (NMFS) 4(d) Rule. National Marine Fisheries Service. January 1, 2007.

Division 33. Oregon Water Resources Dept., 2018. September 20, 2018. 1:100,000.

Irrigation Season of Use. Oregon Water Resources Department, 2017.. March 24, 2017.

Oregon Water Quality Assessment 2012. This data set was assembled by the Oregon Department of Environmental Quality, Water Quality Division, Standards and Assessments Section.. December 4, 2014. 1:2,500,000.

Oregon Fish Habitat 2018. Oregon Department of Fish and Wildlife, Jon K. Bowers, Ruth Schellbach, David L. Bradford. Numerous fisheries biologists from ODFW as well as other natural resource agencies and tribes have contributed toward the development of these data. Data originator names are attributed at the feature level.. February 2, 2018. 1:24,000.

Deschutes USGS Groundwater Study Area. Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department.. January 1, 2001. 1:100,000.

Deschutes Zones of Impact. Oregon Water Resources Department.. October 25, 2007.

Deschutes Zones Overlay. Oregon Water Resources Department. October 25, 2007.

Oregon State Scenic Waterway areas. Oregon Water Resources Department, Oregon Parks and Recreation Department.. January 1, 2007.

Hydrography

Routed OWRD Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 11, 2014.

OWRD Lake Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 7, 2015.

Watershed Boundary Dataset (WBD), 10-digit (watershed). Pacific Northwest Hydrography Framework, U.S. Geological Survey (USGS), National Resources Conservation Service (NRCS).. June 11, 2014. 1:24,000.

Water Availability Basins. Oregon Water Resources Department.. n.d. 1:100,000.

Priority Watersheds for Streamflow Restoration. Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

Stream Gage Stations. Oregon Water Resources Department and US Geological Survey. n.d.

[close](#)

[Print Report](#)



RECEIVED
AUG 14 2019

OWRD
Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Monrovia Nursery

12600 SE Alderman Rd Dayton OR 97114

Transaction Type: Application for Extension of Time for a Water right

Fees Received: \$ 670.⁰⁰

Cash

Check:

Check No. 4485

Name(s) on Check: Monrovia Nursery Company

Address on Check: 817 E Monrovia Pl
Azusa CA 91702

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Judy Ferrell
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

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



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

Criteria for a Permit Extension of Time

The Department can accept requests for an extension of time on permits to (1) complete construction, and/or to (2) apply water to beneficial use.

In order to approve a permit extension request the Department must be able to find:

1) Construction has begun:

A. For Groundwater Permits

Construction of the well(s), *authorized by the permit*, began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

B. For Surface Water or Reservoir Permits

Construction of the water system began within 5 years of the date the permit was issued or by the actual construction date specified in the permit.

The Department will also confirm that:

- 2) If required, a fish screen, fish passage or fish by-pass device was installed before or prior to diversion of any water. An exception to the need to confirm installation prior to diversion of any water would be a waiver submitted to the Department from ODFW stating that a fish screen, fish passage or fish by-pass device was not required, provided your permit allows for a waiver.

If you have questions, please call the Department at (503)-986-0900 and ask to speak with a permit extension specialist.

RECEIVED
AUG 14 2019
OWRD



TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT
***A separate extension application must be submitted for each permit as per
 OAR 690-315-0020(2).***

I, Monrovia Nursery

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

12600 SE Alderman Rd
 ADDRESS

Dayton
 CITY

OR
 STATE

97114
 ZIP

1-503-868-7941
 PHONE

 E-MAIL ADDRESS

RECEIVED

AUG 14 2019

OWRD

the permit holder of: Application Number G-13183

Permit Number G-12366
 [OAR 690-315-0020(3)(b)]

do hereby request that the date by which the water development will be completed and water put to full beneficial use, which time now expires on Month: 10 Day: 1 Year: 1999, be extended to October 1, 2004, [OAR 690-315-0020(3)(i)]

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

	<u>8/5/2019</u>
Signature	Date
<u>H. Greg Rusow</u>	<u>8/5/2019</u>
Printed Name	Title

The agent below is authorized to represent the applicant in all matters relating to THIS application. _____
 Permit Holder Initials

 Authorized Agent (Print Agent Name) _____
 Agent contact

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$670
- Signature page (Second page of this Application for Extension of Time).
- Letter granting an agent authority to act on behalf of the permit holder (*if applicable*)
- All supporting documentation and/or evidence referenced in the Application for Extension of Time. (ODFW Fish screen approval or waiver, contract for stored water, etc)

MAIL COMPLETED APPLICATION

along with the Supporting documents and/ or evidence and correct fee to:

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

GENERAL TIPS:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form**. The correct form is APPLICATION FOR EXTENSION OF TIME FOR MUNICIPAL AND QUASI-MUNICIPAL WATER USE PERMITS.
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate APPLICATION FOR EXTENSION OF TIME must be submitted for each permit. OAR 690-315-0020(2).
- Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at the State of Oregon, Secretary of State Website. To be granted an extension of time, the Department must make four specific findings; 1) the application is complete, 2) construction of the water system began, 3) there is good cause, and 4) the project can be completed within the time being requested. If the Department cannot make all four findings, the extension of time cannot be approved.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 690-315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights Services Division.

RECEIVED

AUG 14 2019

OWRD

- An Application for an Extension of Time will be reviewed for completeness. A response is required for each item contained in the application. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

Reference Materials Needed to Complete this Application:

- **The water right permit.** If needed, a copy of the water right permit can be downloaded from the Department's Website, or, a copy of the permit may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- **Previous Applications and Orders.** Copies of previous applications and orders that may inform the completion of the Application for Extension of Time, if available, may be downloaded from the Department's Website. **NOTE: If the document requested is not available on the Department's website, you may be required to submit a Public Record Request.**
- **Documentation which demonstrates compliance with permit conditions** (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Questions to complete this application for an Extension of Time
Please see the instruction sheet to help you answer these items.

1. **Beginning Construction within required deadlines.** OAR 690-315-0020(3)(d)

For Groundwater Permits

Has construction of the point of appropriation (well) authorized under this permit begun?

Yes No

Date construction began Month: 7 Day: 26 Year: 1991

Details of construction and attach documentation: Construction of the production well (YAMH 783) was completed on 7/29/1991, and the injection well (YAMH 1928) was completed on 11/13/1992. See well logs attached. The water conveyance piping system and meter installation was completed in 1992. The production-injections system is used for heating and cooling of buildings on site. The total costs for the complete application of the water to be used was around \$50,000. The initial static water level reading was obtained and reported in March 2001 by a licensed driller and the annual water level measurements have been completed and reported by a CWRE every year since 2003.

RECEIVED

AUG 14 2019

OWRD

For Surface/Reservoir Permit

Has construction of the water system begun? Yes No

Date construction began Month: _____ Day: _____ Year: _____

Details of construction and attach documentation: _____

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

2a. Permits typically contain standard or special conditions that must be fully satisfied to lawfully develop and use permitted water. Review the permit subject to this extension to identify which of the conditions listed in the 2nd column are contained within it. Using the extra row labeled "other" to specify any other additional conditions included in the permit, or specified in a final order approving a permit amendment or prior extension of time. In the 1st column check the box for each condition (row) identified as relevant. In the 3rd column check "Yes" if you have completed or met the permit condition. Check "No" if the condition is not yet satisfied. In the 4th column, give the date when the condition was satisfied or will be satisfied. Attach any pertinent documentation. Note: a pump test condition does not need to be addressed here however; you must submit the results of the test to the Department for approval prior to certification.

CHART-A

Permit Conditions in this Permit		Have Completed or Met?	Date satisfied/ or will be satisfied
Checkbox	Ground water Check those included on this permit		
<input checked="" type="checkbox"/>	Installation of a meter/totalizing flow meter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1992
<input type="checkbox"/>	Submittal of annual water usage report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/>	Submittal of initial static water level measurement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	3/20/2001
<input checked="" type="checkbox"/>	Submittal of annual static water level measurements in the month required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	3/11/2003
<input type="checkbox"/>	Submittal of Seven consecutive static water level measurements in the month required	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Special well construction standards	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a monitoring plan	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Surface Water or Reservoir			
<input type="checkbox"/>	Installation of a meter/ totalizing flow meter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of annual water use report	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish screen	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish by-pass device	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of a fish passage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Installation of an outlet gate/pipe/ conduit	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from ODFW that fish screen, fish by-pass device, and or fish passage is not required	<input type="checkbox"/> Yes <input type="checkbox"/> No	

RECEIVED

<input type="checkbox"/>	Submit as-built plans and specification	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Submittal of a letter from an engineer prior to storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	Other (Specify):	<input type="checkbox"/> Yes <input type="checkbox"/> No	

2b. If you have identified that you have NOT complied with Permit conditions, explain the reasons why and indicate a date certain, when you will be in compliance.

The permit conditions were initially not in compliance due to not recording the annual static water level measurements to the department as required. This was not served because this information had not been read or understood from the permit specifications and conditions report. The original CWRE filed claim of beneficial use report received on April 10, 2003 and apparently missed this water level measurement condition requirement, consequently failed to submit an extension during that time.

On June 14, 2019, the OWRD mailed a proposed order of certification. This notice stated that "The order proposes to cancel Permit G-12366." Where the finding of facts included stated: (5) "The permit contained the below listed condition that was not complied with: (b)... a water level measurement shall be made each year during the period March 1 through 31." (6) "The department records show that the first march static water level measurement was submitted in 2001." (7) "The permit holder did not submit static water level measurements for the month of March in any year between when the permit was issued (April 11, 1996) and the C-Date (October 1, 1999)."

Thus, the permittee was not aware of the annual static water level measurement condition was non-compliant with the permit conditions until well after the claim of beneficial use report was received in 2003.

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

3. Provide evidence of physical work made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-B); and if applicable, within the time period of the most recent extension granted (CHART-C). CHART-B (below) must be completed for all Application for Extension of Time requests. Use chronological order. Itemize each work item, and do not combine multiple work actions in one area. (Planning, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, surveying, clearing land, or planting crops is not considered work in the development of the water system. Work accomplished under other water rights may not be considered work under this permit.)

RECEIVED
AUG 14 2019
OWRD

CHART-B

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
7/29/1991	Well drilled (YAMH 783) and constructed - production well, completed depth 205-ft	\$9,100.00

11/13/1992	Well (YAMH 1928) drilled and constructed - injection well, completed depth 355-ft	\$15,000.00*
11/1992-1993	Well meter installation	200.00
1992	Heating system	18,300.00
DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
4/11/1996	Date the permit was signed - find date above signature on last page of permit.	
1997	Exact date unknown: Replace pump (approximate cost)	\$8,000.00*
1997	Exact date unknown: replace flow meter (approximate cost)	\$200.00*
10/1/1999	Date the permit specified complete application of water to the use shall be made- all permits contain this date.	
DATE	WORK ACCOMPLISHED AFTER the date the permit specified complete application of water and prior to any previous extension order <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR AN EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
3/20/2001	Initial SWL measurement completed by licensed drilled (OWRD record)	\$100.00
4/10/2003	Claim of Beneficial Use report and filed by CWRE	\$1,000.00
4/15/2003	annual SWL measurement and filed by CWRE	\$200.00
4/15/2004	annual SWL measurement and filed by CWRE	\$200.00
Total Cost for Chart-B		\$52,100.00*

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

42,400

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

CHART-C

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
	"Extended From" date for complete application of water used in the most recent Final Order on Extension of Time.	
	RECEIVED	
	AUG 14 2019	
	OWRD	

	"Extended To" date for complete application of water resulting from the most recent Final Order on Extension of Time.	
DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost of Chart-C		

* If exact cost is not known, you must provide your best estimate. [OAR 690-315-0020(3)(f)]

5. **Cost of project to date: \$52,100.00***
(The total combined cost from CHART-B and CHART-C) [OAR 690-315-0020(f)]

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

Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit made to date.

TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

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

TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = _____ cfs (cubic feet per second) or,

Maximum rate used to date = _____ gpm (gallons per minute) or,

Maximum volume of stored water used to date = _____ or,

RECEIVED
AUG 14 2019
OWRD

Maximum volume stored annually to date = _____ AF

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

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

CHART-D

Well # as identified on Permit	Water User's Well #	Has this well been drilled?	IF DRILLED					
			Well Log Number e.g. MORR 50473	Well Tag Number e.g. # 27566 or N/A	Is the actual drilled location authorized on this permit or on a permit amendment?	Maximum instantaneous rate used to date from this well - - under <u>this permit</u> only (CFS or GPM)	Is this well authorized or utilized under any OTHER water rights?	If yes, provide the Permit, Certificate, or Transfer No.
Production	POD 1	Yes <input checked="" type="checkbox"/>	YAMH 783	0	Yes <input checked="" type="checkbox"/>	0.340	Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input checked="" type="checkbox"/>		No <input checked="" type="checkbox"/>	
Injection	POD 2	Yes <input checked="" type="checkbox"/>	YAMH 1928	0	Yes <input checked="" type="checkbox"/>	0.340	Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input checked="" type="checkbox"/>		No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
		Yes <input type="checkbox"/>			Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	-
		No <input type="checkbox"/>			No <input type="checkbox"/>		No <input type="checkbox"/>	-
Total instantaneous rate from all wells utilized under this permit								

8. Has a Permit Amendment Application been filed? Yes No
 If yes, identify Transfer No. T-_____

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

9. For Irrigation and Nursery Use Permits Extensions

Provide the total number of acres irrigated to date under this permit.

a) Total acres irrigated to date: N/A

b) List by year, the number of acres irrigated each year since permit issuance.

Year	Acres	Year	Acres	Year	Acres

c) Provide a copy of the application map identifying the acres irrigated.

RECEIVED

AUG 14 2019

OWRD

d) Please specify the number of acres irrigated by each Point of Diversion/Point of Appropriation (POD/POA).

(POD/POA)# _____ Acres _____ (POD/POA) # _____ Acres _____

(POD/POA) # _____ Acres _____ (POD/POA) # _____ Acres _____

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

10. In the chart below provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-E

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
4/15/2004	All permit conditions have been in compliance since 2003	\$0.00
Year: 2004	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$0.00

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

11. Estimated remaining cost to complete the project: 0
 (The total cost from CHART-E)

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

12. Provide a summary of your plan to complete construction, meeting all permit conditions and apply the water to beneficial use: (List all tasks or steps needed to complete the project, the date when each task will be completed, and the cost associated with each task; attach additional pages if necessary.) The annual static water levels have been measured and compliant with permit conditions since 2003 by a CWRE.

RECEIVED

AUG 14 2019

OWRD

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

13. Justify the time requested to complete the project and/or apply the water to full beneficial use. (Include any other information or evidence to establish that the requested

amount of time is sufficient and that you will be able to complete the project within the amount of time requested.)

We are asking for an extension to be able to meet permit condition for annual water level measuring.

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

14a. Will a denial of the extension result in undue hardship? *(Describe the hardship and the effects.)* Yes - the production-injection system is used for heating and cooling of operations for the nursery business.

14b. Are there any other reasonable alternatives that exist for meeting your water use needs? *(Explain in detail, consider other potential sources of water, and describe their feasibility)* No - There is no other water source that will allow heating and cooling of system operations.

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

15. Was the delay in the timely completion of this water development project and/or timely application of water to full beneficial use caused by any additional government requirements, other than the conditions contained within the permit, which significantly delayed the completion and perfection of this right? *(Explain in detail, including how much time did this delay the project; list dates.)* No

RECEIVED

AUG 14 2019

OWRD

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

16. Describe any unforeseen events which contributed to the delay of completion of this project that you had no control over. (Explain in detail what the unforeseen events were (i.e. health issues, natural disaster) and how much time was spent addressing the unforeseen events.) No unforeseen events.

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

17. Describe an additional reasons why the construction was not completed, and/or water was not beneficially used within permit time limits. (Provide supporting information for the reason(s) that best fits your circumstances.)
No other additional reasons are relevant.

[OAR 690-315-0020(3)(m)(n)]

18. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.
No other information at this time.

[OAR 690-315-0040(2)(f)]

19. Will the income or use of the water project provide a fair and reasonable return on your investment? (Explain in detail) The application of water use will allow for heating and cooling systems is critical for business operations.

RECEIVED

AUG 14 2019

OWRD

[OAR 690-315-0040(4)(d)]

20. Describe in detail if there are other economic interest, beyond those of the permit holder, which are dependent upon the completion of this project. (*Who will be effected and how?*) N/A

Attach permit, and documentation to the application

RECEIVED

AUG 14 2019

OWRD

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

RECEIVED

AUG 14 2019

OWRD

THIS PERMIT IS HEREBY ISSUED TO

MONROVIA NURSERY
12600 SE ALDERMAN RD
DAYTON, OREGON 97114

(503) 868-7941

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

APPLICATION FILE NUMBER: G-13183

SOURCE OF WATER: TWO WELLS IN WEST BRANCH PALMER CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE (HEATING AND COOLING)

RATE OF USE: 0.34 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 11, 1992

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 6, T5S, R3W, W.M.;
PRODUCTION WELL: 800 FEET SOUTH AND 1550 FEET WEST; INJECTION WELL: 660
FEET SOUTH AND 1550 FEET WEST, BOTH FROM THE C 1/4 CORNER OF SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SECTION 6
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

RECEIVED

AUG 14 2019

OWRD

PAGE 2

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting

Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A total water level decline of 15 or more feet; or
- (C) A hydraulic interference decline of 15 or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.

- (A) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
- (B) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
- (C) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
- (D) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

RECEIVED
AUG 14 2019

PAGE 3

OWRD

(E) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3) procedures for review and approval.

The use of water under this permit for industrial use (heating and cooling) in excess of 5,000 gallons per day shall be subsequent in priority to future beneficial consumptive use unless a two well system is constructed and all waste water is recharged to the same groundwater reservoir from which it was withdrawn.

STANDARD CONDITIONS

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

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

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

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

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

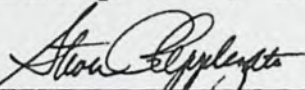
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

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

Issued April 11, 1996



for Martha O. Page, Director
Water Resources Department

RECEIVED

AUG 14 2019

OWRD

Application G-13183 Water Resources Department
Basin 02 Vol. 12A, West Branch Palmer Creek & Misc.
MGMT.CODES 7IG, 7IR

PERMIT G-12366
District 16

3
STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

YAMHILL 193
Application No. 6-13183, Production Well
RECEIVED
Permit No. 24791
(START CARD) #

(1) OWNER: Well Number: 193B 1 24992
Name MONROVIA NURSERY
Address 12600 SE ALDERMAN RD WATER RESOURCES DEPT. 5 S
City DAYTON State OR. Zip 97114

LOCATION OF WELL by legal description:
YAMHILL
County DEPT. 5 S Latitude 3 Longitude
Township 6 N or S Range SW E or W. WM.
Section 6 NW 1/4 SW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address)
13270 SE LAFAYETTE HWY DAYTON,

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 205 ft.
Yes No X
Explosives used X Type _____ Amount _____

HOLE		SEAL		Amount		
Diameter	From	To	Material	From	To	sacks or pounds
10.5	0	39	CEMENT	0	39	14 SAK
8	39	205				

How was seal placed: Method A B C D E
 Other _____
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 3	+1	39	25	<input checked="" type="checkbox"/> X	<input type="checkbox"/>	<input checked="" type="checkbox"/> X	<input type="checkbox"/>
Liner: 6	0	205	160	<input type="checkbox"/>	<input checked="" type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:
 Perforations Method SAW
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
165	205	5"	160			<input type="checkbox"/>	<input checked="" type="checkbox"/> X

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time
300.00 205 1 hr.
300 205 2

Temperature of water 49 Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(10) STATIC WATER LEVEL:
27 ft. below land surface. Date 07/29/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 110

From	To	Estimated Flow Rate	SWL
110	125	20	27
150	165	280	27

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
TOP SOIL	0	4	
BROWN CLAY	4	28	
DECAYED BASALT	28	31	
GRAY BASALT	31	110	
SOFT BASALT	110	125	27
GRAY BASALT	125	130	
SOFT BROWN BASALT	130	144	
GRAY BASALT	144	160	
POUROUS GRAY BASALT	160	166	27
GRAY BASALT	166	205	

Eagle's Nest Well #10

BLUE WATER DRILLING CO.
DAYTON, OR. 97114

Date started 07/26/91 Completed 07/29/91

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
Signed Robert S. Schellbama WWC Number 1438 Date 07/29/91

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
Signed Robert S. Schellbama WWC Number 417 Date 7-29-91

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

(YAMHILL 1928)

PAGE 1

(START CARD) # 48180

5s/3w/6ck

(1) OWNER: Well Number 1350
 Name MONROVIA NURSERY
 Address 12600 SE ALDERMAN RD
 City DAYTON State OR Zip 97114

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

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

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 355 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			Material	SEAL		Amount sacks or pounds
Diameter	From	To		From	To	
10	0	38	CEMENT	0	38	21 SAX
6	38	355				

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

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

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6	+2	38	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4	0	355	160#	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perforations Method SAW
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
175	195	6"	40			<input type="checkbox"/>	<input checked="" type="checkbox"/>
215	235	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
255	275	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
295	315	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
335	355	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
100.00		355	1 hr.

Temperature of Water 55 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County YAMHILL Latitude _____ Longitude _____
 Township 5 S N or S. Range 3 W E or W. WM.
 Section 6 NW 1/4 SW 1/4
 Tax Lot 5306 Lot 1000 Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____
13270 LAFAYETTE-HOPEWELL HWY

(10) STATIC WATER LEVEL:
37 ft. below land surface. Date 11/13/92
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 78

From	To	Estimated Flow Rate	SWL
78	102	15	37
164	185	7	37
248	270	8	37
319	344	70	37

(12) WELL LOG: Ground elevation 175

Material	From	To	SWL
TOP SOIL	0	3	
BROWN CLAY	3	30	
DECAYED BASALT	30	32	
GRAY BASALT	32	78	
RED DECAYED BASALT	78	89	
BROWN DECAYED BASALT	89	102	37
GRAY BASALT	102	123	
BROWN DECAYED BASALT	123	143	
MEDIUM GRAY BASALT	143	164	
DECAYED BASALT	164	185	37
MEDIUM GRAY BASALT	185	248	
RED DECAYED BASALT	248	263	
BROWN DECAYED BASALT	263	270	37
SOFT BLACK, SOME DECAY	270	281	
RAY BASALT	281	318	
DECAYED BASALT	318	344	37
GRAY BASALT	344	355	
blue water drilling co.			
dayton, or.			97114

Date started 11/11/92 Completed 11/13/92

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 Signed *[Signature]* WWC Number 1438
 Date 11/13/92

16

JUL 31 1991

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

WATER RESOURCES DEPT.
SALEM, OREGON
PAGE

55/36/6 cb
24791
(START CARD) #

YAMH
7/93

(1) OWNER: Well Number: 1235
Name: MONROVIA NURSERY
Address: 12600 SE ALDERMAN RD
City: DAYTON State: OR Zip: 97114

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

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 205
Explosives used X Type Amount

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
10.5	0 39	CEMENT	0 39	14 SAX
8	39 205			

How was seal placed: Method A B C D E
 Other
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

Casing/Liner	Diameter	From	To	Gauge	Steel		Plastic		Welded		Threaded	
					Yes	No	Yes	No	Yes	No	Yes	No
Casing	8	+1	39	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner	6	0	205	160	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets

(7) PERFORATIONS/SCREENS:
 Perforations Method: SAW
 Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
165	205	6"	160			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time
300 0.0 205 1 hr.
300 205 2

Temperature of water 49 Depth Artesian Flow Found
Was a water analysis done? Yes By whom
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County: YAMHILL Latitude Longitude
Township: 5 S N. or S. Range: 3 W E or W, WM.
Section: 6 NW 1/4 SW 1/4
Tax Lot Lof Block Subdivision
Street Address of Well (or nearest address):
13270 SE LAFAYETTE HWY DAYTON,

(10) STATIC WATER LEVEL:
27 ft. below land surface. Date: 07/29/91
Artesian pressure lb. per square inch. Date:

(11) WATER BEARING ZONES:
Depth at which water was first found: 110

From	To	Estimated Flow Rate	SWL
110	125	20	27
160	165	280	27

(12) WELL LOG: Ground elevation

Material	From	To	SWL
TOP SOIL	0	4	
BROWN CLAY	4	28	
DECAYED BASALT	28	31	
GRAY BASALT	31	110	
SOFT BASALT	110	125	27
GRAY BASALT	125	130	
SOFT BROWN BASALT	130	144	
GRAY BASALT	144	160	
POUROUS GRAY BASALT	160	166	27
GRAY BASALT	166	205	

RECEIVED
AUG 14 2019
OWRD
BLUE WATER DRILLING CO.
DAYTON, OR. 97114

Date started 07/26/91 Completed 07/29/91

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
Signed: [Signature] WWC Number 1438
Date: 07/29/91

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
Signed: Robert S. Kelbarian WWC Number 417
Date: 7-29-91

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

YAMHILL
1928

RECEIVED

NOV 18 1992

5s/3w/6cb

PAGE WATER RESOURCES DEPT. (START CARD) # 48180

(1) OWNER: Well Number 1350
Name MONROVIA NURSERY
Address 12600 SE ALDERMAN RD
City DAYTON State OR Zip 97114

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 355 ft.
Explosives used Yes No Type Amount

HOLE			X	Material	SEAL		Amount sacks or pounds
Diameter	From	To			From	To	
10	0	38		CEMENT	0	38	21 SAX
6	38	355					

How was seal placed: Method A B C D E
 Other
Backfill placed from ___ ft. to ___ ft. Material
Gravel placed from ___ ft. to ___ ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
6	+2	38	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	0	355	160#	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)
(7) PERFORATIONS/SCREENS:
 Perforations Method SAW
 Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
175	195	6"	40			<input type="checkbox"/>	<input checked="" type="checkbox"/>
215	235	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
255	275	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
295	315	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
335	355	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min 100.00 Drawdown Drill stem at 355 Time 1 hr.

Temperature of Water 55 Depth Artesian Flow Found
Was a water analysis done? Yes By whom
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County YAMHILL Latitude Longitude
Township 5 S N or S. Range 3 W E or W. WM.
Section 6 NW 1/4 SW 1/4
Tax Lot 5306 Lot 1000 Block Subdivision
Street Address of Well (or nearest address)
13270 LAFAYETTE-HOPEWELL HWY

(10) STATIC WATER LEVEL:
37 ft. below land surface. Date 11/13/92
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 78

From	To	Estimated Flow Rate	SWL
78	102	15	37
164	185	7	37
248	270	8	37
319	344	70	37

(12) WELL LOG:
Ground elevation 175

Material	From	To	SWL
TOP SOIL	0	3	
BROWN CLAY	3	30	
DECAYED BASALT	30	32	
GRAY BASALT	32	78	
RED DECAYED BASALT	78	89	
BROWN DECAYED BASALT	89	102	37
GRAY BASALT	102	123	
BROWN DECAYED BASALT	123	143	
MEDIUM GRAY BASALT	143	164	
DECAYED BASALT	164	185	37
MEDIUM GRAY BASALT	185	248	
RED DECAYED BASALT	248	263	
BROWN DECAYED BASALT	263	270	37
SOFT BLACK, SOME DECAY	270	281	
RAY BASALT	281	318	
DECAYED BASALT	318	344	37
GRAY BASALT	344	355	
blue water drilling co.			
dayton, or.		97114	

Date started 11/11/92 Completed 11/13/92

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

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 1438
Signed Date 11/13/92

RECEIVED
AUG 14 2019

Site Identification (Click to Collapse...)

GW LogID: YAMH 1928 [Well Log Database](#)

GW Well Tag Number:
 Tag Verified on Well: No
 Site Type: WELL
 Primary Use: UNUSED
 Unused Status:
 Site Source Organization:
 Site Source OWRD:
 Established By: KARL WOZNIAK
 Established Date: 11/21/2001
 Bonded Company: BLUE WATER DRILLING CO.
 Stage: COMPLETE

Location (Click to Collapse...)

Latitude/Longitude
 Latitude: 45.16340475 Horiz. Error: 1000.00 ft.
 Longitude: -123.10923468 Datum: WGS1984
 Lat/Long Source: UNKNOWN

Location
 TRSQQ: WM 5.0053 0 DWGNWSW
 Tax Map:
 Tazlot:
 24 Quad: DAYTON
 Basin: 2 - Willamette
 County: Yamhill
 WM District: 18
 WM Region: NW
 LSD Elev: 160.00 Accy: 10.00 Datum: NQVD1929
 Elev Source: 7.5-MINUTE MAP
 Groundwater_Mapping_Tool



USDA FSA, DigitalGlobe, GeoEye | Oregon Water Resources De...
 Powered by Esri

Water Rights (Click to Expand...)

Well Construction History (Click to Collapse...)

Well Construction History

Well Log Id	Well Log	Work Type	Startcard	Well Tag	Owner Name	First Water	Max Case Diam.	Max Case Depth	Max Seal Depth	Max Depth	Completed Depth	Complete Date
YAMH 1928	Log	NEW	48180		MONROVIA NURSERY	78.00	6			355.00	355.00	11/13/1992

Well Log	Aquifer	An at Max Depth	System Aquifer	Regional USGS Aquifer	Local USGS Aquifer
YAMH 1928	Columbia River Basalt	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers		Columbia River Basalt Group

Well Test

No data matches search criteria.

Lithology (Click to Expand...)

Well Construction (Click to Expand...)

Measured Water Level (Click to Collapse...)

Records/Page: 20 / 1 of 1

Measured Water Level

Date	Time	Water Level (BLSL)	WL Elev (ft AMSL)	Organization	QWRQ	Method	Status	MP Height
3/9/2019		44.30	115.70	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/17/2018		34.85	125.15	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/19/2017		40.26	119.74	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/12/2016		41.53	118.47	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/21/2015		44.14	115.86	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/8/2014		49.46	110.54	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40

RECEIVED
AUG 14 2019
OWRD

YAMH0001928

3/16/2013	39.16	120.84	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/10/2012	39.36	120.64	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/12/2011	37.67	122.33	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/6/2010	38.73	121.27	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/14/2009	39.34	120.66	CWRE	PERMIT CONDITION PROGRAM	ETAPE	FALLING	2.40
3/1/2008	32.55	127.45	CWRE	PERMIT CONDITION PROGRAM	ETAPE	FALLING	2.40
3/17/2007	22.52	137.48	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/17/2006	36.84	123.16	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/13/2005	46.16	113.84	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/1/2004	27.99	132.01	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.40
3/11/2003	17.77	142.23	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.60
4/23/2002	21.52	138.48	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.60
3/20/2001	25.08	134.92	DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	2.66
10/26/1996	35.91	124.09	USGS	GWATER	ETAPE	STATIC	
2							

Available Data

(Click to Expand...)

[View Hydrgraph](#)

RECEIVED
AUG 14 2019
OWRD

YAMH0000783

Site Identification (Click to Collapse...)

GW LogID: YAMH 783 Well Log Database

GW Well Tag Number: _____
 Tag Verified on Well: No
 Site Type: WELL
 Primary Use: _____
 Unused Status: _____
 Site Source Organization: _____
 Site Source OWRD: _____
 Established By: KARL WOZNAK
 Established Date: 09/09/2004
 Bonded Company: BLUE WATER DRILLING CO.
 Stage: COMPLETE

Location (Click to Collapse...)

Latitude/Longitude

Latitude: 45.16311218 Horiz. Error: 250.00 ft
 Longitude: -123.11024750 Datum: WGS1984

Lat/Long Source: WRI APPL MAP

Location

TRSQQ: WM 5.0053 00W6NWSW
 Tax Map: _____
 Taxlot: _____
 24 Quad: _____
 Basin: 2 - Willamette
 County: Yamhill
 WM District: 16
 WM Region: NW
 LSD Elev: 175.00 Acy: 10.00 Datum: NGVD1929
 Elev Source: 7.5-MINUTE MAP
 Groundwater Mapping Tool

USDA FSA, DigitalGlobe, GeoEye | Oregon Water Resources De...
 Powered by Esri

Water Rights (Click to Expand...)

Well Construction History (Click to Collapse...)

Well Construction History

Well Log Id	Well Log	Work Type	Started	Well Tag	Owner Name	First Water	Max Case Diam.	Max Case Depth	Max Seal Depth	Max Depth	Completed Depth	Complete Date
YAMH 783	Log	NEW	24791		MONROVIA NURSERY	110.00	8			205.00	205.00	7/29/1991

Well Log	Aquifer	Aq at Max Depth	System Aquifer	Regional USGS Aquifer	Local USGS Aquifer
YAMH 783	Columbia River Basalt	Late Tertiary Basalt Aq	Late Tertiary Basalt Aquifers		Columbia River Basalt Group

Well Test

No data matches search criteria.

Measured Water Level (Click to Collapse...)

Records/Page: 20 Find

Measured Water Level

Date	Time	Water Level (BLSG)	WL Elev (ft AMSL)	Organization	QWRD	Method	Status	MP Height
3/9/2019				CWRE	PERMIT CONDITION PROGRAM	NOT MEASURED	UNKNOWN	
3/17/2018				CWRE	PERMIT CONDITION PROGRAM	NOT MEASURED	UNKNOWN	
3/8/2017				CWRE	PERMIT CONDITION PROGRAM	NOT MEASURED	UNKNOWN	1.00
3/17/2016		46.52	128.48	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/31/2015		47.89	127.11	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/8/2014		54.81	130.19	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/16/2013		42.58	132.42	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/10/2012		44.17	130.83	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/12/2011		43.08	131.92	CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00

https://apps.wrd.state.or.us/apps/gw_info/gw_info_report/gw_details.aspx?gw_site_id=9168[8/13/2019 2:09:17 PM]

RECEIVED
AUG 14 2019
OWRD

YAMI0000783

3/6/2010	45.37	129.63 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/14/2009	46.22	128.78 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/1/2008	39.95	135.05 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/17/2007	36.93	138.07 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/17/2006	46.25	128.75 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/13/2005	51.72	123.28 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/1/2004	42.23	132.77 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/11/2003	31.90	143.10 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
4/23/2002	30.00	145.00 CWRE	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00
3/20/2001	30.66	144.34 DRILLER	PERMIT CONDITION PROGRAM	ETAPE	STATIC	1.00

Available Data

(Click to Expand...)

[View Hydrograph](#)

RECEIVED
AUG 14 2019
OWRD

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: G-13183 Permit: G-12366 Permit Amendment? No Yes T- pending approved

Permit Holder's Name: Monrova Nursery

Permit Holder's Mailing Address: 12600 SE Alderman Rd. Dayton OR 97477

email _____

Phone Number: 503-868-7941

Agent/CWRE _____

Drainage Basin 2B County: Yamhill Watermaster District: 16 Watermaster: Joel Pahn

Date Permit was issued: April 11, 1994 Priority Date: Nov 11, 1992 Date of PN: Aug 20 2019

Source: 0.34 cfs Two wells in West Branch Palmer Creek Basin

Use: industrial use (heating and cooling)

"Q": 0.34 cfs

Orig "A" Date: April 1997 Orig "B" Date: 10-1-98 Orig "C" Date: 10-1-99

Extension request received: 8-14-2019 Last Authorized Date: _____ "C" Date: _____

Request Number (1, 2, 3...): 1 Proposed "B" Date: 2001 Proposed C Date: 2001

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
		Begin construction:
		meter
		AWUR - may and shall
		SNL

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

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 0.34 cfs/gpm/af of the total permitted quantity of water on 1A acres

- Financial investments were made toward developing the beneficial water use.

- Amount Invested to date: \$ 42,400 Estimated Remaining Cost: \$ 0

52,100 - includes maint. & measurement costs

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

GW REVIEW: Y (N)

MITIGATION REVIEW: Y (N)

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

Identify the closest surface water or localized water basin. _____

Ground Water Permits: Is the POA located... _____

Surface Water Permits: Is the POD located... _____

Yes No

- above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a critical or limited Ground Water Area? Name of area Andy Hills / Walnut Hill Limited
- within a sensitive, threatened or endangered species area source: "/gisdata/dev/projects/salmon/div33map.aml"
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- within an area ranking low/moderate/high/Highest (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

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

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

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

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

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

5-year Progress Report Checkpoints (Years: _____)

Other: Water Use Reporting Clarification.

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

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Mailing / Issuance Date: _____ Protest Deadline Date: _____ FO Issuance Date: _____

Reviewer's Name: J.P Date: _____

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MONROVIA NURSERY
12600 SE ALDERMAN RD
DAYTON, OREGON 97114

(503) 868-7941

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

APPLICATION FILE NUMBER: G-13183

SOURCE OF WATER: TWO WELLS IN WEST BRANCH PALMER CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE (HEATING AND COOLING)

RATE OF USE: 0.34 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 11, 1992

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 6, T5S, R3W, W.M.;
PRODUCTION WELL: 800 FEET SOUTH AND 1550 FEET WEST; INJECTION WELL: 660
FEET SOUTH AND 1550 FEET WEST, BOTH FROM THE C 1/4 CORNER OF SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SECTION 6
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting

Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A total water level decline of 15 or more feet; or
- (C) A hydraulic interference decline of 15 or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.

- (A) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
- (B) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
- (C) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
- (D) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

(E) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3) procedures for review and approval.

The use of water under this permit for industrial use (heating and cooling) in excess of 5,000 gallons per day shall be subsequent in priority to future beneficial consumptive use unless a two well system is constructed and all waste water is recharged to the same groundwater reservoir from which it was withdrawn.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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



**Oregon Water Resources Department
Attribute Report**

Report Date: Aug 22, 2019

General:

TRSQQ:	WM5.00S4.00W1NESE WM5.00S3.00W6NESW WM5.00S4.00W1SESE WM5.00S4.00W1SENE WM5.00S3.00W6SWSW WM5.00S3.00W6SESW WM5.00S3.00W6NWSW WM5.00S3.00W6SWNW WM5.00S3.00W6SENW
DLC:	WM5S4W 55 WM5S3W 39 WM5S3W 44
Latitude:	45.1629105107
Longitude:	-123.1110538945
Buffer ft:	1320
DEM Elev. ft. (NAVD1929):	189.783
Lidar Elev. ft. (NAVD1988):	184.37
Basin Name:	Willamette
Basin Plan:	2B (6)-Middle Willamette (Coast Range)
County:	Yamhill
WM District:	16
WM Region:	NORTHWEST
ODFW Region, District:	Northwest Region, NWWD-Coast Range Unit
Irrigation District AOI:	<u>PALMER CREEK WATER DISTRICT IMPROVEMENT COMPANY</u>
Irrigation District, Other:	
Dams (Permit):	-

Water Rights:	<u>Platcard for WM5.00S4.00W1</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S4.00W1</u> <u>Platcard for WM5.00S4.00W1</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u> <u>Platcard for WM5.00S3.00W6</u>
---------------	---

Well Logs:	<u>Logs for WM5.00S4.00W1</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S4.00W1</u> <u>Logs for WM5.00S4.00W1</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u> <u>Logs for WM5.00S3.00W6</u>
------------	--

Rules:

Withdrawn Authority:	-
Groundwater Restricted:	Amity Hills/Walnut Hill, Limited, <u>OAD 690-502-0210</u>
GW Restricted Subunit:	-
GW ODEQ Management Area:	-
GW Umatilla Muni Wells (5mile):	-
Rule 4D:	Rules apply
Division 33:	Statewide
	Lower Columbia
Irrigation Season of Use:	Yamhill River Adj. Status: Adjudicated Subarea: undefined Irr. Season: Apr 1 to Sept 30 Duty: 2.5 Rate: 1/80

Water Quality Limited Pollutant 2012:	-
Fish Habitat 2018:	-
Is in Deschutes Study Area:	-
Deschutes Zone Impact:	-
Deschutes Zone Overlay:	-
Scenic Water Way:	-

Hydrography:

OWRD Streamcode:	-
Waterbody Name:	-
HUC 10:	1709000807
HUC Watershed:	Yamhill River
WAB Wshed Order:	6
WAB Analysis:	<u>YAMHILL R > WILLAMETTE R - AT MOUTH</u>
Streamflow:	OWRD Opportunities: Good ODFW Needs: Moderate Combined Priority: Not a priority
Gaging Station Data:	-

Sources:

<i>General</i>
<i>Oregon Public Land Survey Quarter-quarters.</i> Bureau of Land Management, Oregon Water Resources Department.. n.d. 1:24,000.
<i>Donated Land Claims.</i> Oregon Water Resources Department. January 1, 1995. 1:100,000.
<i>Elevation.</i> DEM 10m. - -
<i>Elevation.</i> Lidar Elevation. DOGAMI Bare Earth 1:3.
<i>OWRD Administrative Basins.</i> Oregon Water Resources Department. January 1, 1995.
<i>Oregon Counties.</i> Bureau of Land Management (BLM), Oregon State Office.. January 1, 2008.

OWRD Watermaster Districts. Oregon Water Resources Department. March 31, 2014.

OWRD Regions. Oregon Water Resources Department. January 1, 1995.

ODFW Districts and Regions. Oregon Department of Fish and Wildlife. August 28, 2012.

Water Organizations Oregon Water Resources Department. April 1, 2013. 1:24,000.

Large Dams Inventory. Oregon Water Resources Department. August 12, 2014. 1:24,000.

Rules

Withdrawn Authority Areas. Oregon Water Resources Commission. January 1, 2007.

OWRD Groundwater Restricted Areas. Oregon Water Resources Department. October 5, 2016.

OWRD Groundwater Restricted Areas - Subunits. Oregon Water Resources Department. April 1, 2009.

ODEQ Groundwater Management Areas (GWMAs). Oregon Department of Environmental Quality. April 21, 2008.

Groundwater Umatilla Municipal Wells 5-mile buffer. Oregon Water Resources Department. June 28, 2012.

National Marine Fisheries Service (NMFS) 4(d) Rule. National Marine Fisheries Service. January 1, 2007.

Division 33. Oregon Water Resources Dept., 2018. September 20, 2018. 1:100,000.

Irrigation Season of Use. Oregon Water Resources Department, 2017.. March 24, 2017.

Oregon Water Quality Assessment 2012. This data set was assembled by the Oregon Department of Environmental Quality, Water Quality Division, Standards and Assessments Section.. December 4, 2014. 1:2,500,000.

Oregon Fish Habitat 2018. Oregon Department of Fish and Wildlife, Jon K. Bowers, Ruth Schellbach, David L. Bradford. Numerous fisheries biologists from ODFW as well as other natural resource agencies and tribes have contributed toward the development of these data. Data originator names are attributed at the feature level.. February 2, 2018. 1:24,000.

Deschutes USGS Groundwater Study Area. Water Resources Commission, U.S. Geological Survey (USGS) Water Resources Division (Portland, OR), Oregon Water Resources Department.. January 1, 2001. 1:100,000.

Deschutes Zones of Impact. Oregon Water Resources Department.. October 25, 2007.

Deschutes Zones Overlay. Oregon Water Resources Department. October 25, 2007.

Oregon State Scenic Waterway areas. Oregon Water Resources Department, Oregon Parks and Recreation Department.. January 1, 2007.

Hydrography

Routed OWRD Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 11, 2014.

OWRD Lake Streamcodes (conflated to the NHD). Oregon Water Resources Dept.. August 7, 2015.

Watershed Boundary Dataset (WBD), 10-digit (watershed). Pacific Northwest Hydrography Framework, U.S. Geological Survey (USGS), National Resources Conservation Service (NRCS).. June 11, 2014. 1:24,000.

Water Availability Basins. Oregon Water Resources Department.. n.d. 1:100,000.

Priority Watersheds for Streamflow Restoration. Oregon Water Resources Dept. and the Oregon Dept. of Fish & Wildlife.. January 15, 2004.

Stream Gage Stations. Oregon Water Resources Department and US Geological Survey. n.d.

[close](#)

[Print Report](#)

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **130548**

INVOICE # _____

RECEIVED FROM: Monrovia Nursery
BY: Company

APPLICATION	<u>6-13183</u>
PERMIT	
TRANSFER	

CASH: CHECK:# 14785 OTHER: (IDENTIFY)

TOTAL REC'D \$ 670.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES		\$
OTHER: (IDENTIFY)		\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)		\$
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$ <u>670.00</u>
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE	RECORD FEE
0203 GROUND WATER	\$	0202 \$
0205 TRANSFER	\$	0204 \$
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
LANDOWNER'S PERMIT	\$	0219 \$
OTHER (IDENTIFY)		0220 \$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: **130548** DATED: 8-14-19 BY: [Signature]



Oregon
Kate Brown, Governor

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

August 19, 2019

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

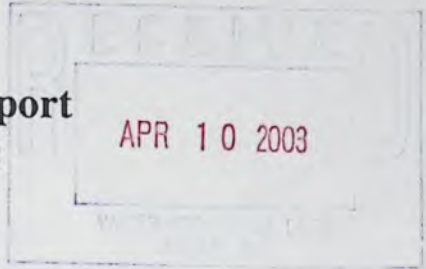
The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-13183 (Permit G-12366)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

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

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

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

**Claim of Beneficial Use and Site Report
For Industrial use of Two Wells
Monrovia Nursery
Dayton, Oregon
Application # G-13183, Permit # G-12366**



For: Monrovia Nursery
Walter Suttle, Technical Services Manager
13455 SE Lafayette Highway Dayton
OR 97114-8699
(503) 868-7911 x241



By: Robert E. Long Jr., RG, CWRE
CH2M HILL
825 N.E. Multnomah, Suite 1300
Portland, OR 97232
503-235-5000

Date: The final proof survey was conducted on November 12, 2002 with Walter Suttle, Monrovia's Technical Services Manager, Monty Furgus Operations Engineer, and Mr. Long of CH2M HILL.

Background: Monrovia was issued Permit G-12366 for the industrial use of groundwater for heating and cooling of the Monrovia headquarters building. The permit allows the use of two wells, one for extracting groundwater and one for injection of the used water. The production well is also used for domestic drinking water in the Monrovia headquarter's building.

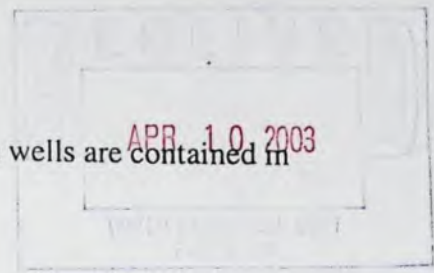
Permit: Permit G-12366 allows industrial use of two wells in the Willamette Basin. The nearest surface water is the West Fork of Palmer Creek. The use is allowed year round and is not to exceed 0.34 cubic feet per second (CFS) or 152.6 gpm.

Proof of Survey Report

1. Source:

The groundwater in use is from a basalt aquifer stratum. The production well (Start Card # 24791) was drilled in 1991 to a depth of 205 feet. The production zone is between 165 and 205 feet below ground surface. All water used for heating and cooling is returned to the aquifer via an injection well. The injection well (Start Card # 48180) was drilled in basalt and was completed in 1992 to a depth of approximately 355 feet. The injection zone of this well is from 175 to 355 feet below ground surface. Both wells are situated at an elevation of

approximately 160 feet. The State Water Well Reports for these wells are contained in Exhibit A.



2. Diversion Point:

The production well (Start Card 24791) is located in Township 5 South, Range 3 West, Willamette Meridian. In the NW1/4 of the SW1/4 of Section 6. Tax Lot 5306-1000. The production well is located on the Claim of Beneficial use map. It is 800 feet South and 1550 feet West of the center of Section 6.

The injection well (State Card 48180) is located approximately 140 feet due north of the pumping well in Township 5 South, Range 3 West, Willamette Meridian. In the NW1/4 of the SW1/4 of Section 6. Tax Lot 5306-1000. The injection well is also shown on the Claim of Beneficial Use map at 660 feet South and 1550 feet West of the center of Section 6.

3. General System Description and Operation:

The heating and cooling system installed at the Monrovia headquarters is a loop heat exchanger. The water is pumped from the production well to a 4-inch PVC pipeline to the headquarters building and then returned through a separate 3-inch PVC pipeline to the injection well. This is a closed loop design that uses groundwater extracted from the pumping well to cycle through a heat pump or heat exchanger, deriving heat from the water for heating or exchanging heat to the water for cooling. Water from the production well is also used for exempt domestic service at the Monrovia headquarters building. The remaining water is returned to the injection well and ultimately to the groundwater aquifer without consumptive use.

4. Flow Meter and Record of Water Use:

The production well is metered with a McCrometer 3-inch in-line totalizing flowmeter. Water use is recorded monthly. Annual water use for the years 1996 through December 2002 is reported in Exhibit B-Production Well Metered Water Use 1996-2002. The meter failed in December 2000 and was replaced in June 2002. The meter was in-place and in operational condition at the time of this survey. The applicant requests that this information be accepted by OWRD in lieu of separate annual reports as stated in the permit.

5. Place of Use:

The place of water use is as follows

Township	Range	Section	¼, ¼ of Section
T5S	R3W	6	NE ¼ SW ¼

6. Survey Tie:

The survey tie is the northwest corner of Section 6 as shown on the USGS 7.5-minute series Dayton Quadrangle map. The center of Section 6 and the quarter-quarter sections are based on the dimensions of Section 6 as measured for the northwest corner of section 6 and imposed on the Donation Land Claim (DLC) boundaries.

7. System Capacity:

The authorized use stated in this permit is 0.34 CFS (152.6 gpm). This instantaneous rate is met during normal operations of the system. The system is pressurized by two 5-HP submersible pumps. The pumps cycle on and off to charge the pressure tanks and pump at a rate of 150 gpm (+/- 5gpm) metered at the wellhead of the production well. The average peak day pumping rate derived from the monthly water use is approximately 117 gpm. Based on the observed pumping rate and long term monitoring data the system has capacity for the full-authorized use of 0.34 CFS.

8. Water Levels

The water levels recorded for these wells do not indicate significant drawdown due to the water use under this permit. The following measurements were made at the completion of drilling and during a recent water level report submitted to OWRD.

Production Well

7/29/91- Initial water level 29 feet below ground surface

4/23/02- water level 30.00 feet below ground surface.

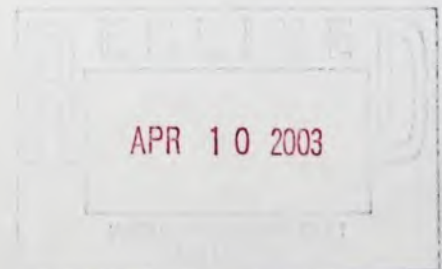
Injection Well

11/13/92 Initial water level 37 feet below ground surface.

12/1/92 water level 42 feet below ground surface

4/23/02- water level 21.52 feet below ground surface.

The applicant will continue to submit annual water level as stated in the permit until notified by OWRD that the water levels are no longer required. Additionally, the applicant requests that OWRD accept the submitted water level data as evidence that no significant hydraulic interference or decline has occurred in the aquifer or neighboring wells.



9. Water Right Examiner

The final proof survey was performed on November 12, 2002 by Robert E. Long Jr., Certified Water Rights Examiner #71101W. The facts contained in this report and accompanying claim of beneficial use map are accurate and correct to the best of my knowledge. Please find the claim of beneficial use map attached as Exhibit C.

Name: Robert E. Long Jr Date: 6 APRIL 03



10. Applicant Signature

I, Walter Suttle, acting as agent for Monrovia, agree with the findings of this report and submit it as my claim of beneficial use of water as described in this document, for industrial use (heating and cooling) and for exempt domestic purposes in accordance Permit G-12366. Based on information presented in this survey, I request that OWRD complete the necessary review and issue a certificate of beneficial use with all due haste.

Name: Walter Suttle Date: 4/9/03

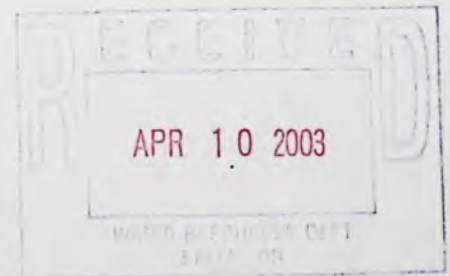
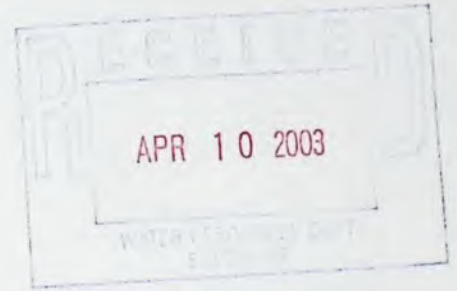


Exhibit A

Production and Injection Well - State Water Well Reports



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

YAMHILL
1983

Application No. 6-13183, Production Well
RECEIVED
Permit No. 24791
(START CARD) #

(1) OWNER: MONROVIA NURSERY
Well Number: NOB 1 24992
Name: MONROVIA NURSERY
Address: 12600 SE ALDERMAN RD
City: DAYTON State: OR Zip: 97114

LOCATION OF WELL by legal description:
YAMHILL
County: 5 S Latitude: 3 Longitude: W
Township: 6 Nor S. Range: 0 E or W. WM.
Section: APR NW 0 2003 SW 1/4
Tax Lot: _____ Lot: _____ Block: _____ Subdivision: _____
Street Address of Well (or nearest address):
13270 SE LAFAYETTE HWY DAYTON,

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well: 205
Explosives used Yes No Type: _____ Amount: _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
10.5	0 39	CEMENT	0 39	14	SAX
8	39 205				

How was seal placed: Method A B C D E
 Other _____
Backfill placed from _____ ft. to _____ ft. Material: _____
Gravel placed from _____ ft. to _____ ft. Size of gravel: _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 3	+1	39	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 6	0	205	160	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: _____

(7) PERFORATIONS/SCREENS:
 Perforations Method: SAW
 Screens Type: _____ Material: _____

From	To	Slot size	Number	Diameter	Telo/pipe size	Casing	Liner
165	205	5"	160			<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
300.00		205	1 hr.
300		205	2

Temperature of water: 49 Depth Artesian Flow Found: _____
Was a water analysis done? Yes By whom: _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other: _____
Depth of strata: _____

(10) STATIC WATER LEVEL:
27 ft. below land surface. Date: 07/29/91
Artesian pressure: _____ lb. per square inch. Date: _____

(11) WATER BEARING ZONES:

Depth at which water was first found: 110

From	To	Estimated Flow Rate	SWL
110	125	20	27
150	165	280	27

(12) WELL LOG:

Material	From	To	SWL
TOP SOIL	0	4	
BROWN CLAY	4	28	
DECAYED BASALT	28	31	
GRAY BASALT	31	110	
SOFT BASALT	110	125	27
GRAY BASALT	125	130	
SOFT BROWN BASALT	130	144	
GRAY BASALT	144	160	
POUROUS GRAY BASALT	160	156	27
GRAY BASALT	156	205	

Eagle's Nest Well #10

BLUE WATER DRILLING CO.
DAYTON, OR. 97114

Date started: 07/26/91 Completed: 07/29/91

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
Signed: Robert S. Schellhanna WWC Number: 1438
Date: 07/29/91

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
Signed: Robert S. Schellhanna WWC Number: 417
Date: 7.29.91

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

YAMHILL
1928

PAGE 1

(START CARD) # 48180

Injection Well 5s/3w/6c

(1) OWNER: Well Number 1350
 Name MONROVIA NURSERY
 Address 12600 SE ALDERMAN RD
 City DAYTON State OR Zip 97114

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

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

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 355 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10	0	38	CEMENT	0	38	21 SAX
6	38	355				

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

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

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	+2	38	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	0	355	160#	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perforations Method SAW
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
175	195	6"	40			<input type="checkbox"/>	<input checked="" type="checkbox"/>
215	235	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
255	275	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
295	315	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>
335	355	"	"			<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Yield gal/min	Drawdown	Drill stem at	Time
100.00		355	1 hr.

Temperature of Water 55 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County YAMHILL Latitude _____ Longitude _____
 Township 5 S N or S. Range 3 W E or W. W. 1/4
 Section 6 NW 1/4 SW 1/4
 Tax Lot 1530 or 2000 Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____
13270 LAFAYETTE-HOPEWELL HWY

(10) STATIC WATER LEVEL:
37 ft. below land surface. Date 11/13/92
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found 78

From	To	Estimated Flow Rate	SW
78	102	15	37
164	185	7	37
248	270	8	37
319	344	70	37

(12) WELL LOG: Ground elevation 175

Material	From	To	SW1
TOP SOIL	0	3	
BROWN CLAY	3	30	
DECAYED BASALT	30	32	
GRAY BASALT	32	78	
RED DECAYED BASALT	78	89	
BROWN DECAYED BASALT	89	102	37
GRAY BASALT	102	123	
BROWN DECAYED BASALT	123	143	
MEDIUM GRAY BASALT	143	164	
DECAYED BASALT	164	185	37
MEDIUM GRAY BASALT	185	248	
RED DECAYED BASALT	248	263	
BROWN DECAYED BASALT	263	270	37
SOFT BLACK, SOME DECAY	270	281	
RAY BASALT	281	318	
DECAYED BASALT	318	344	37
GRAY BASALT	344	355	

blue water drilling co.
 dayton, or. 97114

Date started 11/11/92 Completed 11/13/92

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 1438
 Signed [Signature] Date 11/13/92

Exhibit B

Production Well - Metered Water Use 1996-2002



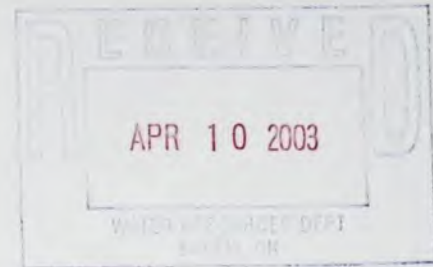
Monrovia Non-Consumptive Industrial Use

Claim of Beneficial Use

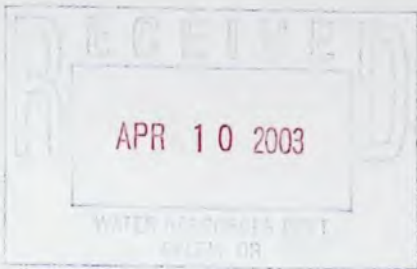
Application G-13183

Permit G-12366

Meter Readings in Gallons 1996-2002



	Meter Reading	Rollover Addition	Rollover Total	Monthly Use	Annual Use	Comment
Dec-95	2388920	20,000,000	22,388,920			
Jan-96	4,095,500	20,000,000	24,095,500	1,706,580		
Feb-96	5,926,220	20,000,000	25,926,220	1,830,720		
Mar-96	7,810,750	20,000,000	27,810,750	1,884,530		
Apr-96	9,266,300	20,000,000	29,266,300	1,455,550		
May-96	540,800	30,000,000	30,540,800	1,274,500		
Jun-96	1,769,020	30,000,000	31,769,020	1,228,220		
Jul-96	2,868,400	30,000,000	32,868,400	1,099,380		
Aug-96	3,763,000	30,000,000	33,763,000	894,600		
Sep-96	4,897,250	30,000,000	34,897,250	1,134,250		
Oct-96	5,855,210	30,000,000	35,855,210	957,960		
Nov-96	7,248,070	30,000,000	37,248,070	1,392,860		
Dec-96	9,059,000	30,000,000	39,059,000	1,810,930	16,670,080	
Jan-97	803,420	40,000,000	40,803,420	1,744,420		
Feb-97	2,103,360	40,000,000	42,103,360	1,299,940		
Mar-97	3,312,440	40,000,000	43,312,440	1,209,080		
Apr-97	4,402,240	40,000,000	44,402,240	1,089,800		
May-97	5,399,630	40,000,000	45,399,630	997,390		
Jun-97	6,339,710	40,000,000	46,339,710	940,080		
Jul-97	7,221,300	40,000,000	47,221,300	881,590		
Aug-97	8,512,820	40,000,000	48,512,820	1,291,520		
Sep-97	9,145,870	40,000,000	49,145,870	633,050		
Oct-97	102,700	50,000,000	50,102,700	956,830		
Nov-97	1,082,400	50,000,000	51,082,400	979,700		
Dec-97	2,035,190	50,000,000	52,035,190	952,790	12,976,190	
Jan-98	3,213,760	50,000,000	53,213,760	1,178,570		
Feb-98						No measurement
Mar-98	7,847,310	50,000,000	57,847,310	4,633,550		
Apr-98	8,812,540	50,000,000	58,812,540	965,230		
May-98	86,660	60,000,000	60,086,660	1,274,120		
Jun-98	1,393,600	60,000,000	61,393,600	1,306,940		
Jul-98	2,625,920	60,000,000	62,625,920	1,232,320		
Aug-98	4,020,370	60,000,000	64,020,370	1,394,450		
Sep-98	5,088,430	60,000,000	65,088,430	1,068,060		
Oct-98	6,182,920	60,000,000	66,182,920	1,094,490		
Nov-98	7,476,300	60,000,000	67,476,300	1,293,380		
Dec-98	8,834,130	60,000,000	68,834,130	1,357,830	16,798,940	
Jan-99	1,273,050	70,000,000	71,273,050	2,438,920		
Feb-99	3,417,870	70,000,000	73,417,870	2,144,820		
Mar-99	5,781,080	70,000,000	75,781,080	2,363,210		
Apr-99	7,453,950	70,000,000	77,453,950	1,672,870		
May-99	8,841,880	70,000,000	78,841,880	1,387,930		
Jun-99	30,970	80,000,000	80,030,970	1,189,090		
Jul-99	2,856,660	80,000,000	82,856,660	2,825,690		
Aug-99	7,800,280	80,000,000	87,800,280	4,943,620		



Monrovia Non-Consumptive Industrial Use

Claim of Beneficial Use

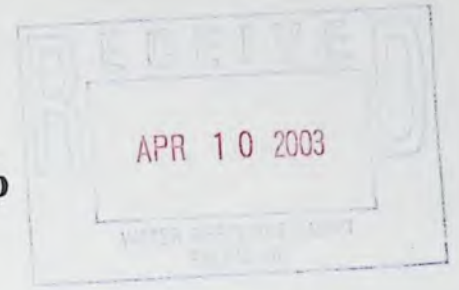
Application G-13183

Permit G-12366

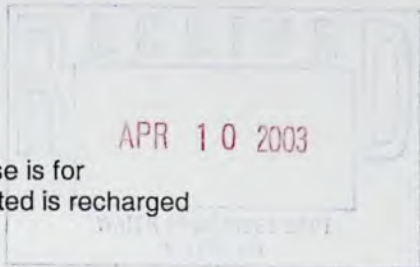
Meter Readings in Gallons 1996-2002

Sep-99	293,030	90,000,000	90,293,030	2,492,750	
Oct-99	3,842,930	90,000,000	93,842,930	3,549,900	
Nov-99	8,062,080	90,000,000	98,062,080	4,219,150	
Dec-99	1,991,180	100,000,000	101,991,180	3,929,100	33,157,050
Jan-00	7,086,007	100,000,000	107,086,007	5,094,827	
Feb-00	1,198,650	110,000,000	111,198,650	4,112,643	
Mar-00	5,486,350	110,000,000	115,486,350	4,287,700	
Apr-00	9,410,900	110,000,000	119,410,900	3,924,550	
May-00	3,823,150	120,000,000	123,823,150	4,412,250	
Jun-00	8,879,460	120,000,000	128,879,460	5,056,310	
Jul-00	4,015,400	130,000,000	134,015,400	5,135,940	
Aug-00	8,736,080	130,000,000	138,736,080	4,720,680	
Sep-00	3,512,040	140,000,000	143,512,040	4,775,960	
Oct-00	4,122,610	140,000,000	144,122,610	610,570	Meter Failed
Nov-00	4,127,460	140,000,000	144,127,460	4,850	
Dec-00	4,127,460	140,000,000	144,127,460	0	42,136,280 (estimate)
Jan-01	4,127,460	140,000,000	144,127,460	0	
Feb-01	4,127,460	140,000,000	144,127,460	0	
Mar-01	4,127,460	140,000,000	144,127,460	0	
Apr-01	4,127,460	140,000,000	144,127,460	0	
May-01	4,127,460	140,000,000	144,127,460	0	
Jun-01	4,127,460	140,000,000	144,127,460	0	
Jul-01	4,127,460	140,000,000	144,127,460	0	
Aug-01	4,127,460	140,000,000	144,127,460	0	
Sep-01	4,127,460	140,000,000	144,127,460	0	
Oct-01	4,127,460	140,000,000	144,127,460	0	
Nov-01	4,127,460	140,000,000	144,127,460	0	
Dec-01	4,127,460	140,000,000	144,127,460	0	
Jan-02		0	0	0	
Feb-02		0	0	0	
Mar-02		0	0	0	
Apr-02		0	0	0	
May-02		0	0	0	
Jun-02		0	0	0	New Meter Installed
Jul-02	2,170,290	0	2,170,290	2,170,290	
Aug-02	3,540,690	0	3,540,690	1,370,400	
Sep-02	5,059,800	0	5,059,800	1,519,110	

Exhibit C
Claim of Beneficial Use Map

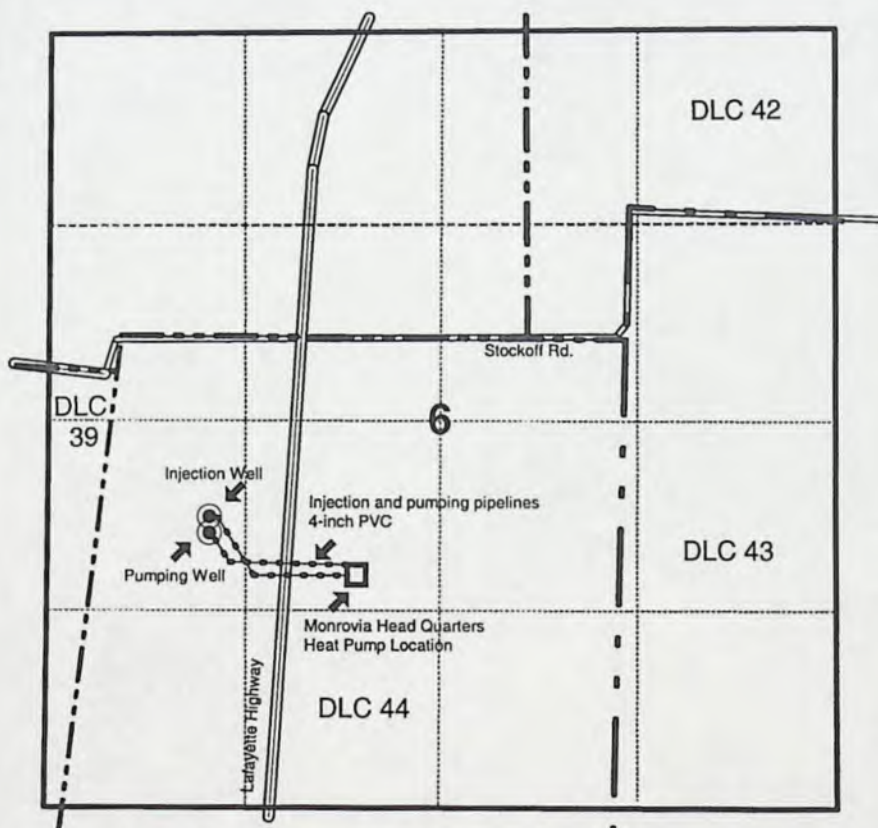


Claim Of Beneficial Use Map
MONROVIA File # 18



Diversion of groundwater from one well in the Willamette Basin. Groundwater use is for heating and cooling of the Monrovia headquarters building. All groundwater diverted is recharged to the aquifer via an injection well.

T.5S., R.3W., Section 6, W.M

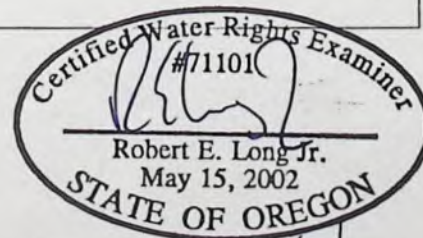


Scale
1"=1320'

Production Well located 800'S & 1550'W from center of Section 6
Injection Well located 660'S & 1550'W from center of Section 6
Tax Lot 5306
Survey Date 11/12/02

Application # G-13183
Permit# G-12366

Certificate # _____



EXPIRATION DATE: 12/31/04

This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or the location of property ownership lines.

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MONROVIA NURSERY
12600 SE ALDERMAN RD
DAYTON, OREGON 97114

(503) 868-7941

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

APPLICATION FILE NUMBER: G-13183

SOURCE OF WATER: TWO WELLS IN WEST BRANCH PALMER CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE (HEATING AND COOLING)

RATE OF USE: 0.34 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 11, 1992

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 6, T5S, R3W, W.M.;
PRODUCTION WELL: 800 FEET SOUTH AND 1550 FEET WEST; INJECTION WELL: 660
FEET SOUTH AND 1550 FEET WEST, BOTH FROM THE C 1/4 CORNER OF SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SECTION 6
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting

Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A total water level decline of 15 or more feet; or
- (C) A hydraulic interference decline of 15 or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.

- (A) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
- (B) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
- (C) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.
- (D) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

(E) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3) procedures for review and approval.

The use of water under this permit for industrial use (heating and cooling) in excess of 5,000 gallons per day shall be subsequent in priority to future beneficial consumptive use unless a two well system is constructed and all waste water is recharged to the same groundwater reservoir from which it was withdrawn.

STANDARD CONDITIONS

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

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

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

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

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

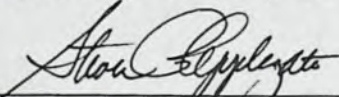
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

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

Issued April 11, 1996

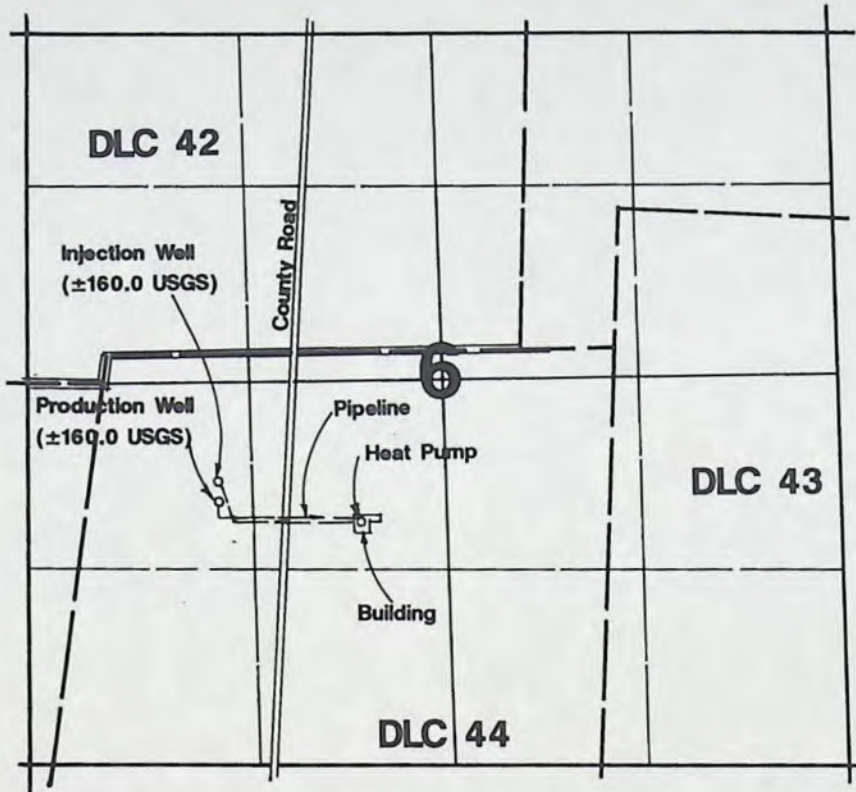

for Martha O. Pagel, Director
Water Resources Department

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

RECEIVED

NOV 12 1992

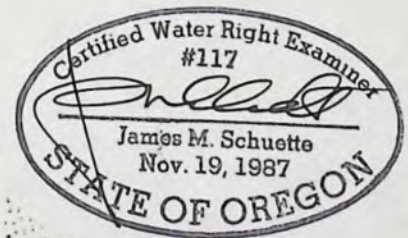
WATER RESOURCES DEPT.
SALEM, OREGON



1" = 1320'

Production Well located 800'S & 1550'W from center Section 6.
Injection Well located 660'S & 1550'W from center Section 6.

Application Map



Monrovia Nursery

Application #: G-13183 Permit #: G12366

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



Oregon
Kate Brown, Governor

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

August 22, 2018

WALTER
MONROVIA NURSERY CO
13455 SE LAFAYETTE HWY
DAYTON OR 97114

GW

The Department has accepted the pump test results for the following permitted well(s):

Application	Water Right	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Well Name
G 13183	Permit: G 12366 *	YAMH 1928	YAMH 1928	12/01/1992	Approved	None	INJECTION WELL

Please contact me if you have any questions.

Sincerely,

Dennis Orlowski
503-986-0897
Groundwater Section

cc: GW Pump Test File



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

March 18, 2009

WALTER SUTTLE
MONROVIA NURSERY CO
13455 SE LAFAYETTE HWY
DAYTON OR 97114

GW

The Department has accepted the pump test results for the following permitted well(s):

Application	Permit	Permitted Well	Tested Well	Test Date	Test Status	Owner's Well Name	
G	13183	G 12366	YAMH 1928	YAMH 1928	12/01/1992	Approved	INJECTION WELL

Please contact me if you have any questions.

Sincerely,

Emily Bray-Nash
Ground Water/Hydrology Section

cc: GW Pump Test File

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, July 10, 2019 11:05 AM
To: 'Malia Kupillas'
Cc: Michael Higgins; rtuckett@monrovia.com
Subject: RE: Cancellation of Application G-13183/Permit G-12366

Malia,

Thank you for the notification. I will place a copy of your message in the file.

Gerry

Gerry Clark

Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0811

From: Malia Kupillas <phg@bctonline.com>
Sent: Wednesday, July 10, 2019 11:02 AM
To: CLARK Gerald E * WRD <Gerald.E.Clark@oregon.gov>
Cc: Michael Higgins <mhigginsrocks@gmail.com>; rtuckett@monrovia.com
Subject: Cancellation of Application G-13183/Permit G-12366

Hi Gerry:

We have received the notice that OWRD is proposing to cancel Application G=13183/Permit G-12366. Although a Claim of Beneficial Use was submitted, the water level measuring condition was not met until after the "C" date. We will be submitting an extension soon to extend the "C" date to 2004.

Please let me know if you need anything else.

Regards,

Malia Rosner Kupillas, R.G., C.W.R.E.
Pacific Hydro-Geology Inc.
503.310.5553

Mailing List for Proposed Order of Certification Scheduled Mailing Date:

Application: G-13183

Permit: G-12366

Permit Holders:

MONROVIA NURSERY CO.
13455 SE LAFAYETTE HWY
DAYTON OR 97114

Copies of Order to be sent to:

1. Watermaster (Proposed Order): #16
2. File

Other persons to receive copies: (include map):

3. Robert Long, CWRE CWMH20

Copies Mailed

by:

TM

(STAFF)

on:

12/14/2019

(DATE)



Oregon
Kate Brown, Governor

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

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Certified # 7017 0660 0001 0610 6182

Date Mailed: JUN 14 2019

NOTICE

Reference: Application G-13183 Permit G-12366

Enclosed is a proposed order of certification. The order proposes to cancel Permit G-12366.

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

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

If you have any questions please contact Jonnine Skaug at 503-986-0813.

Sincerely,

Dwight French
Water Right Services Division Administrator

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

Order of Certification in the Matter of)
Cancellation of Permit G-12366)

FINAL ORDER)

Findings of Fact

1. Application G-13183, in the name of Monrovia Nursery, was received November 11, 1992. Permit G-12366 was issued April 11, 1996, approving the application.
2. Permit G-12366 allowed the use of 0.34 cubic foot per second of water from two wells in West Branch Palmer Creek Basin for industrial use (heating and cooling).
3. The date for complete application of water (C-Date) was to be made on or before October 1, 1999.
4. The Department received a Claim of Beneficial Use on April 10, 2003.
5. The permit contained the below listed condition that was not complied with:

(B) In addition to the measurement required in subsection (a) of this section, a **water level measurement shall be made each year during the period March 1 through March 31.**
6. In reviewing the Departments records, it was found that the first March static water level measurement was submitted in 2001.
7. The permit holder did not submit static water level measurements for the month of March in any water year between when the permit was issued (April 11, 1996) and the C-Date (October 1, 1999).

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

PROPOSED

8. Under the provisions of ORS 537.250, after the Water Resources Department has received a request for issuance of a water right certificate accompanied by the survey required under ORS 537.230(5) that shows, to the satisfaction of the Department, that an appropriation has been perfected in accordance with the provisions of the Water Rights Act, the Department shall issue to the applicant a certificate of the same character as that described in ORS 539.140.

Conclusions of Law

The permit holder demonstrated to the satisfaction of the Department that no beneficial use was accomplished under the permit. The use allowed by Permit G-12366 is lost.

Now, therefore, it is ORDERED:

Permit G-12366 is cancelled and is of no further force or effect.

Issued _____.

PROPOSED

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

PROPOSED

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 91449
- 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

- 83194 Monrovia Nursery Co app R-44412
- 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 9-13183
- G12293 Monrovia Nursery Co app 9-13473

Thanks again for helping with this!

Walter Suttle

Alyssa Mucken <muckenam@wrdd.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

MEMORANDUM

TO: DOUG WOODCOCK, GROUND WATER SECTION MANAGER
FROM: GERRY CLARK, CERTIFICATE SECTION
SUBJECT: PUMP TEST - APPLICATION G- 13183, PERMIT G- 12366
DATE: WEDNESDAY, SEPTEMBER 17, 2008

The attached pump test is being forwarded for your review.

RECEIVED

W0# 6105

WELL TEST DATA SHEET
MAR. 16 1993

STETTNER SUPPLY COMPANY 1810 Lane Avenue N.E., Salem, Oregon 97303 Phone: 585-5550

WATER RESOURCES DEPT.

SALEM, OREGON

OWNER'S NAME MONROVIA NURSERY

WELL LOCATION _____

DATE 12-1-92

Well Dia. 6" Depth 355 Static Level 42'0" Cased to _____ Perforated at _____

Test Pump Setting 210' Test Pump Size 5HP Air Line 210' Tested by LARRY

Static after Test _____ Depth after Test _____ Drilled by _____

Test Started 10:05 AM Test Stopped 3:15 PM Max. GPM 60 Pumping Level _____

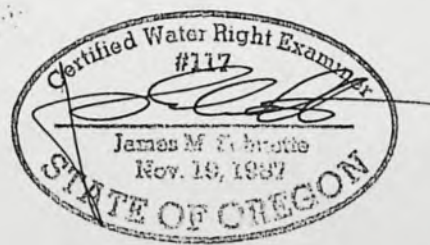
GPM	PUMPING LEVEL	Time of Day	Condition of Water	GPM	PUMPING LEVEL	Time of Day	Condition of Water
0				60	99'7"	12:30	
0	42'	9:45				12:45	adjusted flow
0	41'11 1/2"	10:05	←	60	104' 1/2"	1:00	
60	62'	10:06	Start up		104'5 1/2"	1:15	
↑	70'	10:07			104'5 1/2"	30	
	80'11"	10:08			104'7"	45	
	85'2"	10:09			104'9"	2:00	
	88'2 3/4"	10:10			104'10 1/2"	75	
	92'3"	10:12			104'10 1/2"	30	
	94'8"	14			105'0"	45	
	96'1 1/2"	16		60	105' 1/2"	3:00	
	96'11 1/2"	21		68	114'	3:15	
	97'5"	26		0	73'3"	3:16	90% of recovery
	98'6 1/2"	31		1	59'7"	3:17	= 58.5' of 65'
	98'7"	36			53'9"	3:18	of 46.2'
	99'	41			50' 3/4"	3:19	
	99'2 1/2"	45			49'0"	3:20	
	99'2 1/2"	11:00			47'9"	3:21	
	99'2 1/2"	11:15			46'11"	3:22	
	99'4 1/2"	11:30			46'6 1/2"	3:23	
	99'6"	11:45			46'1 1/4"	3:24	
↓	99'6 1/2"	12:00	NOTE		45'6 1/2"	3:25	
60	99'6 1/2"	12:15		↓	43'2 1/2"	3:30	more info on back

the 6" well is approx 100' N of
8" well w/ 2 pumps behind
green house

water temp new 6" well $53\frac{1}{2}^{\circ}\text{F}$
8" well in pump house 53°F

8" well ran at $4\frac{1}{6}$ psi
w/ $3\frac{1}{4}$ psi on air line

Samples taken @ 3:00 pm
12/1/92



RECEIVED

APR 15 2003

WATER RESOURCES DEPT
SALEM, OREGON

Water Level Report

Owner Name: Menrovia Nursery Co.
Owner Address: 12600 SE Alderman Road
Dayton, Oregon 97114

Application: G-13183
Permit: G-12366
Certificate: Not Issued

Production Well (YAMH 783) is located in the NW 1/4 SW 1/4, Section 6, T.5S., R.3W., W.M.; 800 feet south and 1,550 feet west from the center of Section 6.

Date of measurement: 3/11/2003

Static water level below measuring point: 32.90 feet, or airline pressure _____ psi
Measuring point distance above land surface: 1.0 feet, or airline length _____ feet
Static water level below land surface: 31.90 feet

Method of measurement: E-tape X Airline _____ Other _____
Measurement status: Static X Pumping _____ Other _____

Length of time well idle before measurement: See Remarks.

Injection Well (YAMH 1928) is located in the NW 1/4 SW 1/4, Section 6, T.5S., R.3W., W.M.; 660 feet south and 1,550 feet west from the center of Section 6.

Date of measurement: 3/11/2003

Static water level below measuring point: 20.37 feet, or airline pressure _____ psi
Measuring point distance above land surface: 2.6 feet, or airline length _____ feet
Static water level below land surface: 17.77 feet

Method of measurement: E-tape X Airline _____ Other _____
Measurement status: Static X Pumping _____ Other _____

Length of time well idle before measurement: See Remarks.

Remarks: These wells are used for a heat pump system that heats the main office. The Production Well was shut off at the end of the previous day, about 12 hours prior to measuring the water level. The water level in the production well was checked several times within a few minutes and found to be stable. When the pressure gauge on top of the injection well was removed to gain access for the e-tape, the well began sucking air. The water level measurement was taken while water levels were still dropping very slowly.

I hereby certify that, to the best of my knowledge, the information on this report is accurate and representative of the water levels at the time of measurement.

Person making measurement: Gregory E. Kupillas and/or Malia R. Kupillas
Signature of measurer: *Gregory E. Kupillas*
License number: #432WRE and/or #60772WRE, respectively
Daytime phone number: (503) 632-5016

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

G13183 JS 7020 2897

MONROVIA NURSERY
 12600 SE ALDERMAN RD
 DAYTON OR 97114

2. Article Number

(Transfer from service label)

7001 0320 0004 7020 2897

COMPLETE THIS SECTION ON DELIVERY

A. Signature

* *Marilyn [Signature]* Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

*019-24-02*D. Is delivery address different from item 1? Yes Yes

If YES, enter delivery address below:

 No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.4. Restricted Delivery? (*Extra Fee*) Yes

UNITED STATES POSTAL SERVICE

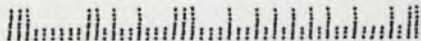


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

◦ Sender: Please print your name, address, and ZIP+4 in this box ◦

WATER RESOURCES DEPT
ATTN: J. SAUTER
158 - 12TH STREET NE
SALEM OR 97301-4172

97301+4172





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

September 23, 2002

Certified mail number 7020 2897
Return receipt requested

MONROVIA NURSERY
12600 SE ALDERMAN RD
DAYTON OR 97114

Reference: Application G-13183, Permit G-12366

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 1999.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use, to include a final proof survey map of the development. The map and claim of beneficial use was to have been submitted to our Department within one year of October 1, 1999. A list of certified water right examiners is enclosed for your use.

If you are not finished with the development of your permit, you need to file for an extension of time to complete your development. An extension form is also enclosed with this letter.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. A cancellation form is enclosed, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time of your permit, within 60 days of the date of this letter (November 22, 2002) the Department may cancel your permit without further notice.

Please give me a call if you have questions. My phone number is 503-378-8455 extension 274.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (3)

cc: OWRD Watermaster BILL FERBER, District 16
File G-13183

*Call the Permitting
Phone # 503-378-8455
Lorie@owrd.or.us*

STOP

1/1/02



PERMIT STATUS REVIEW BY jd DATE 9/10/02 FILE # 6-13183
2 wells in W. Branch Palmer Ct Basin

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if : no Permit is for municipal or quasi-municipal use or in Bonanza study area (per DF, when in doubt about MU/QM, change database code)
note on JS list Industrial 1340As

no Extension pending _____ final _____

no Assignment is pending _____

no Cancellation is requested _____ final _____

no Dept. has already sent a certified "Form 100" letter (date _____, # _____)
Was mail deliverable as addressed? _____ date _____
Send cancellation letter _____

no Claim of beneficial use and final proof map (COBU) have been received by Department
Date information received _____

2. IF NONE OF THE ABOVE APPLY

yes Send certified "C" date notice packet to permit holder.
"C" DATE 10/1/99
WATERMASTER DISTR # 16 WATERMASTER NAME Fisher

*OK LETTER
MS
9/17/2002*

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13183

Final Order

Application History

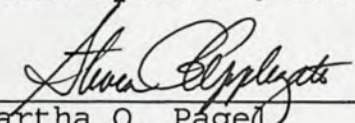
On November 12, 1992, MONROVIA NURSERY submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on December 5, 1995. The protest period closed January 19, 1996, and no protest was filed.

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

Order

The application therefore is approved as described in the Proposed Final Order, and Permit Number G-12366 is issued as limited by the conditions set forth in the permit.

DATED April 11, 1996


for Martha O. Page
Director

Appeal Rights

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

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # G-13183

WATERMASTER # 16

REGIONAL MANAGER: TOM PAUL

ODF&W - Yamhill County:

CWRE (if agent): #117 JAMES SCHUTTE

DEO PORTLAND OFFICE, ATTENTION: RENATO DULAY

OTHER STATE AGENCY IF NECESSARY:

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

POWER BUILDER UPDATER; FRONT COUNTER

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

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

CASEWORKER : RMH

WATERLAB CORP.

TEST RESULTS

Certified Lab # 008

2609 - 12th Street S.E.
Salem, Oregon 97302
(503) 363-0473
FAX (503) 363-1051

TO: Stettler Supply Co.
1810 Lana Ave. NE
Salem, OR 97303

STESUP

PO#:

SAMPLE POINT: Monrovia Nursery

DATE/TIME COLLECTED: 12/01/92 3:00 PM
COLLECTED BY: LDW
DATE RECEIVED: 12/01/92
LAB REPORT #: 921201-045

Test	Results	Units	Date	Tech	Method
pH	7.0	pH units	12/01/92	mb	SM4500
Specific Conductance	125.	uhos/cm	12/01/92	mb	SM2510
Arsenic	0.008	mg/l	12/11/92	bem	SM3114B
Boron	<0.1	mg/l	12/04/92	tpw	SM4500C
Bicarbonate Alkalinity	82.	mg/l HCO ₃	12/01/92	mb	
Carbonate Alkalinity	0.	mg/l CO ₃	12/01/92	mb	
Calcium	16.8	mg/l	12/01/92	mb	SM3500D
Chloride	3.0	mg/l	12/02/92	bem	SM4500F
Fluoride	<0.1	mg/l	12/02/92	bem	SM4500C
Iron	<0.1	mg/l	12/04/92	bem	SM3500B
Magnesium	9.6	mg/l	12/02/92	bem	SM3500B
Manganese	<0.005	mg/l	12/04/92	bem	SM3500B
Potassium	3.3	mg/l	12/04/92	bem	SM3500B
Silica	48.2	mg/l	12/04/92	bem	SM4500
Sodium	9.8	mg/l	12/04/92	bem	SM3500B
Sulfate	1.9	mg/l	12/02/92	bem	SM4500B
Total Solids (Dissolved)	168.0	mg/l	12/16/92	mb	SM2540B
Suspended Solids	0.7	mg/l	12/16/92	mb	SM2540D

ND means No Detection at specified limit.
NA means Not Applicable

SM = "Std. Methods for the Examination of Water and Wastewater"
EPA = "Methods for the Chemical Analysis for Water and Wastes"
< = Less Than // > = Greater Than

Date Reported: 12/17/92

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: FILE

Date: April 1, 1996

From: MICHAEL ZWART *MZ*

Subject: APPLICATION G-13183, MONROVIA NURSERY

I spoke with Jack Arendt and Tom Fisher of the Regional DEQ office today. It was their recollection that Monrovia Nursery's proposed injection plan was analysed and found to be of a quantity that would not require a WPCF or other permit from DEQ. Tom Fisher confirmed that the DEQ review indicated that no permit was required from that agency.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: FILE

Date: April 1, 1996

From: MICHAEL ZWART

Subject: APPLICATION G-13183, MONROVIA NURSERY

I spoke with Jack Arendt and Tom Fisher of the Regional DEQ office today. It was their recollection that Monrovia Nursery's proposed injection plan was analysed and found to be of a quantity that would not require a WPCF or other permit from DEQ. I requested that a copy of any letter to that effect be sent to me for inclusion in the file.

November 4, 1992

Monty Furgess
Monrovia Nursery
12600 SE Alderman Rd.
Dayton, OR 97114

RE: Use of Groundwater for Heating and Injection of Spent Effluent

Dear Monty:

David Paysinger of Blue Water Drilling Co. has contacted this agency for approval of a location for a low temperature geothermal effluent injection well for Monrovia Nursery. Enclosed is a copy of my response.

The use of more than 5,000 gpd for commercial heating requires a water use permit from this agency. You will need a permit for your project since it will exceed the maximum exemption level of 5,000 gpd. Enclosed are application materials for that purpose.

The use of water under a permit for your project would not necessarily require you to inject the effluent. Injection requires this agency to work in coordination with DEQ toward the issuance of a WPCF permit from that agency. The approval process of injection of the spent effluent starts when the applicant submits a request form and then progressively develops the project so that the acceptability of injection (chemically and hydraulically) can be determined. At that point, DEQ would draft a WPCF permit for the project.

These matters can appear complex but the process really isn't. I'd be glad to talk with you.

Sincerely,

Donn Miller
Donn Miller
Hydrogeologist

7/6/94
Jack Arendt, DEQ
378-8240 #240

✓ G-13183

373-7944

→ real rate of injections .34 cts on appl.
→ spoke to Gary Worthen, of Monrovia, 5000 gpd est.

request for approval of L-temp injection well

Tom Fisher



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130



WATER
RESOURCES
DEPARTMENT

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

FACSIMILE TRANSMISSION SHEET

Date: 11/4/92
To: David Paysinger From: Down Miller
Department: Blue Water Division: RMD
FAX No. 868-7910 FAX No. 378-8130
____ PLEASE RESPOND ASAP _____ PAGES, INCLUDING COVER

MESSAGE

Dave -

Based on the information which you supplied, the location that you proposed as a low temperature geothermal injection well is approved. Normally, the request comes from the landowner in a matter like this.

As we discussed by phone, the suitability of the well other than its location will need to be determined by this agency after its construction.

I will contact your client, Monty Furgess, concerning his obligations in the injection/extraction regulatory processes. -Down Miller

David G. Paysinger
Blue Water Drilling Co.
17685 S.E. Wallace Rd.
Dayton, Or. 97114
Ph: 868-7502

Monty Furgess

868-7941

11/2/92

Tom Paul
Water Resources Dept.
Salem, Or. 97310

RE MONROVIA NURSERY, INJECTION WELL, REQUEST FOR
CONSTRUCTION APPROVAL

Hello Tom,

Blue Water Drilling will be constructing an injection well
for Monrovia Nursery Co. south of Dayton soon.

Injection well design and materials used will be no
different than the production well located nearby and which
a copy of the well report is enclosed.

I'm sending along copies of the information obtained on the
ground water heat pump that Monrovia will be installing.

It appears from the enclosed engineers report that the
injection rate will fall somewhere below 14,000 gallons per
day. Also, you may note the temperature fluctuations
expected and that the return piping will reduce temperature
differences.

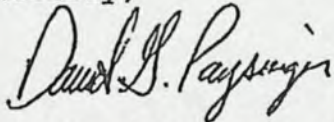
Also enclosed is a map of most of the property on which the
well will be constructed. Our intention is to construct the
injection well more than 75' from the existing production
well. I have also estimated distance to the nearest water
well on any adjacent property to be in excess of 650' in a
south-southwesterly direction from both the production and
injection well.

As you can see from the enclosed Production Well Report water from the production well is coming entirely from a basalt aquifer with most porosity occurring from 160 to 166 ft below surface. Our expectations are that the proposed injection well will encounter nearly the same if not identically the same receiving formations and yield. I also expect no thermal or chemical imbalance.

Yield on the production well has been pump tested in the neighborhood of 400 gpm. It is an 8" well and the injection well would be 6". Again, for your reference I have enclosed a copy of the production well report.

Thank you for your attention to this matter. Feel free to call me for any discussion.

Sincerely,



David G. Paysinger, Lic. #1438

cc/Monty Fergus, Monrovia Nursery



Memo to : Monte Furgess
Monrovia Nursery

Date: October 28, 1992

From: Malcolm Smith
ACR Engineering

Ref.: Heat pump loop,
Water flow discharge requirements

Monte,

Pursuant to our conversation on 10-24-92, I have reviewed discharge heat pump water loop discharge flow and temperatures to well water used as our energy source. The following is an update to the predicted data we used in previous correspondence:

- 1) Discharge flows from loop heat exchanger: 5,340,000 gallons annually or 14,630 gallon per day average. This number comes from 1,180 hours of computer calculated full load operation(annual energy analysis using the TRANE CO. TRACE 600 computer program). All of this water will not go to the discharge well, therefore the average daily discharge is expected to be below 14,000 gallons/day.
- 2) During the heating season we have calculated a maximum 3°F drop in well water temperature due to peak buildings heat loss. We estimate that the mean temperature loss will be 1.5°F or less. The piping will return to the discharge after a 1,500 ft. run in the ground which will reduce these temperature differences.
- 3) During the cooling season we have calculated a maximum 3°F increase in well water temperature due to peak buildings heat gain. We estimate that the mean temperature gain will be 3.0°F or less. The piping will return to the discharge after a 1,500 ft. run in the ground which will reduce these temperature differences significantly.

The above is significantly better well water data than we used for our original estimates(1,500 hours at full load) and is based on the conservation measures incorporated in the final building design. If you have further questions, then please call.

Respectfully Submitted,

Malcolm Smith, P.E.

SEE MAP 4 3 31

36 34
1 6

AF-20

8.4

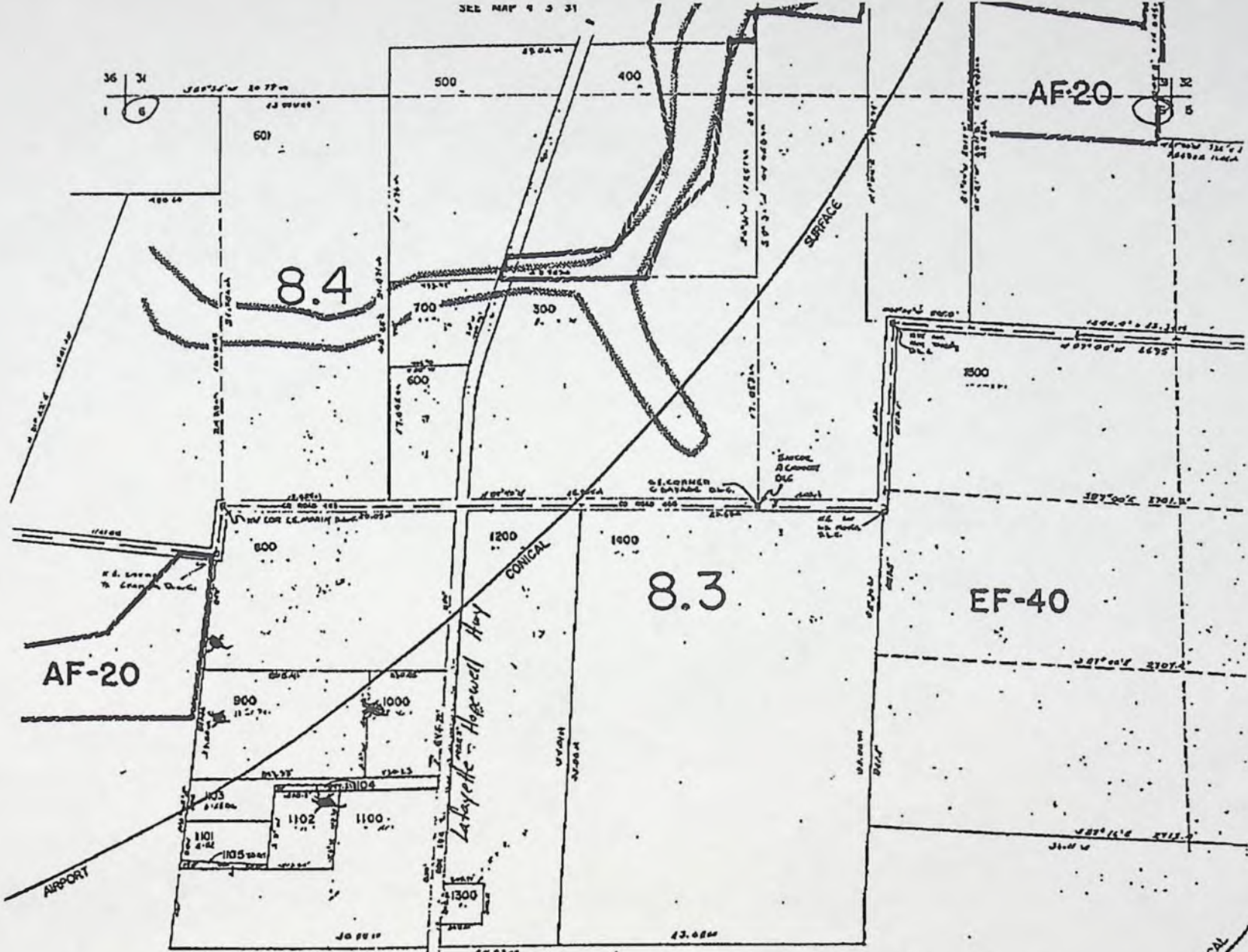
EF-40

8.3

AF-20

Lafayette Hoggswell Hwy

NORTH
↑



SEE MAP 5 3 7

1 6
2 7

TAX LOT 1000 is well site
553W Sect. 6... NE. SW

6 5
7 8

COPY

33
STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

PAGE 1

>> 24791

(START CARD) #

(1) OWNER: MONROVIA NURSERY Well Number 1235
Name
Address 12600 SE ALDERMAN RD
City DAYTON State OR Zip 97114

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 205
Explosives used Yes No Type X Amount

HOLE Diameter	From To		SEAL Material	From To		Amount sacks or pounds
10.5	0	39	CEMENT	0	39	14 SAX
8	39	205				

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

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

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	+1	39	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner: 6	0	205	160	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perforations Method SAW
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
165	205	6"	160			<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
300.00		205	1 hr.
300		205	2

Temperature of Water 49 Depth Artesian Flow Found _____

Was a water analysis done? Yes By whom _____

Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County YAMHILL Latitude Longitude
Township 5 S N or S. Range 3 W E or W. WM.
Section 6 NW 1/4 SW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 13270 SE LAFAYETTE HWY DAYTON,

(10) STATIC WATER LEVEL:
27 ft. below land surface. Date 07/29/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 110

From	To	Estimated Flow Rate	SWL
110	125	20	27
160	165	280	27

(12) WELL LOG:
Ground elevation _____

Material	From	To	SWL
TOP SOIL	0	4	
BROWN CLAY	4	28	
DECAYED BASALT	28	31	
GRAY BASALT	31	110	
SOFT BASALT	110	125	27
GRAY BASALT	125	130	
SOFT BROWN BASALT	130	144	
GRAY BASALT	144	160	
POUROUS GRAY BASALT	160	166	27
GRAY BASALT	166	205	
BLUE WATER DRILLING CO. DAYTON, OR. 97114			
07/26/91			

Date started _____ Completed 07/29/91

(unbonded) Water Well Constructor Certification:

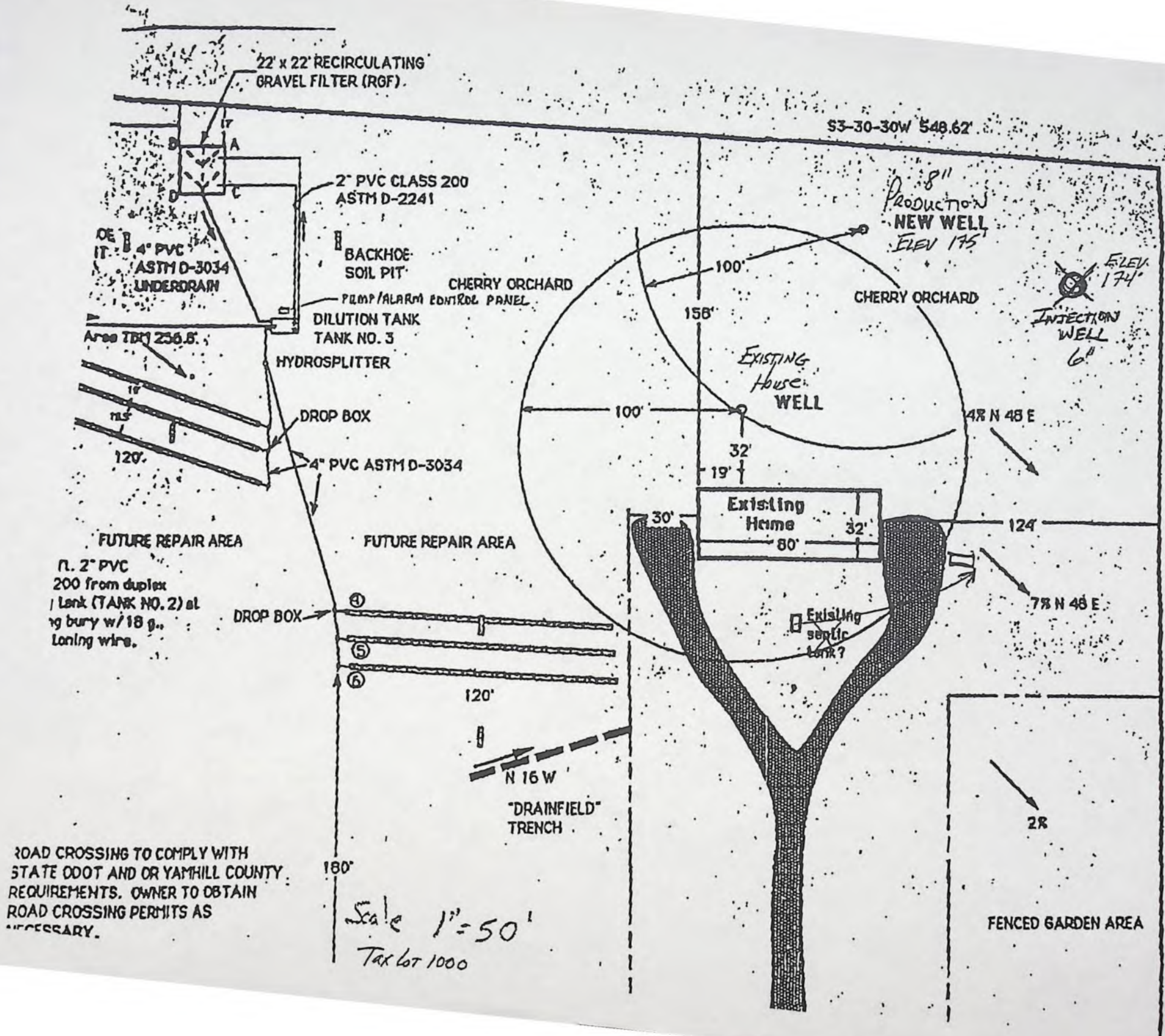
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Material used and information reported above are true to my best knowledge and belief.

1438
Signed COPY WWC Number _____ Date 07/29/91

(bonded) Water Well Constructor Certification:

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

WWC Number _____
Signed _____ Date _____



101
 REP/
 ELEV
 TBL
 In'
 A 1 2 1 1
 OREGON HERITAGE FARMS

503 868 7918
 N 89-48-35 W 430.05'
 P. 05

ROAD CROSSING TO COMPLY WITH
 STATE ODOT AND OR YAMHILL COUNTY
 REQUIREMENTS. OWNER TO OBTAIN
 ROAD CROSSING PERMITS AS
 NECESSARY.

Scale 1" = 50'
 Tax lot 1000

FO CHECKLIST

PFO TO FO CONVERSION

FILE # G-13183

REVIEW DATE: 4/2/96

WEEK # Hold/WK 19/1033

INITIALS: JG

In preparing the FO, you should check the following:

1. Y / (N) Were comments or protests received in response to the PFO?
2. ✓ List names and addresses of **ALL** commentors (regardless of comment date) on the PFO CC list.
3. ✓ Verify payment of recording fees (circle the appropriate option)
(1) Issue FO w/permit if fees are paid
(2) Issue FO w/o permit if fees are lacking
(3) Prepare refund request for excess fees
4. (Y) / N Has the applicant signed an oath of accuracy for the application?
5. Y / (N) Has ODFW asked for self certification on screening condition?
6. (Y) / N Is further processing possible? If not state reason: _____

200-EXAM
100-0.34 CFS
300

ACTION SUSPENSE DATE: _____

7. JG Assign permit numbers to files with oath, fees, and no protests or other unresolved issues

		Route to: (circle one)	
DENIAL	FO w/o PERMIT	<u>FO & PERMIT</u>	COMMENTS
LARRY	CORY	JERRY	DOUG

Modify FO as needed to:

INITIALS: JG

8. ✓ Respond to significant comments, issues, or disputes related to the proposed use of water
9. ✓ Include or exclude permit conditions and management codes
10. ✓ Notify applicant of additional information or fees required prior to permit issuance (Use standard wording from M:\T\FO\TOOLS if possible)
11. ✓ Correct PFO errors (such as POD or POU location (verify from map), Permit format)

Once FO document is completed:

12. JG Move WordPerfect document to M:\T\FO\SIGN & delete any duplicates
13. JG Print final draft of document and submit to team leader for review
14. (Y) / N Team leader review completed

JG

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of)	PROPOSED
Groundwater Application)	FINAL
G-13183 submitted by)	ORDER
MONROVIA NURSERY		

FINDINGS OF FACT

Water Use Request

1. MONROVIA NURSERY requested use of 0.34 CUBIC FOOT PER SECOND of water from TWO WELLS IN WEST BRANCH PALMER CREEK BASIN for INDUSTRIAL USE (HEATING AND COOLING) within the Willamette basin.
2. The area of proposed use is in Yamhill County within
SECTION 6
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.
3. The water delivery system is described by the applicant as a production well having (2) 5 HP submersible pumps with a buried 4 inch PVC line to heat pump and a 3 inch PVC return line to the injection well.
4. The request was made in Application G-13183 which was received by the Water Resources Department on November 11, 1992.

Affected Waters

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are other water rights on WEST FORK PALMER CREEK or on downstream waters.
3. There are no senior water rights from this point of appropriation.

Department Actions

1. The application was determined to be complete and not defective.
2. The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely WEST FORK PALMER CREEK.
3. A satisfactory technical review of the application was completed and a report of the results of that review was mailed to the applicant on December 29, 1993.
4. The satisfactory technical review determined:
 - a. INDUSTRIAL USE (HEATING AND COOLING) is allowed under the Willamette Basin Program.

- b. The use is not prohibited by Statute.
 - c. Water for the proposed use is available in the amounts requested for the period year around.
 - d. The use would not injure existing water rights.
 - e. There are not existing rights from this point of diversion.
 - f. There are no existing water rights appurtenant to the lands described in the application.
5. The report of technical review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

Assessment

1. In proceeding with evaluation of Application G-13183, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502);
 - b. The Yamhill County Comprehensive Plan and Zoning Ordinance;
 - c. Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9);
 - d. The established rate and duty for the proposed use;
 - e. Pending, senior applications and existing water rights of record;
 - f. OAR 690-230-115; Injection Plan for Wells with an Anticipated Injection Rate Exceeding 15,000 Gallons Per Day;
 - g. Comments received.

CONCLUSIONS OF LAW

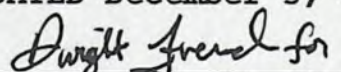
1. Based upon continued evaluation, the Department finds the determinations of the satisfactory technical review remain valid.
2. The Department has further determined that, to protect the resource, an additional condition(s) on the proposed water use is necessary. The condition, as further described on the attached draft permit, would require water level monitoring and regulation conditions.
3. The period of allowed use is year around.
4. The Department finds that no more than 0.34 cfs would be necessary for the proposed use. The amount of water requested, 0.34 CUBIC FOOT PER SECOND, is allowed for the proposed use.
5. Yamhill County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Yamhill County Comprehensive Land Use Plan.
6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.

7. The proposed use complies with all other rules of the Commission.
8. Notification and permit approval maybe required from DEQ.
9. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.
10. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that Application G-13183 in the name of Monravia Nursery be approved for INDUSTRIAL USE (HEATING AND COOLING) as provided in the attached draft permit.

DATED December 5, 1995



Steven P. Applegate
Administrator
Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on January 19, 1996.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON
COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

MONRAVIA NURSERY
12600 SE ALDERMAN RD
DAYTON, OREGON 97114

(503)868-7941

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

APPLICATION FILE NUMBER: G-13183

SOURCE OF WATER: TWO WELLS IN WEST BRANCH PALMER CREEK BASIN within the Willamette basin

PURPOSE OR USE: INDUSTRIAL USE (HEATING AND COOLING)

RATE OF USE: 0.34 cfs

PERIOD OF ALLOWED USE: Year around

DATE OF PRIORITY: November 11, 1992

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 6, T 5S, R3W, W.M.; 800 FEET SOUTH & 1550 FEET WEST FROM C1/4 CORNER, SECTION 6 NW 1/4 SW 1/4, SECTION 6, T 5S, R3W, W.M.; 660 FEET SOUTH & 1550 FEET WEST FROM C1/4 CORNER, SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SECTION 6
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

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

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

(1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- (a) An average water level decline of three or more feet per year for five consecutive years; or
- (b) A total water level decline of fifteen or more feet; or
- (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

(2) The water user shall install a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.

(3) The permittee/appropriator shall be responsible for complying with each of the following requirements for measuring water levels in the well.

(a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.

(b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.

(c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the permittee/appropriator.

(d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

(e) The permittee/appropriator shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3) procedures for review and approval.

The use of water under this permit for industrial use (heating and cooling) in excess of 5,000 gallons per day shall be subsequent in priority to future beneficial consumptive use unless a two well system is constructed and all waste water is recharged to the same groundwater reservoir from which it was withdrawn.

Section (7) from OAR 690-230-115; Injection Plan for Wells with an Anticipated Injection Rate Exceeding 15,000 Gallons Per Day will need to be addressed before a Final Order is issued.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued _____, 199_

DRAFT

Water Resources Department
Martha O. Pagel
Director

Application G-13183 Water Resources Department PERMIT DRAFT
Basin 02 Vol. 12A West Branch Palmer Ck & Mis District 16
RMH MGMT.CODE

Application No. A-13183

RECEIVED

NOV 12 1992

State of Oregon
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Appropriate Ground Water

Applicant(s) MONTZOUA NURSEZY
(Please print or type - use dark ink)

Mailing Address: 12600 SE ALDERMAN Rd
DAYTON OREGON 97114 868-7941
City State Zip Daytime Phone No.

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

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): _____
TWO WELLS

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

Distance from development to stream: _____
Elevation difference between streambed and development: _____

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

(SEE ATTACHED WELL LOG - INJECTION WELL NOT COMPLETED YET)

Diameter of well: _____ Depth in feet: _____
Type and size of well casing: _____ No. of feet: _____
Estimated depth to water: _____
Type of access port or measuring device: _____
Wells to be drilled by: _____
Address: _____

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 0.34 cubic feet per second, OR 150.0 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

3. **INTENDED USE(S) OF WATER:** Low TEMPERATURE Geothermal
PRODUCTION & INJECTION

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

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

If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

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

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

Irrigation _____

Other (describe) _____

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Production well has 2- 5 hp submersible pumps - w/ buried
4" PVC line to heat pump & 3" PVC return line to
injection well.

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

Proposed date construction work will begin STARTED

Proposed date construction work will be completed MARCH, 1993

Proposed date water use will be completed JUNE, 1993

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

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

 Applicant X CWRE Other (Identify in REMARKS section)

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

 X Applicant CWRE Other (Identify in REMARKS section)

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

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

REMARKS: _____

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

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

Monty Ferguson / Mountain View
Signature of Applicant

11-10-92
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

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

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

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 12 day of NOVEMBER, 1992, at 10:35 o'clock, A M.

APPLICATION NO: _____



G-13183

New office

CS DEC -1 PM 3:41

E209P0077

Application No 6-13183
Permit No. EXHIBIT "A"

RECEIVED

NOV 12 1992

WATER RESOURCES DEPT.
SALEM, OREGON

PARCEL I

ALL of the following described tract lying Easterly of State Highway No. 154:

BEGINNING at the Northwest corner of the Labin S. Morin Donation Land Claim No. 44, Notification No. 1644 in Township 5 South, Range 3 West of the Willametta Meridian in Yamhill County, Oregon; thence running East 28.05 chains; thence South 3° West 34.01 chains; thence West 30.54 chains to the West line of said Donation Land Claim; thence North 6°45' East 34.20 chains to the place of beginning.

EXCEPTING THEREFROM a tract of land in Section 6, Township 5 South, Range 3 West of the Willametta Meridian, Yamhill County, Oregon, described as follows:

COMMENCING at the Northwest corner of the Labin S. Morin Donation Land Claim No. 44; thence East 1277.60 feet to the East line of State Highway No. 154; thence South 03°30'30" West, along said East line, 1922.30 feet to the TRUE POINT OF BEGINNING of the tract herein described; thence East 208.71 feet South 03°30'30" West 208.71 feet; thence West 208.71 feet; thence North 03°30'30" East 208.71 feet to the point of beginning.

PARCEL II

A tract of land in Section 6, Township 5 South, Range 3 West of the Willametta Meridian, Yamhill County, Oregon, described as follows:

COMMENCING at the Northwest corner of the Labin S. Morin Donation Land Claim No. 44; thence East 1277.60 feet to the East line of State Highway No. 154; thence South 03°30'30" West along said East line 1922.30 feet to the TRUE POINT OF BEGINNING of the tract herein described; thence East 208.71 feet South 03°30'30" West 208.71 feet; thence West 208.71 feet; thence North 03°30'30" East 208.71 feet to the point of beginning.

YCT&Z 122038C
653-3-3

Legal on V-14 P-14 748-7 743
Abso V-14 P-14 743
V-14 P-14 743

7-2-92
1200
5-6-03
parcel!

2x1300
5-06-03
Parcel III
207-77

Mailroom - Eagle Heat

RECEIVED

NOV 1 2 1999

WATER RESOURCES DEPT.
SALEM, OREGON

1999 OCT 30 PM 3:46

F249P0444

LEGAL DESCRIPTION

-----BEGINNING at an iron rod 850 feet South 6°45' West and 865.41 feet South 89°48'35" East from a stone marking the Northwest corner of the L. S. Morin Donation Land Claim No. 44 in Section 6, Township 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon; thence South 3°30'30" West, 548.62 feet to an iron rod; thence North 89°48'52" East, 430.23 feet to a point on the center line of Secondary State Highway No. 134; thence North 3°30'30" East on said center line, 545.79 feet to a point; thence North 89°48'35" West, 430.05 feet to the point of beginning.

SUBJECT TO a 60 foot roadway easement contiguous to and Southerly from the North line of the above described tract.-----

5.4 ACRES

TAXLOT 5-3-06 - 1000

8.4

8.3



Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13183

ROUTED TO: WR

TOWNSHIP/

RANGE-SECTION: 5S/3W-6

CONDITIONS ATTACHED? []yes []no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Donna Miller

FROM: /Groundwater/Hydrology Section Michael Zwart
Reviewer's Name

SUBJECT: Application G- 13183

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

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

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

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

G-13183

REMARKS: Proposed use is essentially non-consumptive, since injection is planned.

5S 3W 6

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____

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

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

8. THE WELL
- a. ___ was, or constructed according to the standards in effect at the time of
 - b. ___ was not original construction or most recent modification.
 - c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.
 _____, 1991.

(Signature)

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

_____, 1991.

(Signature)

(WRFORM8\91)

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-13183

ROUTED TO: WR

TOWNSHIP/

RANGE-SECTION: 5S/3W-6

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Dann Miller

December 29, 1993

WATER
RESOURCES
DEPARTMENT

MONROVIA NURSERY
12600 S.E. ALDERMAN ROAD
DAYTON, OR 97114

Reference: File G 13183

Hello:

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

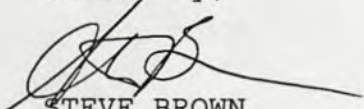
Please send the following:

permit fees in the amount of \$100.00;

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

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

Sincerely,


STEVE BROWN
Manager
Water Rights Division

SB\eg

cc: James M. Scheutte, CWRE



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

December 29, 1993

MONROVIA NURSERY
12600 S.E. ALDERMAN ROAD
DAYTON, OR 97114

Reference: File G 13183

Hello:

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

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

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

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

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

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

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



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

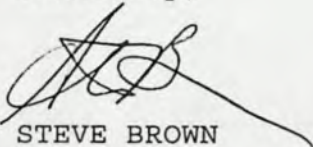
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before March 11, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

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

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

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

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures

Report Date: December 29, 1993

OREGON WATER RESOURCES DEPARTMENT
SATISFACTORY REPORT OF TECHNICAL REVIEW
FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: March 11, 1994

1. APPLICATION FILE NUMBER - G 13183
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:
MONROVIA NURSERY
12600 S.E. ALDERMAN ROAD
DAYTON, OR 97114
YAMHILL COUNTY 503-868-7941

Date application received for filing and/or tentative date of priority: 11/12/1993

SOURCE: WELL IN THE WILLAMETTE RIVER BASIN

Purpose and/or use: INDUSTRIAL USE - LOW TEMPERATURE
GEOTHERMAL PRODUCTION AND INJECTION
(NON-CONSUMPTIVE)

Flow: 0.34 cfs

Point of Diversion Location:

PRODUCTION WELL - NW 1/4 SW 1/4 SECTION 6, T 5 S, R 3 W, W.M.; 800 FEET SOUTH AND 1550 FEET WEST FROM THE CENTER OF SECTION 6

INJECTION WELL - NW 1/4 SW 1/4 SECTION 6, T 5 S, R 3 W, W.M.; 660 FEET SOUTH AND 1550 FEET WEST FROM THE CENTER OF SECTION 6

Place of use:

NESW
Section 6
T 5 S, R 3 W, W.M.

GROUNDWATER AVAILABILITY

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

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

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

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

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

REPORT CONCLUSIONS:

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 0.34 cfs is likely available year around. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

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

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

PROPOSED PERMIT CONDITIONS

Application: G 13183

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

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: Year around
3. Rate of use: 0.34 cfs
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
10. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
11. The use of water under this permit for industrial use (heating and cooling) in excess of 5,000 gallons per day shall be subsequent in priority to future beneficial consumptive use unless a two well system is constructed and all waste water is recharged to the same groundwater reservoir from which it was withdrawn.

Application No. 6-13183

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

RECEIVED

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.**

NOV 12 1992
WATER RESOURCES DEPT.
SALEM, OREGON

Applicant's Name: MONROVIA NURSERY
Address: 12600 SE ALDERMAN RD
City: Dayton State: OR Zip: 97114 Day Phone: 868-7941

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Sec 6, TSS, B3W

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
<u>1000 & 1200</u>	<u>EF-40</u>			

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. YAMHILL

The following section must be completed by a planning official from each county and city listed unless your project will be located **entirely within city limits**. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402 OF Y.C.2.0. Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)**

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: MURTEL CHROUST-MABIN

Date: 11-10-92

Title: ASSOCIATE PLANNER

Phone: 434-7516

Signature: *Murtele Chroust-Mabin*

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

Lined area for additional comments.

Description of Water Use

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

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

Applicant Name: MONROVIA NURSERY
 Address: 12600 SE ALDERMAN RD
DAYTON OR
 Phone: 568-7941

RECEIVED
 NOV 12 1992

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

- Irrigation (crop type, golf course, nursery or greenhouse): _____
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): Low temp. Geothermal Production & Irrigation

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require:
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	<u>0.17</u> Cubic feet per second. <u>75.0</u> Gallons per minute. <u>—</u> Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

11/17/1992

MONROVIA NURSERY
12600 SE ALDERMAN RD
DAYTON, OR 97114

REFERENCE: File(s) G-13183

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

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

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

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

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

cc: CWRE



STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: FILE

Date: September 22, 1995

From: MICHAEL ZWART

Subject: APPLICATION G-13183, MONROVIA NURSERY

The application file includes information which satisfies the requirements of OAR 690-230-115 (1) through (6), pertaining to the injection plan for wells with an anticipated injection rate exceeding 15,000 gallons per day. Analysis of the information provided indicates that there is little potential for proposed injection to adversely affect other water users.

The applicant has not yet submitted a monitoring plan to satisfy the requirements of 690-230-115 (7). I have informed the applicant by phone today that a WPCF (or similar) permit may be needed from DEQ to proceed with the injection. The final approved monitoring schedule, if necessary, will be included with the DEQ permit. I believe that condition #7I (Columbia River Basalt in Willamette Basin) may need to be included with the WRD permit. This condition, along with any that may be required by the DEQ permit, would satisfy the requirements of 690-230-115 (7). I believe that WRD can proceed with permit issuance unless it is necessary to confirm that a permit application has been made to DEQ.

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13183

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 55/3W sec. 6

CONDITIONS ATTACHED? [] yes [] no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Mike Zwart

*see memo
9/22/95
use
condition
7I*

FROM:

Groundwater/Hydrology Section

Michael Zwart

Reviewer's Name

SUBJECT:

Application G- 13183

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

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

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

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

REMARKS: Proposed use is essentially non-consumptive, since injection is planned.

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

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

6. **THE WELL** construction deficiency:

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

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

8. **THE WELL**
- a. was, or _____ constructed according to the standards in effect at the time of
 - b. was not _____ original construction or most recent modification.
 - c. I don't know if it met standards at the time of construction.

RECOMMENDATION:

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

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.
_____, 1991.

(Signature)

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

_____, 1991.

(Signature)

RECEIVED

NOV 27 1992

WATER RESOURCES DEPT.
SALEM, OREGON

WaterWatch

O F O R E G O N

November 27, 1992

Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit #G13183, Monrovia Nursery
W. Palmer Cr. Basin, Yamhill Co., Industrial Use

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions and concerns:

Is there unappropriated water available for this proposed use? How will the Department determine water availability for this proposed use? What will be the cumulative effect of this proposed use, in combination with other, already existing uses of the aquifer?

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what is the amount of surface water depletion and what effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation and a health aquatic system? We oppose any application which in any way reduces surface water flows needed for the public uses that are served by any instream water right.

Given the importance of this groundwater resource, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources in Oregon for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5)

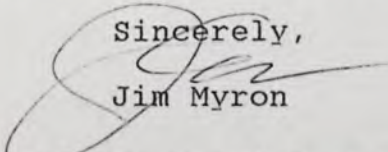
Will this proposed use be compatible with Goal 5 elements in the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR 690-410-060(1) Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical analysis of this application.

Sincerely,


Jim Myron

bc:

COMPLETENESS DETERMINATION CHECKLIST

Application #	Review Date	Reviewer
G-13183	11/16/95	CORY

A checkmark (✓) indicates that the item is incomplete or defective.

- 1. Examination fees (and recording fees, if for PFO/FO).
- 2. Name and address of the applicant, and title if applicable.
- 3. Source of water.
- 4. Use of water.
- 5. Amount of water.
- 6. Description of delivery system.
- 7. A statement of **whether** the applicant has written authorization or easements permitting access to lands owned by others.
- 8. Name(s) and address(es) of the owners of any lands involved, but not owned by the applicant.
- 9. Proposed dates of beginning and completion of construction, and complete application of water.
- 10. If for **municipal use**, the present population to be served and expected future water requirements.
- 11. If for **mining use**, the type of mines and methods of supplying & utilizing the water.
- 12. If for a **reservoir**:
 - a. The height of the dam.
 - b. The storage capacity.
 - c. The area submerged.
 - d. The maximum depth.
 - e. The construction method (earthfill, concrete, flashboard, etc.).
 - f. A description of the outlet conduit.
 - g. A description of the spillway.
- 13. If for **groundwater**, the horizontal distance from the well to the nearest surface water source (if within one mile), and the difference in land surface elevation between them.
- 14. If the application was made under **HB 2107**:
 - a. Name and address of each adjacent property owner and verification that each owner has been mailed a copy of the completed notice.
 - b. A description of the proposed water used and related project, the condition it will address, and the benefits that are expected to result from the project.
 - c. The number of reservoirs per application is appropriate as per OAR 690-11-049 (3)(b)
- 15. An oath that the application information is true and correct.
- 16. The signature of the applicant(s).
- 17. A satisfactory map of the proposed POD & POU.
- 18. A Land Use Information Form or receipt.
- 19. A legal description of the property where water will be used.

COMPLETED

detailed test could include, but is not limited to, increased frequency of water level measurements, increased test duration and increased monitoring of observation wells. Such modifications will be required when possible impacts resulting from the proposed injection include, but are not limited to, thermal or hydrologic interference with existing water rights, water quality degradation or physical or mechanical failure of the well structure.

(4) For flowing artesian wells, pump test specifications shall be prescribed by the Department on a case-by-case basis.

Stat. Auth.: ORS Ch. 537

Hist.: WRD 18-1990, f. & cert. ef. 12-14-90

Water Temperature Measurement

690-230-090 The water well report prepared for any low-temperature geothermal well that is tested by pumping water from the well, shall include the temperature of the fluid as measured at the discharge point at the beginning and end of a timed production test as well as the maximum fluid temperature attained during the test. Bailing or pumping the well are acceptable methods of withdrawing water from the well during the test. Air testing is not acceptable.

(2) The well report prepared for any low-temperature geothermal well that is tested by pumping water into the well shall include the maximum temperature in the borehole and its corresponding depth.

(3) The well constructor is required to provide the temperature data on the water well report. The Director may use other temperature data in making the final determination of the bottom hole temperature.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540

Hist.: WRD 12-1982, f. & ef. 12-14-82; WRD 5-1986, f. 5-16-86, ef. 5-19-86; Renumbered from 690-65-045 by WRD 13-1986, f. 10-7-86, ef. 11-1-86; WRD 7-1988, f. & cert. ef. 6-29-88; WRD 18-1990, f. & cert. ef. 12-14-90

Additional Standards for Low-Temperature Geothermal Injection Wells

690-230-100 Procedures required to inject effluent into a low-temperature geothermal injection well shall not cause failure of the well casing and/or seal materials or other components of the well structure, including but not limited to, movement, displacement or fracturing of the overburden.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540

Hist.: WRD 12-1982, f. & ef. 12-14-82; WRD 5-1986, f. 5-16-86, ef. 5-19-86; Renumbered from 690-65-050 by WRD 13-1986, f. 10-7-86, ef. 11-1-86; WRD 18-1990, f. & cert. ef. 12-14-90

Low-Temperature Geothermal Effluent Disposal

Injection Plan for Wells with an Anticipated Injection Rate Not Exceeding 15,000 Gallons Per Day

690-230-110 No low-temperature geothermal injection well shall be used for injection without approval of the Director in accordance with OAR 690-210-070. The injection plan for the proposed

injection of less than 15,000 gallons per day to a low-temperature geothermal injection well will consist of a water well report from both the injection and production wells. These well reports shall be sent to the Director for review. If the injection well have not yet been constructed, or if a water well report is not available from the injection or production well, acceptable data that shall be submitted as part of the injection plan include, but are not limited to, the following: geological information of the area, depth of the well(s) in question, water well reports from nearby wells, static water level data or water quality data from the well(s) in question. After review of the well reports, or other acceptable data, the Director may require water quality testing, as per OAR 690-230-115(1) and (2), if the Director deems it necessary. The water quality testing may be required in the situations that include, but are not limited to, injection into a groundwater reservoir that is different from the producing groundwater reservoir, or when the well is of poor construction.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540

Hist.: WRD 12-1982, f. & ef. 12-14-82; Renumbered from 690-65-055 by WRD 13-1986, f. 10-7-86, ef. 11-1-86; WRD 7-1988, f. & cert. ef. 6-29-88; WRD 18-1990, f. & cert. ef. 12-14-90

Injection Plan for Wells with an Anticipated Injection Rate Exceeding 15,000 Gallons Per Day

690-230-115 No low-temperature geothermal injection well shall be used for injection without approval of the Director in accordance with OAR 690-210-070. The injection plan for the proposed injection of greater than 15,000 gallons per day to a low-temperature geothermal injection well shall include, but is not limited to, the following:

✓ (1) Details of well construction, including water well reports for the production well and the injection well.

✓ (2) Description of the number and location of water bearing zones from both production and injection wells.

(3) Water temperature data from both the production and injection wells.

(4) Water level data from both the production and injection wells. If information from the well report is not sufficient to determine the effects of injection, the Director may require additional geologic or hydrologic information, including but not limited to, temperature/depth logs of the wells.

(5) Water quality information including analysis by a laboratory certified by the Oregon Health Division for drinking water standards for the following parameters: arsenic, boron, calcium, carbonate or bicarbonate, chloride, fluoride, iron, magnesium, manganese, pH, potassium, silica, sodium, specific conductance, sulfate, suspended solids, total dissolved solids, and total coliform bacteria. If the low-temperature geothermal effluent is suspected to be of poor water quality or to be otherwise incompatible with the water in the receiving zone in the injection well, the Director may require additional specific water quality data. If the information on the well reports for the wells involved is not sufficient to determine the effects of injection, the Director may require additional geologic or hydrologic information, including but

not limited to, temperature/depth logs of the wells. The Director may waive the requirement for specific portions or all of the chemical analyses if the fluid quality is known to be suitable for the intended production and injection.

(6) A map indicating the location and elevation of both the production well and the injection well in accordance with OAR 690-230-045. All maps shall be drawn to a standard, even scale of not less than 4 inches = 1 mile. Small area maps may be more easily and clearly drawn to a larger scale, such as 1 inch = 400 feet. The well owner shall submit injection plans to the Director indicating proposed separation distances between production and injection wells on the parcel of land on which the production well is located, on the parcel of land on which the injection well is located, and on all adjacent parcels of land, as well as land surface elevation at each well head.

(7) Any planned safeguards to prevent substantial thermal or hydrologic interference with existing rights to appropriate groundwater and surface water and alteration of existing or potential drinking water supplies.

Stat. Auth.: ORS Ch. 537
Hist.: WRD 18-1990, f. & cert. ef. 12-14-90

Water Rights Procedure

Processing of Applications

690-230-120 The appropriator shall make application for a water right to appropriate low-temperature geothermal fluid unless an exemption is provided for under ORS 537.545.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 12-1982, f. & ef. 12-14-82; Renumbered from 690-65-060 by WRD 13-1986, f. 10-7-86, ef. 11-1-86; WRD 18-1990, f. & cert. ef. 12-14-90

Exemption from Water Right Permit Application/Use of Low-Temperature Geothermal Fluid

690-230-130 Low-temperature geothermal fluid appropriation for single industrial or commercial use including, but not limited to, electrical, agricultural, aquacultural, heating and/or cooling

in an amount not exceeding 5,000 gallons per day shall be exempt from application for a water right as provided for under ORS 537.545.

(2) Low-temperature geothermal fluid appropriation for single or group domestic purposes including household heating and/or cooling shall be exempt from being required to apply for a water right as provided for under ORS 537.545 when the combined amount of groundwater for single or group domestic purposes, including household heating and/or cooling, does not exceed 15,000 gallons per day. Construction must comply with well construction and maintenance rules as per OAR 690-200-230.

(3) The exemptions under sections (1) and (2) of this rule apply to the use of groundwater for any such purpose to the extent that it is beneficial and constitutes a right to appropriate groundwater equal to that established by a groundwater right certificate.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 12-1982, f. & ef. 12-14-82; Renumbered from 690-65-065 by WRD 13-1986, f. 10-7-86, ef. 11-1-86; WRD 18-1990, f. & cert. ef. 12-14-90

Water Right Limitation for Nonstandard Effluent Disposal Systems

690-230-140 If the low-temperature geothermal effluent is disposed of by way of a nonstandard low-temperature geothermal effluent disposal system, the right to appropriate the low-temperature geothermal fluid shall be inferior to all subsequent rights for beneficial consumptive use and/or to the rights of those appropriators who make use of a standard low-temperature geothermal effluent disposal system. If a nonstandard low-temperature geothermal effluent disposal system is upgraded to a standard low-temperature geothermal effluent disposal system the associated water right retains the priority date established upon initial filing.

Stat. Auth.: ORS Ch. 183, 536, 537 & 540
Hist.: WRD 12-1982, f. & ef. 12-14-82; Renumbered from 690-65-070 by WRD 13-1986, f. 10-7-86, ef. 11-1-86; WRD 18-1990, f. & cert. ef. 12-14-90

RECEIVED

NOV 12 1992

Application No. 6-13183
REQUEST FOR APPROVAL OF A
LOW TEMPERATURE GEOTHERMAL INJECTION WELL PERMIT
WATER RESOURCES DEPT.
SALEM, OREGON

APPLICANT

Name: MONROVIA Nursery Phone: 868-7741
Address 12600 SE Alderman Rd
Street
Dayton OREGON 97114
City State Zip

ADDRESS AND LOCATION OF PRODUCTION WELL(S)

Please list any wells which produce waste water that will ultimately be disposed of at your proposed injection well.

Name and address of well owner: MONROVIA Nursery

Address at well site or nearest known address: SAME AS ABOVE

Location of well: Township 5S, Range 3W, Section 6, 1/4 NW, 1/4 SW

Note: If you plan to dispose of effluent (waste water) that originates from more than one production well, please record the additional information required under this section on a separate page and include with this request.

ADDRESS AND LOCATION OF PROPOSED INJECTION WELL

Name and address of well owner: MONROVIA NURSERY

Address at well site or nearest known address: SAME AS ABOVE

Location of well: Township 5S, Range 3W, Section 6, 1/4 NW, 1/4 SW

Note: Any production well(s) and the injection well must be shown on a 7 1/2-minute USGS topographic map or tax lot map. Indicate elevation of land surface at each well head, horizontal distance between production well(s) and injection well, and identify owner of each well on map (maps should be available from the Watermaster office in ~~Klamath Falls~~, please call 883-4182 for more information). The Watermaster will send you a photocopy of the map at your request.

WATER WELL REPORTS

Attach water well reports for each well involved in this proposal. Record current owner on each water well report if known. Water well reports are available from the Watermaster office in ~~Klamath Falls~~. If a water well report cannot be found, provide the following well information if readily available. Include the following:

Original well owner: (SEE ATTACHED WELL LOG)

Date originally drilled: _____, Well driller: _____

Well depth _____, Casing Size: _____

Is casing perforated?: _____ yes, _____ no. If yes, at what depths: _____

WATER WELL REPORTS (Continued)

RECEIVED

Bottom hole temperature (degrees Fahrenheit): _____, Date: _____

Static water level: _____, Date: _____ NOV 12 1992

Note: ~~The Geothermal Data Center may be able to provide some of the above information. Call 883-5366 for more information.~~ If no well information is available, skip this section and proceed to the next section. WATER RESOURCES DEPT. SALEM, OREGON

DESCRIBE YOUR CURRENT WELL SYSTEM

How is your well utilized? Currently for irrigation/domestic

If known, please provide the following information. (Please attach copies of any known water quality data for your well).

Pumping rate: ± 250 (gallons per minute).

Disposal temperature of waste water as it exits your system: _____ (degrees Fahrenheit).

Have you added any substance (oil, paraffin, etc.) to your well to inhibit corrosion?

_____ yes no _____ don't know.

Additional comments: _____

DESCRIBE YOUR INJECTION PLANS

If known, please provide the following information:

Proposed well depth: 200' Proposed casing size: 6"

Proposed injection temperature: _____ (degrees Fahrenheit).

Proposed injection rate: 150.0 (gallons per minute).

Note: If the proposed injection well has already been drilled, please attach the water well report.

Monty Ferguson for Maurina Henson
Signature of Applicant

11-10-92
Date

If you need more information or help with your injection plans, please contact:

at 378-8456, Extension ²⁰⁵ ~~210~~

Please send your completed request to the following address:

~~Sam Allison~~ Donna Miller
OREGON WATER RESOURCES DEPARTMENT
3850 Portland Road NE
Salem, OR 97310

NUMBER 96257

Check 100⁰⁰ MO _____ Cash _____

____ Surface Application

____ Reservoir Application

~~____~~ Ground Water Application $\frac{0}{100}$

____ Transfer Application

____ Power Claim

____ Hydroelectric Examination

____ Hydroelectric License

____ Copying

____ Assignment

____ Extension of Time

____ Other

____ P-6

____ Quadrangle

____ Basin

____ Protest

____ Constructors Examination

____ Constructors License

____ Adjudication

Ref
6/13/83

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **110361**

3850 PORTLAND ROAD NE
 SALEM, OR 97310
 378-8455 / 378-8130 (FAX)

RECEIVED FROM: Monrovia Nursery
 BY: _____

APPLICATION	69-1383
PERMIT	
TRANSFER	

CASH: CHECK: # Y 66-156 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

_____	CASH ACCT.	\$
_____	VOUCHER #	

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:			
840.001	COPY FEES	\$	
850.200	RESEARCH FEEDS	\$	
880.109	MISC REVENUE: (IDENTIFY)	\$	
520.000	OTHER (P-6) (IDENTIFY)	\$	
WATER RIGHTS:			
842.001	SURFACE WATER	\$	842.002
842.003	GROUND WATER	\$	842.004
842.005	TRANSFER	\$	842.006
WELL CONSTRUCTION			
842.022	WELL DRILL CONSTRUCTOR	\$	842.023
_____	LANDOWNER'S PERMIT	\$	842.024
_____	OTHER (IDENTIFY)	\$	

EXAM FEE
\$
\$
\$
EXAM FEE
\$

RECORD FEE
\$
\$ <u>100.00</u>
\$
LICENSE FEE
\$
\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #
_____	MONITORING WELLS	\$	CARD #

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

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

RECEIPT # **110361**

DATED: 3/21/11 BY: Copy-File

PLEASE DETACH BEFORE DEPOSITING CHECK

ISSUE DATE 3/17/94

Monrovia Nursery Co.
AZUSA, CALIFORNIA 91702-1336

CHECK # 0511217

VENDOR NO.- 051342

NAME-OREGON DEPT OF WATER RESOURCES

INVOICE #	DESCRIPTION	GROSS AMT.	DISC. AMT.	NET AMT.
3/94	WATER RIGHTS PERMIT FEES	100.00	.00	100.00

RECEIVED

MAR 21 1994

WATER RESOURCES DEPT
SALEM, OREGON

** TOTALS **

100.00

.00

100.00

December 29, 1993

WATER
RESOURCES
DEPARTMENT

RECEIVED

MAR 21 1994

WATER RESOURCES DEPT
SALEM, OREGON

MONROVIA NURSERY
12600 S.E. ALDERMAN ROAD
DAYTON, OR 97114

Reference: File G 13183

Hello:

Under separate cover I have enclosed our report of technical review. Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

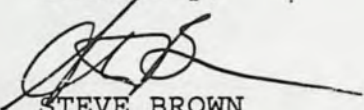
Please send the following:

permit fees in the amount of \$100.00;

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

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

Sincerely,


STEVE BROWN
Manager
Water Rights Division

SB\eg

cc: James M. Scheutte, CWRE



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

TECHNICAL REVIEW CHECKLIST

FORM-71393

(1) Application: G 13183

(2) Review Date: 12/20/93

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

SUMMARY	
<u>S</u>	Completeness <i>REC</i>
<u>S</u>	Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>S</u>	Conflicts
<u>S</u>	Water Availability

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

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

(5) S Application fees: *other .34 c/s*

Examination fee:	\$ 200
Recording fee:	\$ 100
TOTAL REQUIRED	\$ 300
TOTAL SUBMITTED	\$ 200
AMOUNT DUE prior to issuance of permit	<u>\$ 100</u>
AMOUNT OVERPAID	
refund due applicant	\$ _____

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

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

- (8) NA A CWRE map is not required for applications filed before November 9, 1987.
- (9) S A written copy of the legal description of the property on which the water is to be used.
- (10) MA A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) S INDUSTRIAL use(s) is/are classified uses(s) under the W. Hamlet Basin Program, OAR 690 -502-10d(2)
- (14) S The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

- (15) As expressed by the Planning Department of Yamhill
- (16) S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 402 of Y.C.Z.O.).
- (17) N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- (18) N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

- (20) S A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) S The report from groundwater section has been received → DEC 10 1993

For reservoir applications:

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

C99

Application No. **G13183**
Permit No. **G12366**

Name .. MONROVIA NURSERY
Address .. 12600 SE ALDERMAN RD ..
DAYTON, OR 97114 ..
Assigned ..
Address ..
Beginning construction .. APR 11 1997 ..
Completion of construction .. OCT 01 1998 ..
Extended to ..
Complete application of water .. OCT 01 1999 ..
Extended to ..