S-72360

72360

ASSIGNED FILE#: S 72360

IVERSON
33739 S MERIDIAN RD
WOODBURN, OR 97071

Application No. 72360
Permit No. 52392
Certificate No. 91550

Stream Index, Page No. 2

Date filed
Priority
Action suspended until
Return to applicant
Date of approval

CONSTRUCTION

Date for beginning 6-12-97
Date for completion 10-1-98
Extended to 10-1-03, 10-1-2006
10-1-2017
Date for application of water 10-1-99
Extended to 10-1-03, 10-1-2006
10-1-2017

PROSECUTION OF WORK

Form "A" filed
Form "B" filed
Form "C" filed

FINAL PROOF

Blank mailed
Proof received COBu 6/3/2013
Date Certificate issued AUG 03 2016

FEES PAID

Date	Amount	Receipt No.
4/28/97	1780.00	85975
5-24-96	1228.00	002618
Ext. 10-1-99	100.00	33512
Ext. 8-12-04	250.00	69293
10-16-07	50.00 Cert. Fee	90202

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
10/16/2007	IVERSON FAMILY FARMS INC	33739 S MERIDIAN RD WOODBURN OR 97071		

REMARKS

Fees Paid

Date	Amount	Receipt #
6-3-13	150.00	108954

SMEAD 11 SP98874

RES. Appl. R-72359
WAS AMENDED
TO 185.6 AC/FT.

THIS FILE, S-72360
WILL BE CHANGED
ACCORDINGLY

S-72360
IVERSON FAMILY FARMS INC
33739 S MERIDIAN RD
WOODBURN OR 97071

S-72360
IVERSON FAMILY FARMS INC
33739 S MERIDIAN RD
WOODBURN OR 97071

S-72360
IVERSON FAMILY FARMS INC
33739 S MERIDIAN RD
WOODBURN OR 97071

S-72360
IVERSON FAMILY FARMS INC
33739 S MERIDIAN RD
WOODBURN OR 97071

NUMBER 06914

Check 1228 00 Mo_____ Cash_____

✓ Surface Application

____ Reservoir Application

____ Ground Water Application

____ Transfer Application

____ PFO Request

____ Research

____ Hydroelectric Fees

____ Copying

____ Assignment

____ Extension of Time

____ Protest

____ Other

0/1228

Doug B

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 108954

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

INVOICE # _____

RECEIVED FROM: Iverson Family Farms

BY: _____

APPLICATION	S-72360
PERMIT	S-52394
TRANSFER	

CASH: ☐ CHECK:# ☒ 21037 ☐ OTHER: (IDENTIFY) _____

TOTAL REC'D $ 150.00

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

46111

	MISCELLANEOUS		
0407	COPY & TAPE FEES		$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	_____	$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$
0240	EXTENSION OF TIME		$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

RECEIVED OVER THE COUNTER

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$
0200	OTHER (IDENTIFY) CDBU			$150.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 108954 DATED: 6-3-13 BY: RBrown

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

IVERSON BROTHERS BULB FARM, INC.

17342

WATER RESOURCES DEPARTMENT 05/22/96

Date	Trans. No.	Description	Vend.Inv.#	Gross	Disc	Net
05/22/96	7664	APP #S-72360		1228.00	0.00	1228.00
			Totals:	1228.00	0.00	1228.00

RECEIVED
MAY 24 1996
WATER RESOURCES DEPT.
SALEM, OREGON

FOR REENA

DATE 5-9 TIME 111 A.M. (P.M.)

FROM CLERK - CUT.

FIRM ASSR'S OFFICE.

PHONE 503 - 655 - 8302
AREA CODE NUMBER EXTENSION

☐ FAX

☐ MOBILE
AREA CODE NUMBER TIME TO CALL

TELEPHONED		PLEASE CALL	
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE 72360
72359

SIGNED

TOPS FORM 4007 MADE IN U.S.A.

MESSAGE

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # INVOICE # 002618

RECEIVED FROM: Mike Dorsett

BY:

APPLICATION	72360
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 24201 OTHER: (IDENTIFY) ☐

TOTAL REC'D $ 1228.92

0417 WRD MISC CASH ACCT

	ADJUDICATIONS	$
	PUBLICATIONS / MAPS	$
_____	OTHER: (IDENTIFY) _____	$
_____	OTHER: (IDENTIFY) _____	$

REDUCTION OF EXPENSE

CASH ACCT. _____ $

PCA AND OBJECT CLASS _____ VOUCHER # _____

0427 WRD OPERATING ACCT

	MISCELLANEOUS			
0407	COPY FEES			$
0410_	RESEARCH FEES			$
0408	MISC REVENUE: (IDENTIFY) _____			$
TC165	DEPOSIT LIAB. (IDENTIFY) _____			$
	WATER RIGHTS:	**EXAM FEE**		**RECORD FEE**
0201	SURFACE WATER	$ 0	0202	$ 1228.92
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$	0206	$
	WELL CONSTRUCTION	**EXAM FEE**		**LICENSE FEE**
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	$

0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HRDRO APPLICATION _____		$

RECEIPT # 002618 DATED: 5-24-96 BY:

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

IVERSON FAMILY FARMS INC.

21037

Oregon Water Resources Department 4/19/13

Licenses, Fees & Permits 150.00

Checking - West Coas COBU R-72359 & permit #R-11827 150.00

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

IVERSON FAMILY FARMS INC.
33739 S MERIDIAN RD
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit S-52392. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, PERMIT R-11827, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 38.7 ACRES, SUPPLEMENTAL IRRIGATION OF 431.2 ACRES, AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 469.9 ACRES

VOLUME/AMOUNT: 178.8 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THOUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: APRIL 28, 1992

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	1 W	WM	24	SW SE	73	1220 FEET NORTH AND 2880 FEET EAST FROM SW CORNER, SECTION 24

A description of the place of use is as follows:

PRIMARY IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS)							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 W	WM	24	NE NE			9.4
5 S	1 W	WM	24	NW NE			8.2
5 S	1 W	WM	24	SW NE	3		13.3
5 S	1 W	WM	24	SE NE	4		4.8
5 S	1 W	WM	24	SW SE		73	3.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 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.

SUPPLEMENTAL IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS)							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 E	WM	19	NW SW	3		45.7
5 S	1 E	WM	19	SW SW	4		43.5
5 S	1 W	WM	13	SW SE			40.0
5 S	1 W	WM	13	SE SE			3.0
5 S	1 W	WM	24	NE NE			0.1
5 S	1 W	WM	24	NW NE			28.1
5 S	1 W	WM	24	SW NE		73	15.4
5 S	1 W	WM	24	SE NE		73	15.3
5 S	1 W	WM	24	NE NW		46	22.1
5 S	1 W	WM	24	NW NW		46	15.9
5 S	1 W	WM	24	SW NW		46	24.4
5 S	1 W	WM	24	SE NW		46	39.0
5 S	1 W	WM	24	NE SW		73	28.1
5 S	1 W	WM	24	NE SE		73	39.6
5 S	1 W	WM	24	NW SE		73	33.7
5 S	1 W	WM	24	SW SE		73	10.5
5 S	1 W	WM	24	SE SE		73	26.8

Measurement, recording and reporting conditions:

A. The water user shall maintain a meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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

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

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

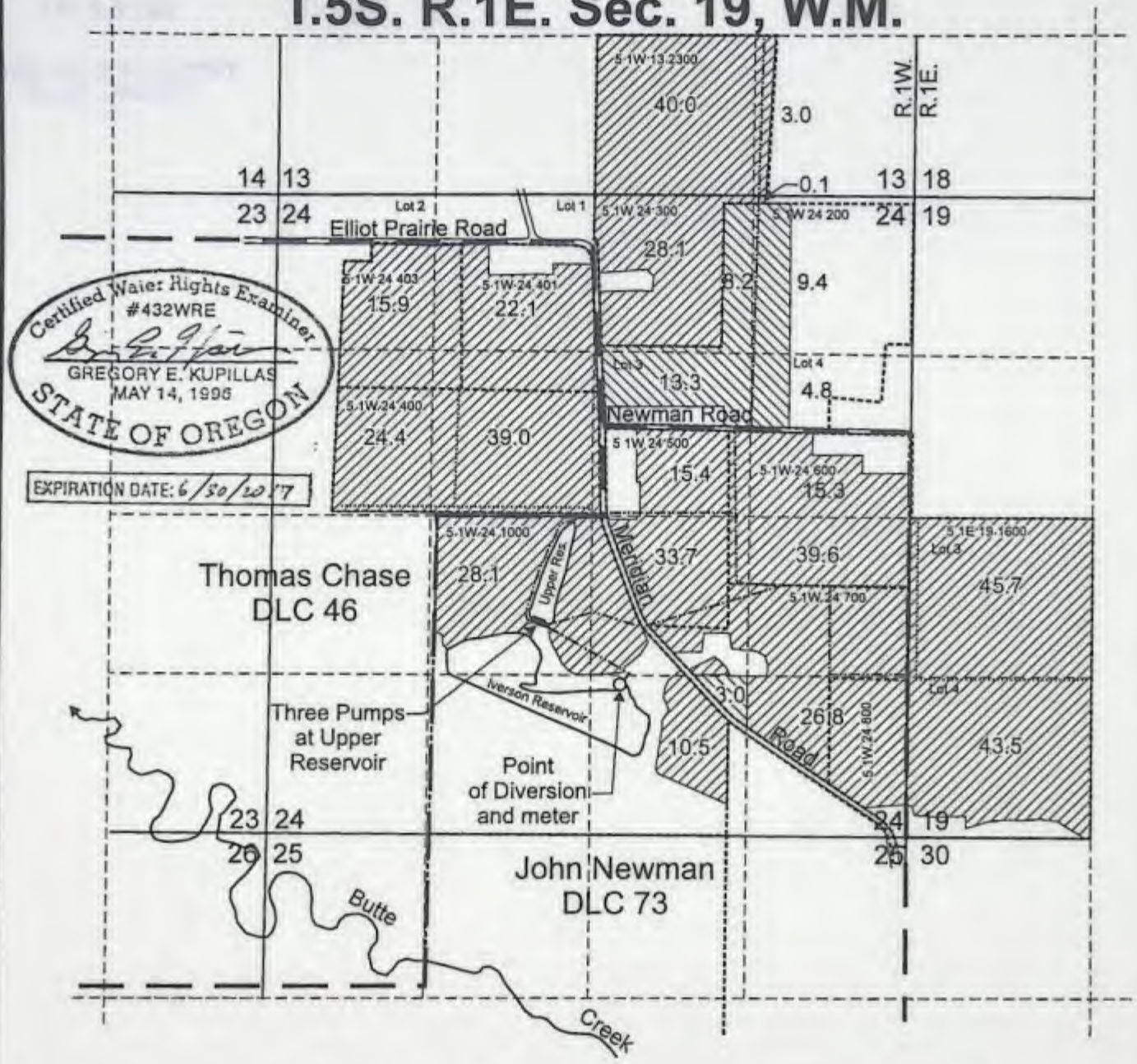
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued _____.

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

T.5S. R.1W. Sec. 13 & 24
T.5S. R.1E. Sec. 19, W.M.



Certified Water Rights Examiner
#432WRE
GREGORY E. KUPILLAS
MAY 14, 1996
STATE OF OREGON
EXPIRATION DATE: 6/30/2017

Point of Diversion is located 1,220 feet north and 2,880 feet east from the SW corner, Section 24.

Area covered by Primary Irrigation and Agricultural Use (Nursery Operations) (38.7 Acres).

Area covered by Supplemental Irrigation and Agricultural Use (Nursery Operations) (431.2 Acres).

Tax lot boundary

Irrigation mainline burried

Donation Land Claim boundary

Irrigation mainline above ground

Scale: 1" = 1,320'

0 1,320 Feet

N

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.

Pacific Hydro-Geology Inc.

Claim of Beneficial Use Map
Application R-72359; Permit R-11827 &
Application S-72360; Permit S-52392

Iverson Family Farms, Inc.

Rvsd 05/2016 T.5S. R.1W. Sec. 13 & 24; T.5S. R.1E. Sec. 19, W.M.

Iverson_R&S_COBU_2016_05_25_gek.cdr

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

IVERSON FAMILY FARMS INC.
33739 S MERIDIAN RD
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit S-52392. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, PERMIT R-11827, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 38.7 ACRES, SUPPLEMENTAL IRRIGATION OF 431.2 ACRES, AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 469.9 ACRES

VOLUME/AMOUNT: 178.8 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THOUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: APRIL 28, 1992

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	1 W	WM	24	SW SE	73	1220 FEET NORTH AND 2880 FEET EAST FROM SW CORNER, SECTION 24

A description of the place of use is as follows:

PRIMARY IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS)							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 W	WM	24	NE NE			9.4
5 S	1 W	WM	24	NW NE			8.2
5 S	1 W	WM	24	SW NE	3		13.3
5 S	1 W	WM	24	SE NE	4		4.8
5 S	1 W	WM	24	SW SE		73	3.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 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.

SUPPLEMENTAL IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS)							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 E	WM	19	NW SW	3		45.7
5 S	1 E	WM	19	SW SW	4		43.5
5 S	1 W	WM	13	SW SE			40.0
5 S	1 W	WM	13	SE SE			3.0
5 S	1 W	WM	24	NE NE			0.1
5 S	1 W	WM	24	NW NE			28.1
5 S	1 W	WM	24	SW NE		73	15.4
5 S	1 W	WM	24	SE NE		73	15.3
5 S	1 W	WM	24	NE NW		46	22.1
5 S	1 W	WM	24	NW NW		46	15.9
5 S	1 W	WM	24	SW NW		46	24.4
5 S	1 W	WM	24	SE NW		46	39.0
5 S	1 W	WM	24	NE SW		73	28.1
5 S	1 W	WM	24	NE SE		73	39.6
5 S	1 W	WM	24	NW SE		73	33.7
5 S	1 W	WM	24	SW SE		73	10.5
5 S	1 W	WM	24	SE SE		73	26.8

Measurement, recording and reporting conditions:

A. The water user shall maintain a meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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

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

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

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

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

Issued AUG 03 2016.

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

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: August 3, 2016

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.

Mailing List for Certificate

Application: S-72360

Permit: S-52392

Certificate: 91550

Copies Mailed
by: Connie Jones
(STAFF)
on: AUG 03.2016
(DATE)

Permit/Certificate Holder:

IVERSON FAMILY FARMS INC.
33739 S MERIDIAN RD
WOODBURN OR 97071

Copies of Final Certificate to be sent to:

1. Watermaster District #: 16
2. ~~Data Center (include copy of map)~~
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Greg Kupillas, CWRE
   PACIFIC HYDRO-GEOLOGY INC.

Current Landowners 10

Tax Lots 51W24 00400, 401, 403

2. Sharon L Schneider
   33085 S Meridian Rd
   Woodburn OR 97071

Tax Lot 51W24 00500

3. Jon D Iverson
   Katherine N Iverson
   33502 S Meridian Rd
   Woodburn OR 97071

Tax Lots 51E19 01600, 51W24 00600 & 51W24 00800

4. Steven R Iverson
   5989 S Newman Rd
   Woodburn OR 97071

5. Kenneth M Iverson
   32934 S Verna St
   Woodburn OR 97071

6. Paul R Iverson
   33988 S Meridian Rd
   Woodburn OR 97071

Tax Lots 51W13 02300 & 51W24 00300

7. Arlene M Lucas, Trustee
   16401 SW 126th Ter
   Tigard OR 97224

Mailing List for Certificate

Application: S-72360

Permit: S-52392

Certificate:

Copies Mailed
by: Connie Vance
(STAFF)
on: MAR 18 2016
(DATE)

Permit/Certificate Holder:

IVERSON FAMILY FARMS INC.
33739 S MERIDIAN RD
WOODBURN OR 97071

Copies of Final Certificate to be sent to:

1. Watermaster District #: 16
~~2. Data Center (include copy of map),~~
~~3. Water Availability~~
~~4. Vault~~
5. File

PROPOSED

Other persons to receive copies: (include map):

1. Greg Kupillas, CWRE
PACIFIC HYDRO-GEOLOGY INC.

Current Landowners

Tax Lots 51W24 00400, 401, 403

2. Sharon L Schneider
33085 S Meridian Rd
Woodburn OR 97071

Tax Lot 51W24 00500

3. Jon D Iverson
Katherine N Iverson
33502 S Meridian Rd
Woodburn OR 97071

9 10 maps
→ next pg. 2

Tax Lots 51E19 01600, 51W24 00600 & 51W24 00800

4. Steven R Iverson
   5989 S Newman Rd
   Woodburn OR 97071

5. Kenneth M Iverson
   32934 S Verna St
   Woodburn OR 97071

6. Paul R Iverson
   33988 S Meridian Rd
   Woodburn OR 97071

Tax Lots 51W13 02300 & 51W24 00300

7. Arlene M Lucas, Trustee
   16401 SW 126th Ter
   Tigard OR 97224

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PROPOSED

IVERSON FAMILY FARMS INC.
33739 S MERIDIAN RD
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit S-52392. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, PERMIT R-11827, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 38.7 ACRES, SUPPLEMENTAL IRRIGATION OF 431.2 ACRES, AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 469.9 ACRES

VOLUME/AMOUNT: 178.8 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THOUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: APRIL 28, 1992

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	1 W	WM	24	SW SE	73	1220 FEET NORTH AND 2880 FEET EAST FROM SW CORNER, SECTION 24

A description of the place of use is as follows:

PRIMARY IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS)							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 W	WM	24	NE NE			9.4
5 S	1 W	WM	24	NW NE			8.2
5 S	1 W	WM	24	SW NE	3		13.3
5 S	1 W	WM	24	SE NE	4		4.8
5 S	1 W	WM	24	SW SE		73	3.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 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.

PROPOSED

PROPOSED

SUPPLEMENTAL IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS)							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 E	WM	19	NW SW	3		45.7
5 S	1 E	WM	19	SW SW	4		43.5
5 S	1 W	WM	13	SW SE			40.0
5 S	1 W	WM	13	SE SE			3.0
5 S	1 W	WM	24	NE NE			0.1
5 S	1 W	WM	24	NW NE			28.1
5 S	1 W	WM	24	SW NE		73	15.4
5 S	1 W	WM	24	SE NE		73	15.3
5 S	1 W	WM	24	NE NW		46	22.1
5 S	1 W	WM	24	NW NW		46	15.9
5 S	1 W	WM	24	SW NW		46	24.4
5 S	1 W	WM	24	SE NW		46	39.0
5 S	1 W	WM	24	NE SW		73	28.1
5 S	1 W	WM	24	NE SE		73	39.6
5 S	1 W	WM	24	NW SE		73	33.7
5 S	1 W	WM	24	SW SE		73	10.5
5 S	1 W	WM	24	SE SE		73	26.8

Measurement, recording and reporting conditions:

A. The water user shall maintain a meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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.

PROPOSED

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

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

Issued _____

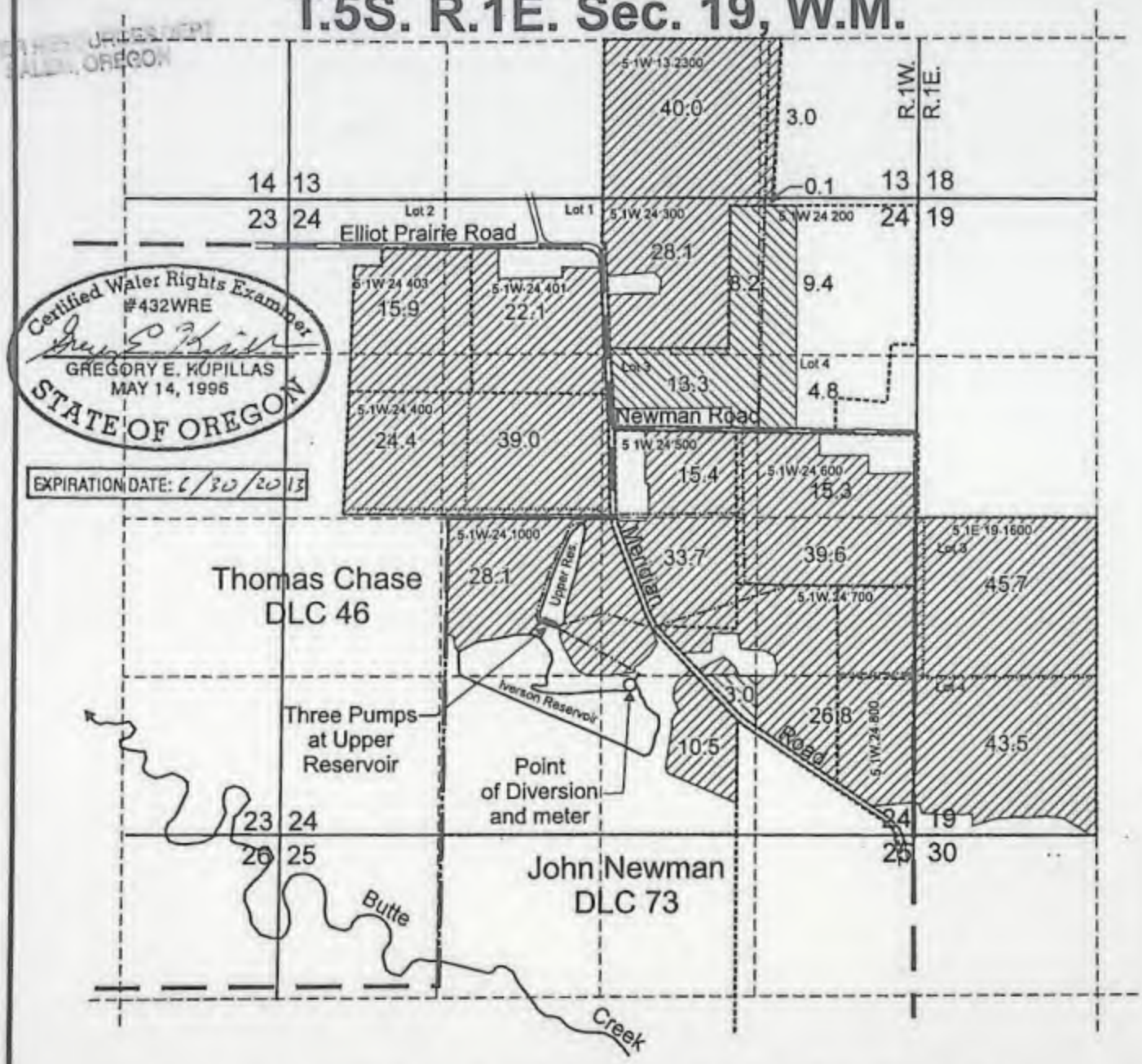
PROPOSED

_____

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

PROPOSED

T.5S. R.1W. Sec. 13 & 24
T.5S. R.1E. Sec. 19, W.M.



Certified Water Rights Examiner
#432WRE
GREGORY E. KUPILLAS
MAY 14, 1996
STATE OF OREGON

EXPIRATION DATE: 6/30/2013

Point of Diversion is located 1,220 feet north and 2,880 feet east from the SW corner, Section 24.

Area covered by Primary Irrigation and Agricultural Use (Nursery Operations) (38.7 Acres).

Area covered by Supplemental Irrigation and Agricultural Use (Nursery Operations) (431.1 Acres).

Tax lot boundary

Irrigation mainline burried

Donation Land Claim boundary

Irrigation mainline above ground

Scale: 1" = 1,320'

0 1,320 Feet

N

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.

IversonR72359COBU.cdr

Pacific Hydro-Geology Inc.

Claim of Beneficial Use Map
Application R-72359; Permit R-11827 &
Application S-72360; Permit S-52392

Iverson Family Farms, Inc.
T.5S. R.1W. Sec. 13 & 24; T.5S. R.1E. Sec. 19, W.M.

04/2013

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: MAR 18 2016

NOTICE

Reference: Application S-72360 Permit S-52392

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

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

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

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

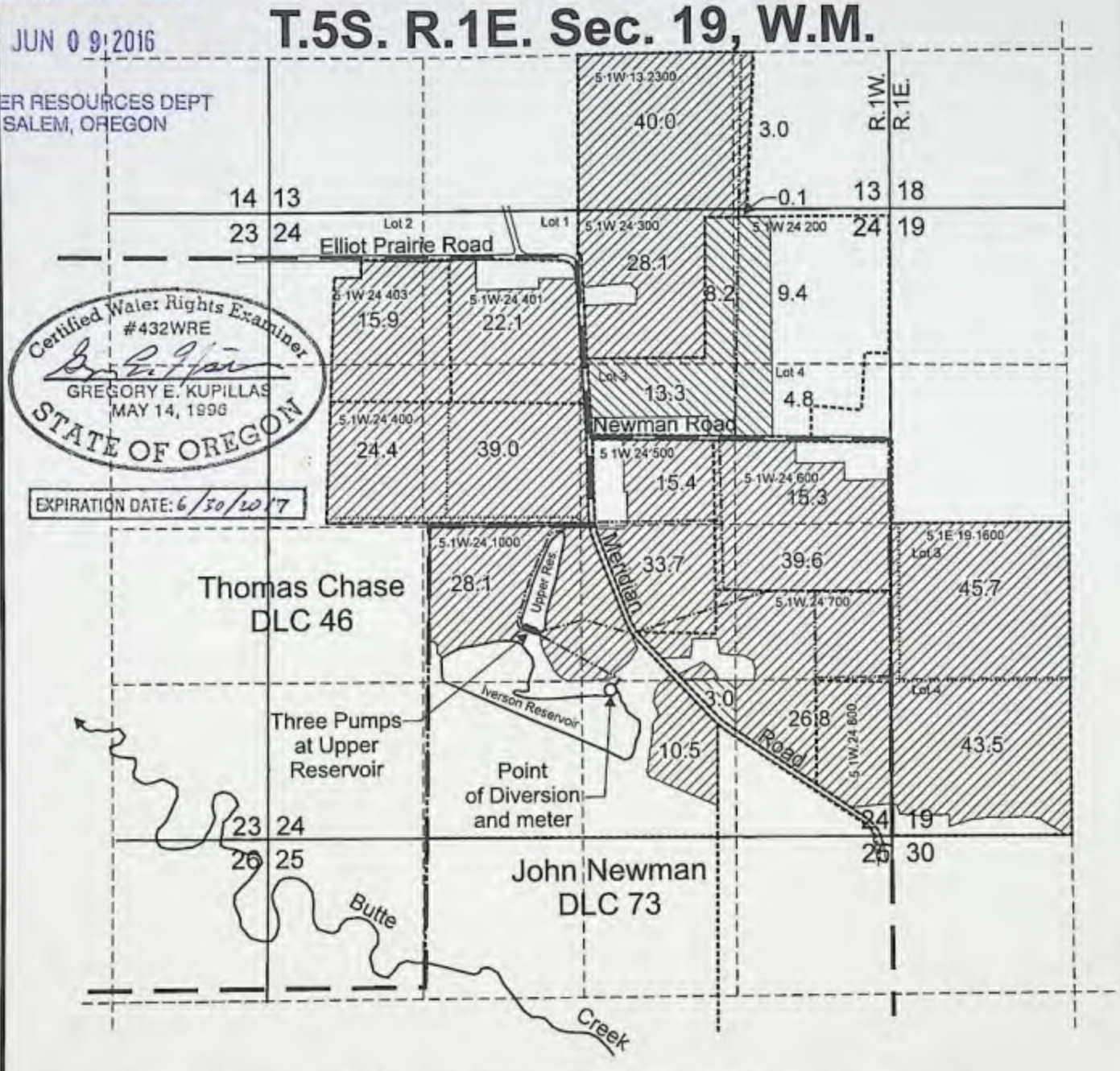
If you have any other questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French
Water Right Services Administrator

RECEIVED
JUN 09 2016
WATER RESOURCES DEPT
SALEM, OREGON

T.5S. R.1W. Sec. 13 & 24
T.5S. R.1E. Sec. 19, W.M.



Point of Diversion is located 1,220 feet north and 2,880 feet east from the SW corner, Section 24.

Area covered by Primary Irrigation and Agricultural Use (Nursery Operations) (38.7 Acres).

Area covered by Supplemental Irrigation and Agricultural Use (Nursery Operations) (431.2 Acres).

Tax lot boundary

Irrigation mainline burried

Donation Land Claim boundary

Irrigation mainline above ground

Scale: 1" = 1,320'

0 1,320 Feet

N

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.

Iverson_R&S_COBU_2016_05_25_gek.cdr

Pacific Hydro-Geology Inc.

Claim of Beneficial Use Map
Application R-72359; Permit R-11827 &
Application S-72360; Permit S-52392

Iverson Family Farms, Inc.

Rvsd 05/2016 T.5S. R.1W. Sec. 13 & 24; T.5S. R.1E. Sec. 19, W.M.

BJORK Mary F

From: Greg Kupillas <phggek@bctonline.com>
Sent: Thursday, May 19, 2016 9:21 AM
To: 'BJORK Mary F'
Subject: RE: Proposed Cert for Permit R-11827

Mary,

I will bring in the revised maps on my next trip into the Department, which will likely be next week sometime. Thanks for the heads-up on the updated language. I have no concerns about the proposed new language.

Regards,

Greg

From: BJORK Mary F [mailto:mary.f.bjork@state.or.us]
Sent: Wednesday, May 18, 2016 3:45 PM
To: Greg Kupillas
Cc: CLARK Gerry E; BJORK Mary F
Subject: RE: Proposed Cert for Permit R-11827

Hi Greg,

Thanks for the moment to discuss your concerns today. Attached to this email is a pdf of the COBU Map for Application R-72359, Permit R-11827, and Application S-72360, Permit S-52392. As discussed, I will expect a revised map from you **for each file**, updating the total listed acres covered by Supplemental Irrigation and Agricultural Use (Nursery Operations), from 431.1 Acres, to 431.2 Acres.

Also, I will revise the Proposed Certificate for Application R-72359, Permit R-11827 by deleting the fish conditions that are not relevant to the claimed source of runoff.

One last item, as Gerry mentions, the language relating to plans and specs, will be updated From –

The earthen dam and reservoir shall be operated and maintained according to the approved plans and specifications dated December 23, 1992, on file with the Water Resources Dam Safety Program.

To –

The dam shall be operated and maintained according to the final specifications and as-built drawings as approved by the Water Resources Department on February 8, 2001, on file with the Department.

Please let me know if you have any questions or additional concerns.

Regards,

Mary

Mary Bjork | Certificate Specialist, Water Rights Services Division
Oregon Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503.986.0804 | Fax: 503.986.0901
Email: mary.f.bjork@wrd.state.or.us | Web: http://www.wrd.state.or.us

From: CLARK Gerry E
Sent: Monday, May 16, 2016 3:36 PM
To: Greg Kupillas
Cc: BJORK Mary F
Subject: RE: Proposed Cert for Permit R-11827

Greg,

Thank you for your comments. Mary and I will discuss them and get back to you with a plan.

Since the time that the proposed certificate was mailed for the reservoir permit, we have developed language to reflect "as-built" data rather than plans and specs. We may be updating the reservoir certificate to reference the as-builts.

Gerry

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

Phone: 503-986-0811

From: Greg Kupillas [mailto:phggek@bctonline.com]
Sent: Monday, May 16, 2016 3:17 PM
To: 'Gerry Clark'
Subject: Proposed Cert for Permit R-11827

Gerry,

I think we are up against the 60-day review period for the proposed certificate for permit R-11827. Just last Friday, I finally sat down to look it over, along with two other proposed certificates for Iverson Family Farms (Permit S-52392 and Transfer 7567). In reviewing the proposed certificates, the only issue that came to my attention was the conditions concerning fish screening and fish passage in the proposed certificate for permit R-11827. I believe the fish screening/bypass device and fish passage conditions originally stated in the permit applied to the diversion at Butte Creek. The reservoir fills every season from runoff without the need to divert water from Butte Creek; therefore, the Butte Creek diversion point has never been used, nor was it included in the COBU. So, it seems that these conditions are no longer relevant (as mentioned in the COBU), and should not be included in the certificate. Please take a look at this and let me know what you think.

Also, there was one other minor issue that I think we can resolve easily enough. I noticed that the number of supplemental acres we included in the COBU for Permit S-52392 were short by 0.1 acres. This was due, I think, to us missing a small 0.1 acre piece in the NE NE of Section 24 when tallying up the acres for the supplemental use. Your reviewer got it correct. However, the COBU map still lists the supplemental acreage as 431.1 acres, when it should be 431.2 acres. We can submit an amended COBU map so the map correctly reflects the actual acreage.

Regards,

Greg

MEMO – 2014-2015 Certificate Project Proof to Satisfaction (Aug 7, 2014)

Application # S-72360	Permit # S-52392	Transfer #
WRD Reviewer Mary Bjork		Date 2-2-16
WRD Peer Reviewer Jessica Joye		Date 2-23-16

Research

✓ Organize file in chronological order
✓ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, flagged
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: _____ & 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 See Email print out
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 some underlying in SEC 24 But NU use covers all. ✓
If "Yes", provide copy of certificate & relevant map
✓ Print BLM Cadastral Survey
✓ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ___ No ✓ Yes GLots, DLCs 73 461
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

N/A Fish Conditions
YES Meter/measuring device shall → installed July 2012 ✓
YES Water Use Reporting shall → Reported 2000 → Current ✓
N/A Pump Test (post December 19, 1988)
— Other Conditions _____
N/A SWL
YES C-Date 10-1-05 EXT → 10-1-12 ✓

✓ Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:
CWRE – G. Kupillas
→ Exceeds Capacity – Makes Proof

Determination

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

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

developed less acres

___ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

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

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

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

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

NOTES:

permit for 185.6 AF for → Developed 178.8 AF

IR	38.8 AC	38.7 AC
IS	485.2 "	431.2 "
AG (NU)	524.0 "	469.9 "

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	
T-7567, to Change the Point of Diversion	)	FINAL ORDER APPROVING A
and Place of Use of Water	)	TRANSFER
Clackamas County, Oregon	)	

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant
Ross and Dorothy Iverson
33739 S. Meridian Road
Woodburn, OR 97071

Receiving Landowner
Iverson Brothers Bulb Farm, Inc.
33739 S. Meridian Road
Woodburn, OR 97071

Findings of Fact

1. Ross and Dorothy Iverson filed an application to transfer the point of diversion for 60.6 acres and the place of use for 10.0 acres under Certificate 34541. The application also proposes to transfer the place of use for 1.5 acres of supplemental rights under Certificate 60849. The Department assigned the application number T-7567.

2. The portion of the first right to be transferred is as follows:

Certificate:	34541 in the name of Ross Iverson
Use:	Irrigation
Priority Date:	December 7, 1964
Quantity:	0.76 cfs
Acres:	60.6
Rate & Duty:	1/80 cfs per acre irrigated, not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year
Source:	Butte Creek, tributary to Pudding River

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW
This is an order other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Location
5	S	1	W	W.M.	25	SE NW		73	1120' N and 2930' W from the E¼ corner of Section 25

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	1	W	W.M.	24	NE SW		73	34.8
5	S	1	W	W.M.	24	SE SW		73	4.5
5	S	1	W	W.M.	24	NW SE		73	6.4
5	S	1	W	W.M.	24	SW SE		73	6.8
5	S	1	W	W.M.	25	SW NE		73	8.1

3. Application T-7567 proposes to move the authorized point of diversion approximately 1/4 mile downstream in Butte Creek to:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Location
5	S	1	W	W.M.	25	NE NW		73	6060' S and 4540' E from the NW corner of DLC 46

4. Application T-7567 proposes to change the place of use of the following portion of the right:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	1	W	W.M.	24	NE SW		73	4.0
5	S	1	W	W.M.	24	SE SW		73	4.5
5	S	1	W	W.M.	24	NW SE		73	1.5

The proposed place of use of the above acres under the right is:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	1	W	W.M.	24	NW NE			0.7
5	S	1	W	W.M.	24	SW NE	3		9.3

5. The portion of the second right to be transferred is as follows:

Certificate: 60849 in the name of Van Veen Nursery
Use: Supplemental irrigation
Priority Date: February 18, 1977
Quantity: 0.02 cfs
Acres: 1.5
Rate & Duty: 1/80 cfs per acre irrigated, not to exceed 2.5 acre-feet per acre each irrigation season
Source: House Well in the Butte Creek Basin

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Location
5	S	1	W	W.M.	24	SW SE		73	530' N and 470' E from the S¼ corner of Section 24

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	1	W	W.M.	24	NW SE		73	1.5

6. T-7567 proposes to change the place of use of 1.5 acres under Certificate 60849 to:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	1	W	W.M.	24	SW NE	3		1.5

7. A reservoir and a sump now cover a portion of the land under Certificate 34541. Department records indicate that the sump was built prior to June 19, 1974 and has a surface area of approximately 0.4 acre, and that the reservoir was built prior to July 16, 1985, with a surface area of 2.7 acres. The Department finds that these 3.1 acres of the water right are subject to forfeiture due to non-use. The applicant submitted an affidavit to cancel the forfeited portion of Certificate 34541. The lands proposed for cancellation are located as follows:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	1	W	WM	24	NE SW		73	3.0
5	S	1	W	WM	24	SE SW		73	0.1

8. A portion of the water right described by Permit 52392 is appurtenant to the proposed place of use. Permit 52392, issued to Ross Iverson for irrigation, supplemental irrigation and agricultural use (Nursery Operations), from Iverson Reservoir, constructed under Permit R-11827, has a priority date of April 28, 1992. The applicant proposes to diminish the portion of Permit 52392 from primary to supplemental irrigation on the following lands, should T-7567 be approved.

Township		Range		Meridian	Section	¼ ¼	Lot	DLC	Acres
5	S	1	W	WM	24	NW NE			0.7
5	S	1	W	WM	24	SW NE	3		9.3

9. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.

10. Water has been used within the five-year period prior to filing of the application according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

11. The proposed change would not result in enlargement of the right.

12. The proposed change would not result in injury to other water rights.

13. Since listed fish species are present in Butte Creek, Oregon Department of Fish and Wildlife has requested fish screening at the new point of diversion.

14. Notice of the Preliminary Determination was published as per ORS 540.520 and OAR 690-380-4020. No protests were filed pursuant to OAR 690-380-4030.

Conclusion Of Law

The proposed changes in place of use and point of diversion in application T-7567 are consistent with the requirements of ORS 540.505 to 540.580.

Now, therefore, it is ORDERED:

1. The changes in point of diversion and place of use proposed in application T-7567 are approved.
2. Certificates 34541 and 60849 are cancelled. A new certificate will be issued describing those portions of Certificate 60849 NOT involved in this transfer.
3. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 34541 and 60849 and any related decree.
4. The proposed change shall be completed on or before October 1, 2005.
5. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.
6. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
7. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
8. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife.
9. The portion of Permit 52392 identified in Finding #8 shall be diminished to supplemental irrigation.
10. When satisfactory proof of the completed change is received, new certificates shall be issued confirming the portions of the water rights not cancelled by affidavit.

Dated at Salem, Oregon this 30th day of September, 2004.

for Phillip C. Ward
Acting Director

Mailing date: OCT 0 5 2004

Water Use Report Based on Water Right



◉ excel
○ text

Permit: S 52392 *

IVERSON, BARB IVERSON FAMILY FARMS INC, 33739 S MERIDIAN RD
WOODBURN, OR 97071

Records per page: 100

Acre-feet (AF) of Water Used

Water Year*	Report ID	Facility	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total Water Used	Irrigated Acres
2000	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2001	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2002	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.00	30.00	0.00	50.00	
2003	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	30.00	30.00	5.00	65.00	
2004	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	40.00	35.00	0.00	75.00	
2005	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.00	20.00	5.00	45.00	
2006	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35.00	0.00	35.00	
2015	51006	IVERSON TO FIELD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.22	24.64	22.38	7.11	59.35	
2016	51006	IVERSON TO FIELD	0.00	0.00	0.00										0.00	

*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
  - For diverted rights, the total amount diverted during the month;
  - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water Use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

Pump Capacity Calculator

using Department designed formula:

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	40
Efficiency =	6.61
Lift =	33
PSI =	75

Results Calculated

(hp)(efficiency) =	264.4
Head based on psi =	190.5
Total dynamic head = (head + lift)	223.5

Pump Capacity = **1.183 cubic feet per second**

x 2 (Pumps)

2.36

+ 0.59 (pump)

2.95 cfs from 3 pumps

2.95 x 1.98 x 244 days = 1425.2 AF/YEAR

Allowed Rate 178.8 AF/YEAR

Exceeds Capacity

Makes Proof ✓ Agree.

Pump Capacity Calculator

using Department designed formula:

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	20
Efficiency =	6.61
Lift =	33
PSI =	75

Results Calculated

(hp)(efficiency) =	132.2
Head based on psi =	190.5
Total dynamic head = (head + lift)	223.5

Pump Capacity = 0.591 cubic feet per second

Sprinkler Capacity Calculator

Data Entry (fill in underlined blanks)

Sprinkler group 1	Nozzle size = 11/64 inch		(type an apostrophe before the size)
	Pressure = 50 PSI		
	Number of heads = 83		
Sprinkler group 2 (if applicable)	Nozzle size = _____ inch		(type an apostrophe before the size)
	Pressure = 0 PSI		
	Number of heads = _____		
Sprinkler group 3 (if applicable)	Nozzle size = _____ inch		(type an apostrophe before the size)
	Pressure = _____ PSI		
	Number of heads = _____		

Results calculated

Sprinkler group 1 capacity =	498 gpm, or	1.110 cfs
Sprinkler group 2 capacity =	0 gpm, or	0.000 cfs
Sprinkler group 3 capacity =	0 gpm, or	0.000 cfs
Total sprinkler capacity =	498 gpm, or	1.110 cfs

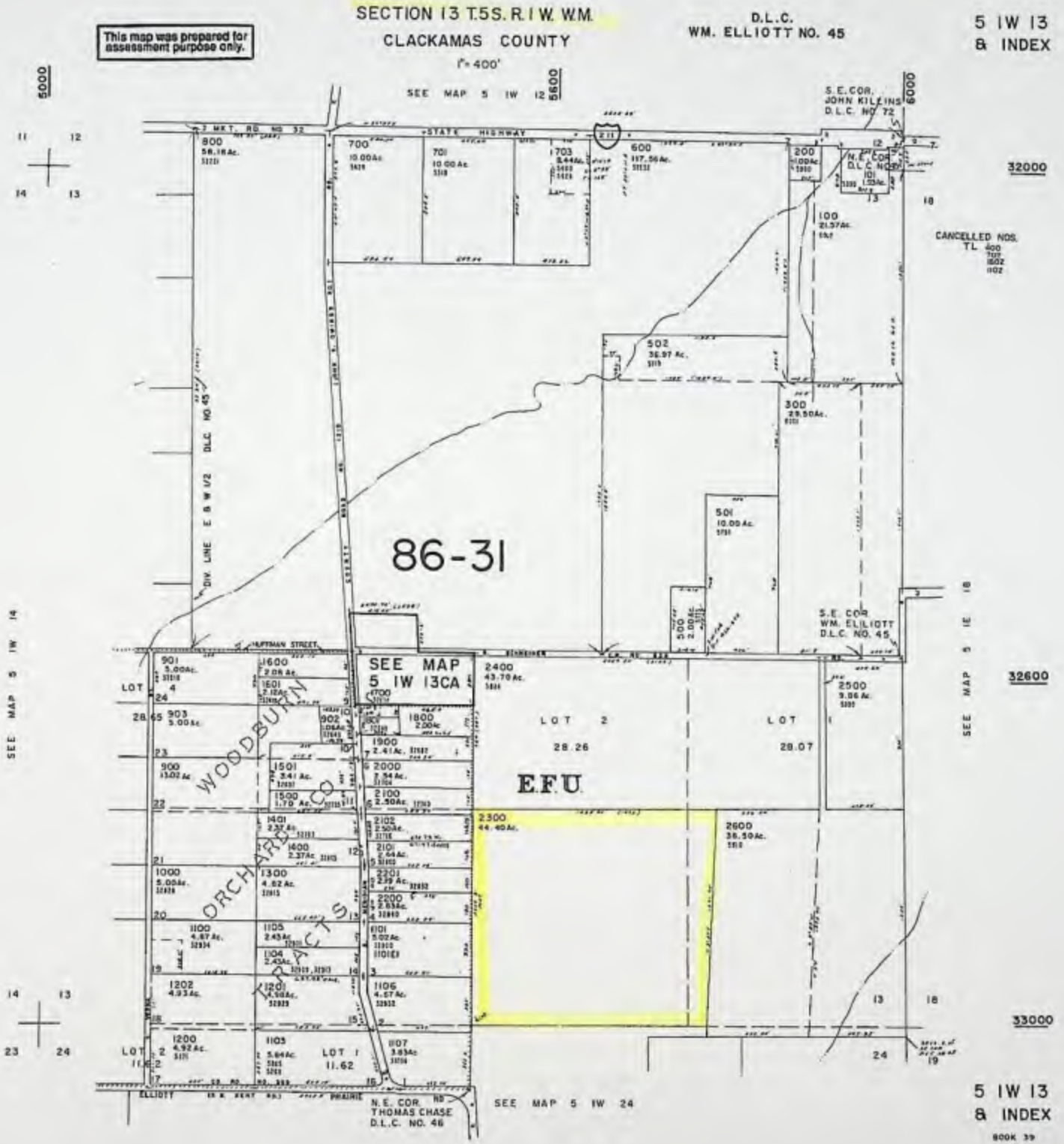
Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.
A rough alternate calculation can be made using this formula:
28.93 x (orifice size in decimal, squared) x (square root of pressure)
(Source: rainbird.com)

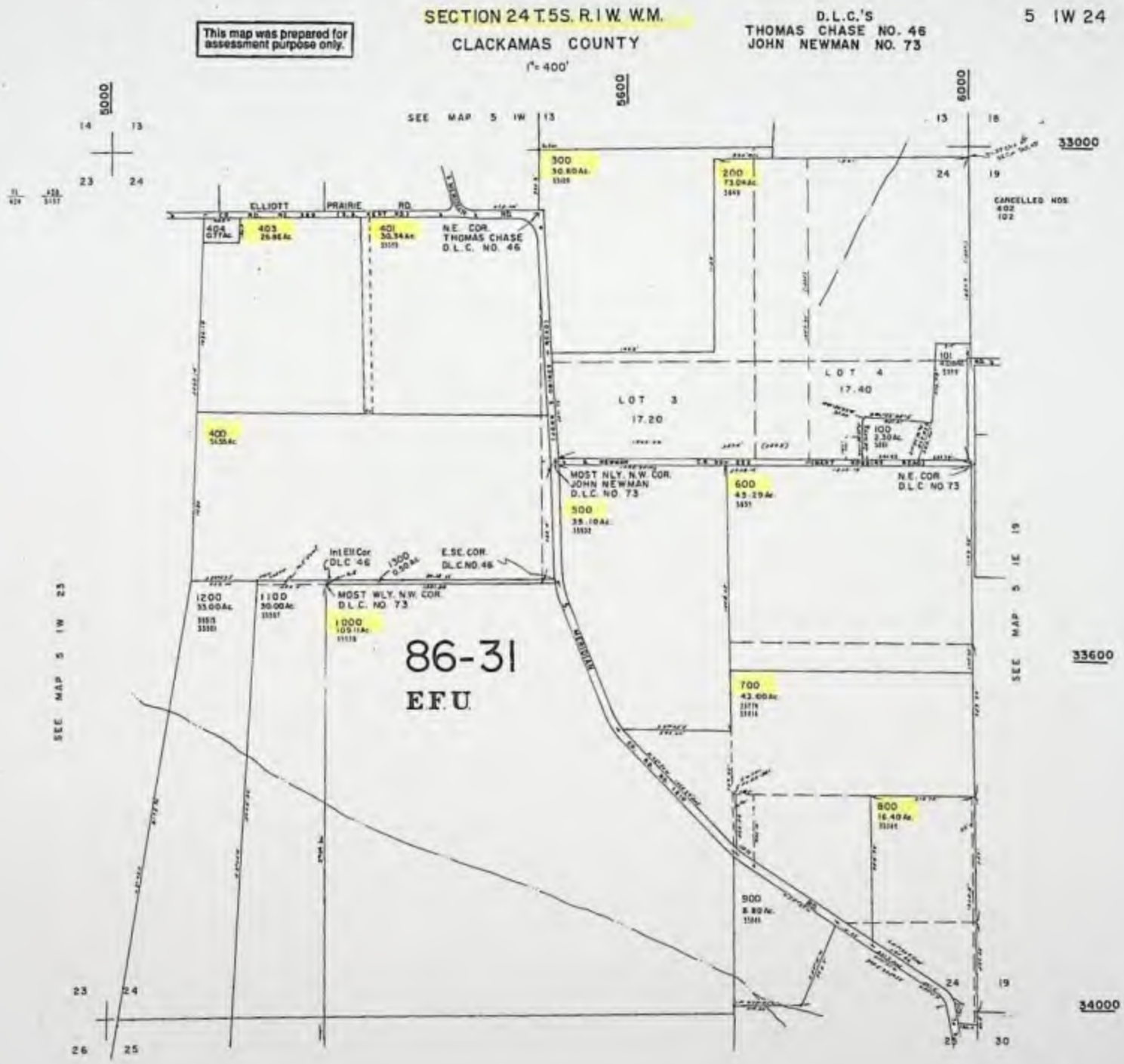
1.11 CFS x 1.98 x 244 = 536.26 AF/YEAR

Rainbird Nozzle Size Reference

Nozzle #	Size (in)
4	1/16
5	5/64
6	3/32
7	7/64
8	1/8
9	9/64
10	5/32
11	11/64
12	3/16
13	13/64
14	7/32
15	15/64
16	1/4
17	17/64
18	9/32
20	5/16
22	11/32
24	3/8
26	13/32
28	7/16
30	15/32
32	1/2
34	17/32
36	9/16
40	5/8
44	11/16


3500
3200
1401
1400
2102
2201
2400
3300
2300
2600
2701
1105
1104
1101
2705
1202
1201
1106
2700
1103
1107
404
403
401
200
101
400
600
500
1700
Wooden Shoe
Tulip Farm
1100
1000
301
390
1300


SECTION 13 T.5S. R.1W. W.M.
CLACKAMAS COUNTY
1"= 400'
This map was prepared for assessment purpose only.
D.L.C.
WM. ELLIOTT NO. 45
5 1W 13
& INDEX
SEE MAP 5 1W 12
5000
5600
6000
32000
32600
33000
S.E. COR. JOHN KILLINS D.L.C. NO. 72
N.E. COR D.L.C. NO. 45
CANCELLED NOS. TL 400 1101 1502 1102
STATE HIGHWAY
211
800 58.18Ac.
700 10.00Ac.
701 10.00Ac.
703 5.44Ac.
600 117.56Ac.
200 1.00Ac.
101 1.53Ac.
100 21.57Ac.
502 36.97 Ac.
300 29.50Ac.
501 10.00 Ac.
500 2.00Ac.
DIV. LINE E & W V/2 D.L.C. NO. 45
86-31
HUFFMAN STREET
SEE MAP 5 1W 13CA
S.E. COR WM. ELLIOTT D.L.C. NO. 45
2400 43.70Ac.
2500 9.06 Ac.
LOT 2
28.26
LOT
28.07
E.F.U.
2300 44.40Ac.
2600 36.50Ac.
WOODBURN ORCHARD TRACTS
LOT 4
28.65
901 5.00Ac.
903 5.00Ac.
900 13.02 Ac.
1600 2.06 Ac.
1601 2.12Ac.
902 1.04Ac.
1800 2.00Ac.
1900 2.41Ac.
2000 7.54Ac.
2100 2.50Ac.
1501 3.41 Ac.
1500 1.79 Ac.
1401 2.37 Ac.
1400 2.37Ac.
2102 2.50Ac.
2101 2.64Ac.
2201 2.39 Ac.
2200 2.83Ac.
1000 5.00Ac.
1300 4.82 Ac.
1100 4.87 Ac.
1105 2.43Ac.
1104 2.43Ac.
1202 4.93Ac.
1201 4.98Ac.
6101 5.02Ac.
1106 4.57Ac.
1200 4.92Ac.
1103 5.84Ac.
LOT 1
11.62
1107 3.83Ac.
LOT 2
11.62
ELLIOTT RD & KENT RD PRAIRIE RD
N.E. COR. THOMAS CHASE D.L.C. NO. 46
SEE MAP 5 1W 24
SEE MAP 5 1W 14
SEE MAP 5 1E 18
5 1W 13
& INDEX
BOOK 39


This map was prepared for assessment purpose only.
SECTION 24 T.5S. R.1W. W.M.
CLACKAMAS COUNTY
1"= 400'
D.L.C.'S
THOMAS CHASE NO. 46
JOHN NEWMAN NO. 73
5 1W 24
5000
5600
6000
SEE MAP 5 1W 13
ELLIOTT PRAIRIE RD.
N.E. COR. THOMAS CHASE D.L.C. NO. 46
LOT 3 17.20
LOT 4 17.40
MOST NLY. N.W. COR. JOHN NEWMAN D.L.C. NO. 73
N.E. COR. D.L.C. NO 73
Int Ell Cor D.L.C. 46
E.SE. COR. D.L.C. NO. 46
MOST WLY. N.W. COR. D.L.C. NO. 73
MERIDIAN
86-31
EFU
CANCELLED NOS. 402 102
SEE MAP 5 1W 23
SEE MAP 5 1E 19
33000
33600
34000
SEE MAP 5 1W 25
5 1W 24
BOOK 39

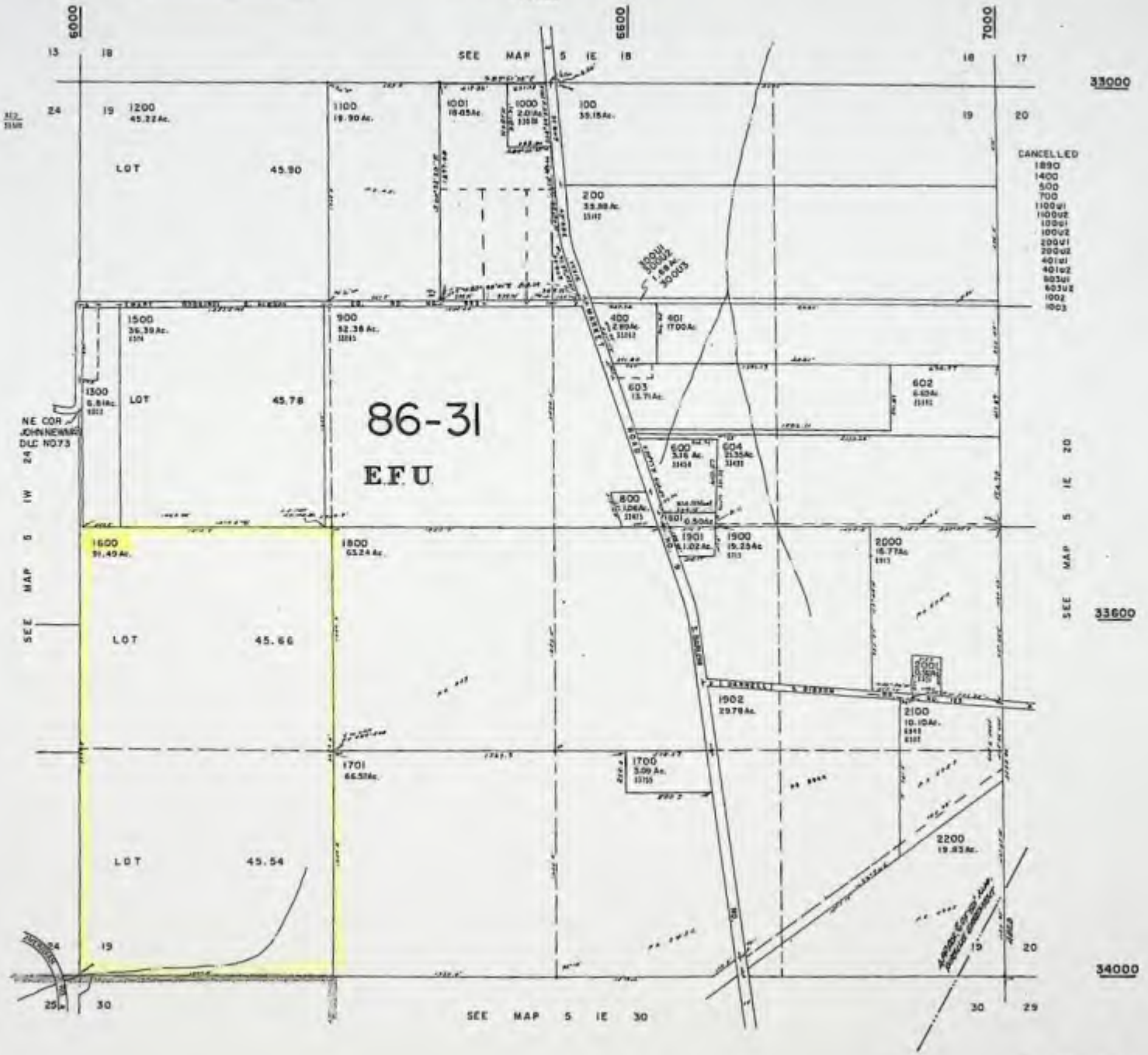
SECTION 19 T.5S. R.1E. W.M.

CLACKAMAS COUNTY

1" = 400'

5 1E 19

This map was prepared for assessment purpose only.



5 1E 19

BOOK 39

BJORK Mary F

From: Tullis, Paula <PTullis@co.clackamas.or.us>
Sent: Wednesday, February 03, 2016 9:02 AM
To: mary.f.bjork@state.or.us
Subject: PROPERTY OWNERS/ADDRESSES - WATER RIGHTS
Attachments: MARY F BJORK.xls

Good morning Mary,

Attached is Excel spreadsheet with the information you requested.

Have a nice day.

Paula Tullis

BJORK Mary F

From: Wyman, Jeanette <jeanettewym@co.clackamas.or.us>
Sent: Tuesday, February 16, 2016 3:05 PM
To: 'mary.f.bjork@state.or.us'
Subject: 51W24 00800

IVERSON PAUL R
33988 S MERIDIAN RD
WOODBURN, OR 97071

Tax Lots 51E19 01600, 51W24 00600 & 51W24 00800

4. Steven R Iverson
   5989 S Newman Rd
   Woodburn OR 97071

5. Kenneth M Iverson
   32934 S Verna St
   Woodburn OR 97071

6. Paul R Iverson
   33988 S Meridian Rd
   Woodburn OR 97071

Tax Lots 51W13 02300 & 51W24 00300

7. Arlene M Lucas, Trustee
   16401 SW 126th Ter
   Tigard OR 97224

Map	Owner	Mailing1	Mailing	State	zip
51W24 00401	SCHNEIDER SHARON L	33085 S MERIDIAN RD	WOODBURN	OR	97071
51W24 00500	IVERSON JON D & KATHERINE N	33502 S MERIDIAN RD	WOODBURN	OR	97071
51W24 01000	ROSS N IVERSON&DOROTHY R IVERSON LLC	33739 S MERIDIAN RD	WOODBURN	OR	97071
51W24 00400	SCHNEIDER SHARON L	33085 S MERIDIAN RD	WOODBURN	OR	97071
51W24 00403	SCHNEIDER SHARON L	33085 S MERIDIAN RD	WOODBURN	OR	97071
51E19 01600	IVERSON ROSS N TRUSTEE	NO MAILING ADDRESS	AVAILABLE		
51E19 01600	IVERSON DOROTHY R TRUSTEE	NO MAILING ADDRESS	AVAILABLE		
51E19 01600	IVERSON STEVEN R	5989 S NEWMAN RD	WOODBURN	OR	97071
51E19 01600	BEYER KAREN A	NO MAILING ADDRESS	AVAILABLE		
51E19 01600	IVERSON NELS R	NO MAILING ADDRESS	AVAILABLE		
51E19 01600	IVERSON KENNETH M	32934 S VERNA ST	WOODBURN	OR	97071
51E19 01600	IVERSON BARBARA J	NO MAILING ADDRESS	AVAILABLE		
51E19 01600	IVERSON PAUL R	33988 S MERIDIAN RD	WOODBURN	OR	97071
51W13 02300	LUCAS ARLENE M TRUSTEE	16401 SW 126TH TER	TIGARD	OR	97224
51W24 00700	IVERSON AG PROPERTIES LLC	33739 S MERIDIAN RD	WOODBURN	OR	97071
51W24 00200	IVERSON AG PROPERTIES LLC	33739 S MERIDIAN RD	WOODBURN	OR	97071
51W24 00200	ROSS N IVERSON&DOROTHY R IVERSON LLC	NO MAILING ADDRESS	AVAILABLE		
51W24 00600	IVERSON ROSS N TRUSTEE	NO MAILING ADDRESS	AVAILABLE		
51W24 00600	IVERSON DOROTHY R TRUSTEE	NO MAILING ADDRESS	AVAILABLE		
51W24 00600	IVERSON STEVEN R	5989 S NEWMAN RD	WOODBURN	OR	97071
51W24 00600	BEYER KAREN A	NO MAILING ADDRESS	AVAILABLE		
51W24 00600	IVERSON NELS R	NO MAILING ADDRESS	AVAILABLE		
51W24 00600	IVERSON KENNETH M	32934 S VERNA ST	WOODBURN	OR	97071
51W24 00600	IVERSON BARBARA J	NO MAILING ADDRESS	AVAILABLE		
51W24 00600	IVERSON PAUL R	33988 S MERIDIAN RD	WOODBURN	OR	97071
51W24 00300	LUCAS ARLENE M TRUSTEE	16401 SW 126TH TER	TIGARD	OR	97224

400, 401, 403

300, 300

500

1600, 600

1600, 600

1600, 600

No Conflicts

Oregon Water Resources Department
Water Rights Platcard Report

Main Help
Return Contact Us

NU Use

Search Criteria

Meridian: Willamette | Township: 5 South | Range: 1 East | Section: 19 | Records per Page: 100 | Search

Platcards Maps!
Learn about * View Map

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select	**Cert:66072 OR CN** Additional Info: RAYMOND GRIESENAUER App: G8882 Permit: G8280 Cert: 66072	T6603	7/5/1978	IRRIGATION	CN		3											45.7							
Select	**Cert:66072 OR CN** Additional Info: RAYMOND GRIESENAUER App: G8882 Permit: G8280 Cert: 66072	T6603	7/5/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN		3											45.7							
Select	**Permit: S 52392 *** Additional Info: BARB IVERSON App: S72360 Permit: S52392		4/28/1992	NURSERY USES														45.7	43.5						
Select	**Permit: S 52392 *** Additional Info: BARB IVERSON App: S72360 Permit: S52392		4/28/1992	SUPPLEMENTAL IRRIGATION (Suppl'mtl)														45.7	43.5						
Select	**Cert:87649 CF *** Additional Info: ROSS IVERSON App: G8882 Permit: G8280 Cert: 87649		7/5/1978	IRRIGATION			3											45.7							
Select	**App: P 74759 *** Additional Info: HESSEL BIERMA App: P74759		9/14/1994	LIVESTOCK						*															
Select	**Claim:GR 3092 *** Additional Info: CARL BREMER Claim: GR3092		10/31/1949	IRRIGATION							6	4													
Select	**Permit: S 53839 ***		1/23/2002																				0.6	19.4	

Ref R

Primary to

	Additional Info: BILL ROSE App: S85010 Permit: S53839			SUPPLEMENTAL IRRIGATION (Suppl'mtl)																							
Select	**Cert:30447 OR ***		10/27/1958	IRRIGATION																19			29.7				
	Additional Info: MARION LANCE WHITE App: G1295 Permit: G1139 Cert: 30447																										
Select	**Cert:34542 OR ***		7/12/1962	IRRIGATION																21							
	Additional Info: VICTOR JOSI App: G2382 Permit: G2227 Cert: 34542																										
Select	**Cert:43220 OR ***		6/20/1972	IRRIGATION					0.7																		
	Additional Info: DON CLINE App: G5824 Permit: G5157 Cert: 43220																										
Select	**Cert:44142 OR CN**	T9811	5/25/1973	IRRIGATION	CN	39	34			~~46.3~~																	
	Additional Info: HESSEL BIERMA App: G6144 Permit: G5164 Cert: 44142																										
Select	**Cert:44143 OR CN**	T9811	1/24/1975	IRRIGATION	CN					~~19.2~~																	
	Additional Info: HESSEL BIERMA App: G6793 Permit: G6083 Cert: 44143																										
Select	**Cert:50076 OR ***		4/15/1975	IRRIGATION							34.7																
	Additional Info: LEO & CAROL ANN ILG App: G6895 Permit: G6424 Cert: 50076																										
Select	**Cert:51883 OR CN**	T9811	3/1/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	~~39~~	~~34~~			~~35.5~~																	
	Additional Info: HESSEL BIERMA App: G7277 Permit: G6711 Cert: 51883																										
Select	**Cert:51901 OR ***		1/7/1977	IRRIGATION				15	16.7																		
	Additional Info: HESSEL BIERMA App: G7636 Permit: G7073 Cert: 51901																										
Select	**Cert:51909 OR CN**	T10583	2/26/1979	IRRIGATION	CN			~~4.5~~	~~12.1~~																		

Additional Info: HESSEL BIERMA App: G9146 Permit: G8480 Cert: 51909																						
Select **Cert:52012 OR *** Additional Info: GRIGORY ANTILOFIEFF App: G6423 Permit: G5998 Cert: 52012		2/5/1974	IRRIGATION															17.6				
Select **Cert:65628 OR CN** Additional Info: HESSEL BIERMA App: G11342 Permit: G10475 Cert: 65628	T6534		IRRIGATION	CN				1.6	5											0.6	10.4	
Select **Cert:66071 OR CN** Additional Info: RAYMOND GRIESENAUER App: G7830 Permit: G7272 Cert: 66071	T6603	2/24/1977	IRRIGATION	CN	4											20						
Select **Cert:66072 OR CN** Additional Info: RAYMOND GRIESENAUER App: G8882 Permit: G8280 Cert: 66072	T6603	7/5/1978	IRRIGATION	CN	4											23.5						
Select **Cert:66072 OR CN** Additional Info: RAYMOND GRIESENAUER App: G8882 Permit: G8280 Cert: 66072	T6603	7/5/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN													40			26		
Select **Cert:66072 OR CN** Additional Info: RAYMOND GRIESENAUER App: G8882 Permit: G8280 Cert: 66072	T6603	7/5/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	4											43.5						
Select **Cert:66227 OR *** Additional Info: CARL P BREMER App: G11399 Permit: G10575 Cert: 66227		12/16/1985	IRRIGATION					3.8			41.9		28.4					18.5	9.9	5.7	21.7	
Select **Cert:66227 OR *** Additional Info: CARL P BREMER App: G11399 Permit: G10575 Cert: 66227		12/16/1985	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					6					4									
Select	T10583		IRRIGATION	CN				1.6	5													

	Cert:66615 RR CN Additional Info: HESSEL BIERMA App: G11342 Permit: G10475 Cert: 66615																			
Select	**Cert:72372 CF *** Additional Info: MARGARET LANDSEN App: G11202 Permit: G10294 Cert: 72372		IRRIGATION															0.6	19.4	
Select	**Inchoate: T 9811 CF (REG) *** Additional Info: LEO E GENTRY WHOLESALE NURSERY INC. App: G7277 Permit: G6711	3/1/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	(39)	(32.9)			(19.2)												
Select	**Inchoate: T 9811 CF (REG) *** Additional Info: LEO E GENTRY WHOLESALE NURSERY INC. App: G6144 Permit: G5164	5/25/1973	IRRIGATION	(39)	(32.9)															
Select	**Inchoate: T 9811 CF (REG) *** Additional Info: LEO E GENTRY WHOLESALE NURSERY INC. App: G6793 Permit: G6083	1/24/1975	IRRIGATION					(19.2)												
Select	**Cert:82204 RR *** Additional Info: HESSEL BIERMA App: G6144 Permit: G5164 Cert: 82204	5/25/1973	IRRIGATION		1.1			16.3												
Select	**Cert:82205 RR *** Additional Info: HESSEL BIERMA App: G7277 Permit: G6711 Cert: 82205	3/1/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		1.1			16.3												
Select	**Inchoate: T 10583 CF (REG) *** Additional Info: BILL L ROSE LLC App: G9146 Permit: G8480	2/26/1979	IRRIGATION			(4.5)	(12.1)													
Select	**Inchoate: T 10583 CF (REG) *** Additional Info: BILL L ROSE LLC App: G11342 Permit: G10475		IRRIGATION				(5)													
Select	**Permit: S 54607 *** Additional Info: HAMMELMAN FARMS INC.	6/26/2005	NURSERY USES															0.5	19.4	

	App: S86349 Permit: S54607																								
Select	**Cert:85784 RR *** Additional Info: HESSEL BIERMA App: G11342 Permit: G10475 Cert: 85784			IRRIGATION					1.6																
Select	**Cert:87650 CF *** Additional Info: ROSS IVERSON App: G7830 Permit: G7272 Cert: 87650		2/24/1977	IRRIGATION	4												20								
Select	**Cert:87649 CF *** Additional Info: ROSS IVERSON App: G8882 Permit: G8280 Cert: 87649		7/5/1978	IRRIGATION	4												23.5								

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

No Conflicts

Oregon Water Resources Department
Water Rights Platcard Report

Main Help
Return Contact Us

NU Use

Search Criteria

Meridian: Willamette | Township: 5 South | Range: 1 West | Section: 13 | Records per Page: 100 | Search

Platcards Maps!
Learn about * View Map

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select	**Permit: G 12389 ***		3/21/1991	IRRIGATION																			40	3	
	Additional Info: BARB IVERSON App: G12454 Permit: G12389																								
Select	**Permit: S 52392 ***		4/28/1992	NURSERY USES																			40	3	
	Additional Info: BARB IVERSON App: S72360 Permit: S52392																								
Select	**Permit: S 52392 ***		4/28/1992	SUPPLEMENTAL IRRIGATION (Suppl'mtl)																			40	3	
	Additional Info: BARB IVERSON App: S72360 Permit: S52392																								
Select	**Claim:GR 2468 ***		12/31/1942	IRRIGATION																			8	14	
	Additional Info: RAYMOND M SCHNEIDER Claim: GR2468																								
Select	**Claim:GR 2070 ***		5/31/1942	IRRIGATION																	12	18	2	1	
	Additional Info: LARRY H WEST Claim: GR2070																								
Select	**Permit: G 11864 ***		8/13/1993	AGRICULTURE USES						5.5															
	Additional Info: B WEST HILLS NURSERY App: G13490 Permit: G11864																								
Select	**Permit: G 11864 ***		8/13/1993	IRRIGATION						5.5															
	Additional Info: B WEST HILLS NURSERY App: G13490 Permit: G11864																								
Select			4/8/1994						9.25	18.43	17.46		24.27	14.53	14.23	36	10.19	4.31				7.06			

3 = 8

	Permit: G 12034 * Additional Info: CAROLE SCHNEIDER LAKE App: G13661 Permit: G12034		AGRICULTURE USES																				
Select	**Permit: G 13776 *** Additional Info: RYAN SMITH App: G14942 Permit: G13776	3/1/1999	NURSERY USES		4.3	3.6	15.3	10.4										3.2					
Select	**Claim:GR 1244 *** Additional Info: ROY O BLIVEN Claim: GR1244	3/21/1951	IRRIGATION											4									
Select	**Claim:GR 2305 *** Additional Info: FRANK J TRIERWEILER Claim: GR2305	12/31/1948	IRRIGATION														9						
Select	**Claim:GR 3627 *** Additional Info: BURT & HELYN BURTON Claim: GR3627	5/31/1945	IRRIGATION												5	18.2							
Select	**Cert:43328 OR *** Additional Info: ANDREY KAYA App: G5338 Permit: G4987 Cert: 43328	10/9/1970	IRRIGATION	45						5.8													
Select	**Cert:51238 OR *** Additional Info: DEMETRIO BURKOFF App: G6156 Permit: G5842 Cert: 51238	6/1/1973	IRRIGATION	45					7.4														
Select	**Cert:56626 OR *** Additional Info: ALEXEY TIPIKIN App: G8194 Permit: G8011 Cert: 56626	4/4/1978	IRRIGATION	45				20.5									5						
Select	**Cert:57069 OR *** Additional Info: DIMITRY CHASCHIN App: G7083 Permit: G5827 Cert: 57069	8/19/1975	IRRIGATION	45						5.6													

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

No Conflicts

Oregon Water Resources Department
Water Rights Platcard Report

Main Help
Return Contact Us

NU Use

Search Criteria

Meridian: Willamette | Township: 5 South | Range: 1 West | Section: 24 | Records per Page: 100 | Search

Platcards Maps!
Learn about * View Map

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select	**Permit: G 13391 *** Additional Info: IVERSON BROTHERS BULB FARM INC. App: G14547 Permit: G13391		6/11/1997	IRRIGATION					25.5			4.6														
Select	**Permit: G 12389 *** Additional Info: BARB IVERSON App: G12454 Permit: G12389		3/21/1991	IRRIGATION					9.4	36.3	24.8	20.1	22.1	26.8	37.4	39					18.4	22.2	4.1	16	
Select	**Permit: S 52392 *** Additional Info: BARB IVERSON App: S72360 Permit: S52392		4/28/1992	NURSERY USES					9.4	36.3	24.8	20.1	22.1	26.8	37.4	39	28.6			0.9	39.6	34.1	14	26.5	
Select	**Permit: S 52392 *** Additional Info: BARB IVERSON App: S72360 Permit: S52392		4/28/1992	IRRIGATION					9.4	7.5	4	4.8											3.1		
Select	**Inchoate: T 3661 CF (REG) *** Additional Info: ROSS IVERSON App: S18826 Permit: S14464			IRRIGATION																(24)					
Select	**Permit: G 12389 *** Additional Info: BARB IVERSON App: G12454 Permit: G12389		3/21/1991	AGRICULTURE USES																	21.2	5.7	3	26.5	
Select	**Claim:GR 1382 *** Additional Info: ROSS IVERSON Claim: GR1382		2/28/1947	IRRIGATION														1.2		5.3		2.4	8.5		
Select	**Claim:GR 3627 ***		5/31/1945	IRRIGATION									10.6												

R of R

	Additional Info: BURT & HELYN BURTON Claim: GR3627																						
Select	**Permit: R 11827 *** Additional Info: BARB IVERSON App: R72359 Permit: R11827		4/28/1992	STORAGE											•			•			•		
Select	**Permit: R 11827 *** Additional Info: BARB IVERSON App: R72359 Permit: R11827		4/28/1992	SUPPLEMENTAL IRRIGATION (Suppl'mtl)											•			•			•		
Select	**Permit: R 11827 *** Additional Info: BARB IVERSON App: R72359 Permit: R11827		4/28/1992	WILDLIFE											•			•			•		
Select	**Cert:15111 OR CN** Additional Info: BUTTE CREEK ORCHARDS INC App: S18826 Permit: S14464 Cert: 15111	T3661, T3100		IRRIGATION	CN	73												~~28.9~~			~~12.4~~		
Select	**Cert:19437 OR *** Additional Info: IRVIN SHATTO App: S19699 Permit: S15278 Cert: 19437		5/19/1942	IRRIGATION		46											15.8						
Select	**Cert:19438 OR *** Additional Info: IRVIN SHATTO App: S23653 Permit: S18873 Cert: 19438	T10621	3/15/1949	IRRIGATION		46										10							
Select	**Cert:19439 OR *** Additional Info: DAVID ELVIN SHATTO App: S20078 Permit: S15644 Cert: 19439		11/17/1943	IRRIGATION		46											19.2						
Select	**Cert:19440 OR *** Additional Info: DAVID E SHATTO App: S23912 Permit: S18837 Cert: 19440		7/13/1949	IRRIGATION		46										13							
Select	**Cert:32259 OR *** Additional Info: HENRY SCHRODER		8/29/1962	IRRIGATION		73			6														

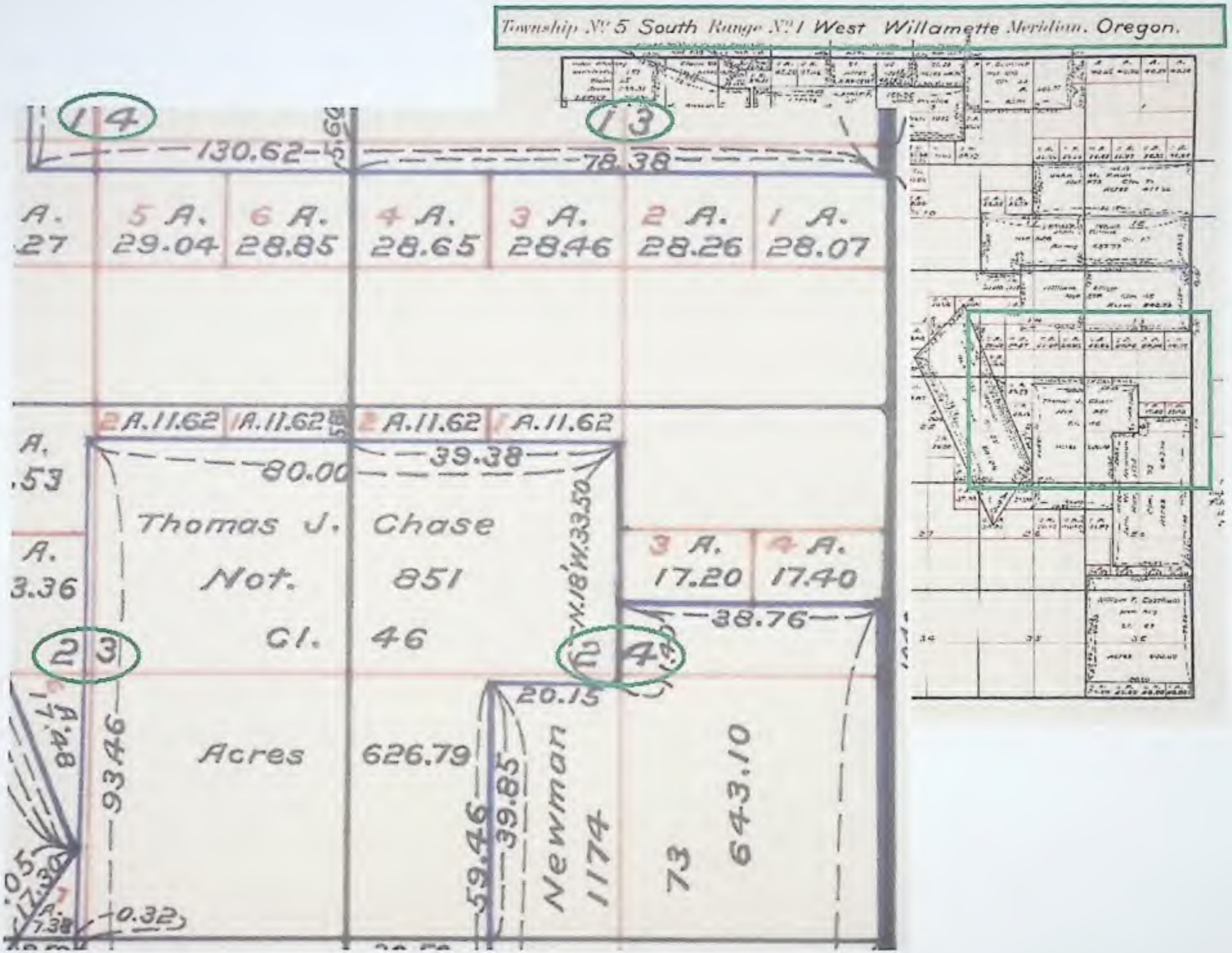
	App: G2427 Permit: G2261 Cert: 32259																						
Select	**Cert:34541 OR CN** Additional Info: ROSS IVERSON App: S40459 Permit: S30158 Cert: 34541	T7567	12/7/1964	IRRIGATION	CN	73								~~37.8~~			~~4.6~~		~~6.4~~	~~6.8~~		
Select	**Cert:42785 OR *** Additional Info: ROSS IVERSON App: G4004 Permit: G3756 Cert: 42785		7/21/1967	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		73								25.3					5.4			
Select	**Cert:42785 OR *** Additional Info: ROSS IVERSON App: G4004 Permit: G3756 Cert: 42785		7/21/1967	TEMPERATURE CONTROL		73								9					5.4			
Select	**Cert:43544 RR *** Additional Info: BUTTE CREEK ORCHARDS INC. App: S18826 Permit: S14464 Cert: 43544	T12071		IRRIGATION		73											4.9			12.1		
Select	**Cert:47150 OR *** Additional Info: TED VAN VEEN App: G5628 Permit: G5461 Cert: 47150		9/23/1971	IRRIGATION		73													2	2.4		
Select	**Cert:47151 OR *** Additional Info: VAN VEEN NURSERY App: G6771 Permit: G6289 Cert: 47151		9/30/1975	IRRIGATION														21.9	5.1			
Select	**Cert:47151 OR *** Additional Info: VAN VEEN NURSERY App: G6771 Permit: G6289 Cert: 47151		9/30/1975	SUPPLEMENTAL IRRIGATION (Suppl'mtl)															2.6	3	10.8	
Select	**Cert:47153 OR *** Additional Info: VAN VEEN NURSERY App: G6267 Permit: G5902 Cert: 47153		8/13/1973	IRRIGATION		73													0.6	0.6	10.8	
Select			8/13/1973			73													2	2.4		

	Cert:47153 OR * Additional Info: VAN VEEN NURSERY App: G6267 Permit: G5902 Cert: 47153			SUPPLEMENTAL IRRIGATION (Suppl'mtl)																				
Select	**Cert:55374 OR *** Additional Info: FOTEI SHADRIN App: S57446 Permit: S43711 Cert: 55374		5/24/1978	IRRIGATION		73																2.5		
Select	**Cert:55375 OR *** Additional Info: FOTEI SHADRIN App: G8820 Permit: G8359 Cert: 55375		5/24/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		73																2.5		
Select	**Cert:60849 OR CN** Additional Info: VAN VEEN NURSERY App: G7760 Permit: G9485 Cert: 60849	T7567	1/5/1982	GREENHOUSE	CN	73															*			
Select	**Cert:60849 OR CN** Additional Info: VAN VEEN NURSERY App: G7760 Permit: G9485 Cert: 60849	T7567	2/18/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	73										6					~~11.3~~	3	~~9.7~~	
Select	**Cert:75522 OR *** Additional Info: IVERSON BROTHERS BULB FARM INC. App: R55485 Permit: R6573 Cert: 75522		3/15/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		73										*								
Select	**Cert:75523 OR *** Additional Info: IVERSON BROTHERS BULB FARM INC. App: S55486 Permit: S41509 Cert: 75523		3/15/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		73										31.6			0.9	21.3	14.8	3	10.8	
Select	**Inchoate: T 7567 CF (REG) *** Additional Info: BARB IVERSON App: S40459 Permit: S30158		12/7/1964	IRRIGATION					(0.7)															
Select	**Inchoate: T 7567 CF (REG) *** Additional Info: BARB IVERSON App: S40459 Permit: S30158		12/7/1964	IRRIGATION			3			(9.3)														

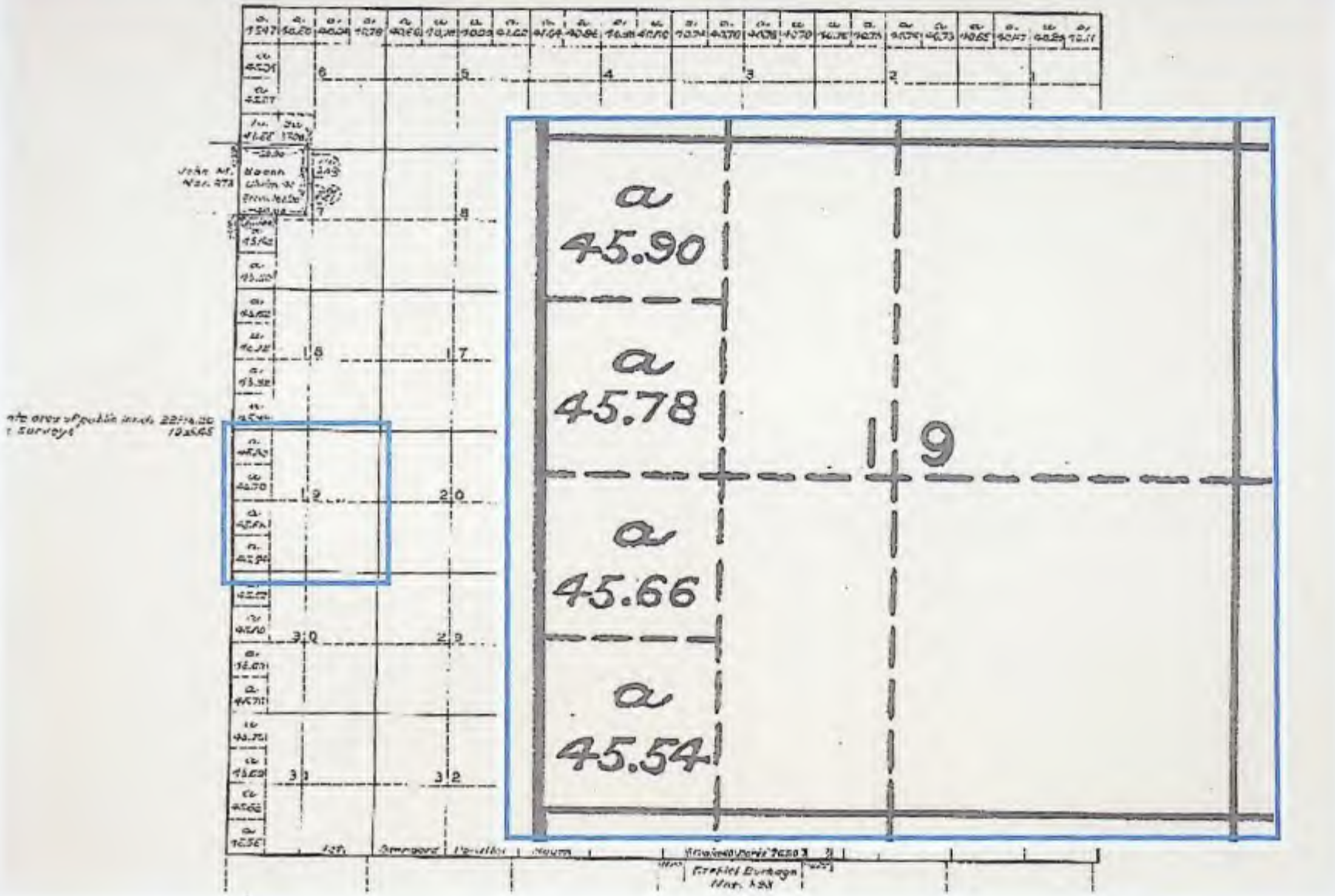
Select	**Inchoate: T 7567 CF (REG) *** Additional Info: BARB IVERSON App: S40459 Permit: S30158		12/7/1964	IRRIGATION		73									(30.8)					(4.9)	(6.8)		
Select	**Inchoate: T 7567 CF (REG) *** Additional Info: BARB IVERSON App: G7760 Permit: G9485		2/18/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		3			(1.5)														
Select	**Cert:80964 RR *** Additional Info: ROSS IVERSON App: G7760 Permit: G9485 Cert: 80964		1/5/1982	COMMERCIAL USES		73															•		
Select	**Cert:80964 RR *** Additional Info: ROSS IVERSON App: G7760 Permit: G9485 Cert: 80964		2/18/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		73									6					9.8	3	9.7	
Select	**Permit: S 52392 *** Additional Info: BARB IVERSON App: S72360 Permit: S52392		4/28/1992	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				28.8	20.8	15.3	22.1	26.8	37.4	39	28.6			0.9	39.6	34.1	10.9	26.5	
Select	**Cert:83366 CF CN** Additional Info: MARVIN RUFFING App: S24614 Permit: S20957 Cert: 83366	T8290	4/17/1950	IRRIGATION	CN	46							~~10.9~~										
Select	**Cert:83367 CF CN** Additional Info: CHRISTINE RUFFING App: G398 Permit: G366 Cert: 83367	T8290	6/19/1956	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	46							~~10.9~~										
Select	**Permit: R 14704 *** Additional Info: JOHN JACK PERRIN App: R87180 Permit: R14704		5/8/2008	STORAGE												•							
Select	**Permit: S 54654 *** Additional Info: PERRIN FARMS App: S87588 Permit: S54654		3/5/2010	IRRIGATION												2.6							

R. of R.

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


Township № 5 South Range № 1 West Willamette Meridian. Oregon.
14
13
130.62
78.38
A. .27
5 A. 29.04
6 A. 28.85
4 A. 28.65
3 A. 28.46
2 A. 28.26
1 A. 28.07
2 A. 11.62
1 A. 11.62
2 A. 11.62
1 A. 11.62
A. .53
80.00
39.38
Thomas J. Chase
Not. 851
Cl. 46
A. 3.36
3 A. 17.20
4 A. 17.40
38.76
N. 18° W. 33.50
2
3
4
20.15
84.48
93.46
Acres 626.79
59.46
39.85
Newman
1174
73
643.10
0.32
A. 7.38

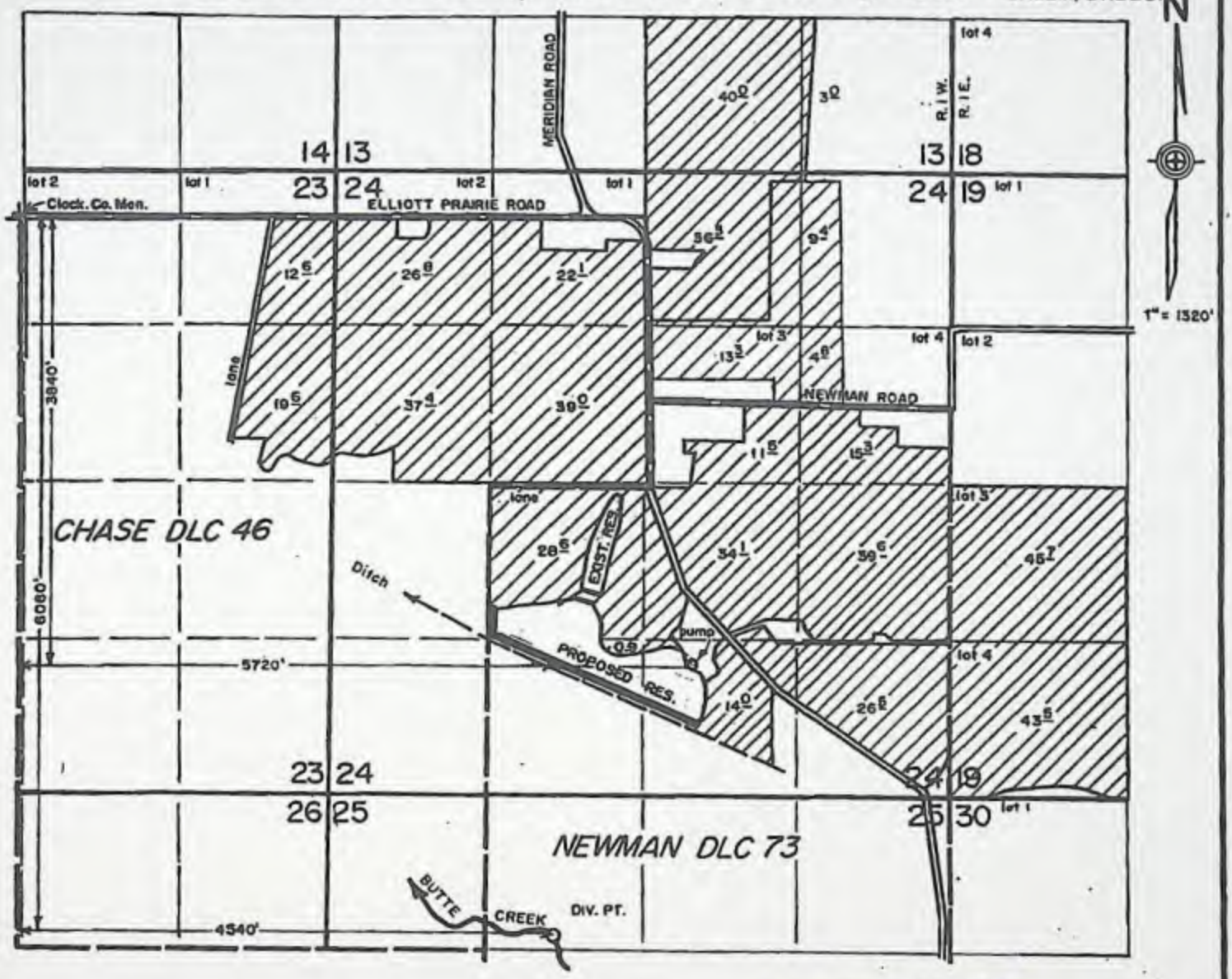
TOWNSHIP Nº 5 SOUTH RANGE Nº 1 EAST WILLAMETTE MERIDIAN OREGON



RECEIVED
NOV 2 0 1995
WATER RESOURCES DEPT
SALEM, OREGON

Township 5 South, Ranges 1 West & 1 East, W.M.

Section 24 and Portions of Sections 13, 14, 23, 25 and 26 in Range 1 West & Portions of Sections 19 and 30 in Range 1 East



Appl. No. 72360
Per. No. 52392

Certified Water Right Examiner
#026 WRE
Donald R. Bucll
Donald R. Bucll
Nov 19, 1987
STATE OF OREGON

Application Map
for
ROSS IVERSON

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.

4-20-92, REV. 11-20-95 OAB

COPY

CLAIM OF BENEFICIAL USE
for Permits claiming more than 0.1 cfs and All Transfers

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

No fee is required for submitting this form for a transfer.

A fee of $150 must accompany this form to be accepted for permits with a priority date of July 9, 1987, or later. (ORS 536.050(1))

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 1
GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S OR T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
S-72360	52392	

2a. Property Owner (current owner information) **TAX LOTS 51W24 200; 700**

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Iverson Ag Properties, Inc.			
ADDRESS			
33739 S. Meridian Road			
CITY	STATE	ZIP	EMAIL
Woodburn	OR	97071	

2b. Property Owner (current owner information) **TAX LOTS 51W24 400; 401; 403**

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Sharon Schneider			
ADDRESS			
33085 S. Meridian Road			
CITY	STATE	ZIP	EMAIL
Woodburn	OR	97071	

2c. Property Owner (current owner information) **TAX LOTS 51W13 2300; 51W24 300**

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Arlene Lucas			
ADDRESS			
16401 SW 126th Terrace			
CITY	STATE	ZIP	EMAIL
Tigard	OR	97224	

2d. Property Owner (current owner information) **TAX LOT 51W24 500**

APPLICANT/BUSINESS NAME	PHONE NO.	ADDITIONAL CONTACT NO.
Jon and Katie Iverson		
ADDRESS		
33501 S. Meridian Road		

CITY	STATE	ZIP	EMAIL
Woodburn	**OR**	**97071**	

2e. Property Owner (current owner information) **TAX LOT 51W24 600**

APPLICANT/BUSINESS NAME	PHONE NO.	ADDITIONAL CONTACT NO.
Iverson Farm Properties – Hall LLC		
ADDRESS		
33739 S. Meridian Road		

CITY	STATE	ZIP	EMAIL
Woodburn	**OR**	**97071**	

2f. Property Owner (current owner information) **TAX LOT 51W19 1600**

APPLICANT/BUSINESS NAME	PHONE NO.	ADDITIONAL CONTACT NO.
Iverson Farm Properties – Beyer LLC		
ADDRESS		
33739 Meridian Road		

CITY	STATE	ZIP	EMAIL
Woodburn	**OR**	**97071**	

2g. Property Owner (current owner information) **TAX LOT 51W24 1000**

APPLICANT/BUSINESS NAME	PHONE NO.	ADDITIONAL CONTACT NO.
Ross and Dorothy Iverson LLC		
ADDRESS		
33739 Meridian Road		

CITY	STATE	ZIP	EMAIL
Woodburn	**OR**	**97071**	

2h. Property Owner (current owner information) **TAX LOT 51W24 800**

APPLICANT/BUSINESS NAME	PHONE NO.	ADDITIONAL CONTACT NO.
Paul and Janet Iverson		
ADDRESS		
33881 S. Meridian Road		

CITY	STATE	ZIP	EMAIL
Woodburn	**OR**	**97071**	

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by each permit or transfer holder of record.**

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD **Ross Iverson**		
ADDRESS **33739 S. Meridian Road**		
CITY **Woodburn**	STATE **OR**	ZIP **97071**

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD **NA**		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **September 20, 2012**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Barb Iverson	**September 20, 2012**	**General Manager, Iverson Family Farms, Inc.**

6. County: **Clackamas**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD **NA**		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL OWNER OF RECORD **NA**		
ADDRESS		
CITY	STATE	ZIP

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2

SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Point of Diversion (POD)	**NA**	**NA**

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
POD	**Iverson Reservoir constructed under Application R-72359, Permit R-11827**	**Butte Creek**

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
POD	**Primary Irrigation**	**Tulips, green beans, sweet corn, potatoes, grass seed,**	**March 1 through October 31**	
	Supplemental Irrigation		**March 1 through October 31**	
	Agricultural (Nursery)		**Year Round**	
Total Quantity of Water Used				**178.8 AF**

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

Water is pumped out of Lower Reservoir (Iverson Reservoir) using a General Electric 75 hp centrifugal pump with a McCrometer meter and conveyed to the Upper Reservoir (Monitor Reservoir) constructed under Permit R-6573 where it is stored temporarily prior to re-conveyance to the places of use. Water is discharged from the Monitor Reservoir using a combination of up to three centrifugal pumps which are located at the southern end of the reservoir and conveyed to the places of use through a series of buried 6-inch mainlines which are connected to 4-inch wheel or hand lines equipped with high-pressure, impact type sprinklers. The system uses a maximum of 83 sprinklers to irrigate the place of use described in this Claim of Beneficial Use.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs? NO

If *"YES"* you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

POD

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

B. Place of Use

1. Is the right for municipal use? NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
5S	1E	W.M.	19	NW SW	Lot 3		Irrigation and Agricultural use (Nursery operations)		45.7
5S	1E	W.M.	19	SW SW	Lot 4		Irrigation and Agricultural use (Nursery operations)		43.5
5S	1E W	W.M.	13	SW SE			Irrigation and Agricultural use (Nursery operations)		40.0
5S	1E W	W.M.	13	SE SE			Irrigation and Agricultural use (Nursery operations)		3.0
5S	1W	W.M.	24	NE NE			Irrigation and Agricultural use (Nursery operations)	9.4	0.1
5S	1W	W.M.	24	NW NE			Irrigation and Agricultural use (Nursery operations)	8.2	28.1
5S	1W	W.M.	24	SW NE	Lot 3		Irrigation and Agricultural use (Nursery operations)	13.3	
5S	1W	W.M.	24	SW NE		73	Irrigation and Agricultural use (Nursery operations)		15.4
5S	1W	W.M.	24	SE NE	Lot 4		Irrigation and Agricultural use (Nursery operations)	4.8	
5S	1W	W.M.	24	SE NE		73	Irrigation and Agricultural use (Nursery operations)		15.3
5S	1W	W.M.	24	NE NW		46	Irrigation and		22.1

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
							Agricultural use (Nursery operations)		
5S	1W	W.M.	24	NW NW		46	Irrigation and Agricultural use (Nursery operations)		15.9
5S	1W	W.M.	24	SW NW		46	Irrigation and Agricultural use (Nursery operations)		24.4
5S	1W	W.M.	24	SE NW		46	Irrigation and Agricultural use (Nursery operations)		39.0
5S	1W	W.M.	24	NE SW		73	Irrigation and Agricultural use (Nursery operations)		28.1
5S	1W	W.M.	24	NE SE		73	Irrigation and Agricultural use (Nursery operations)		39.6
5S	1W	W.M.	24	NW SE		73	Irrigation and Agricultural use (Nursery operations)		33.7
5S	1W	W.M.	24	SW SE		73	Irrigation and Agricultural use (Nursery operations)	3.0	10.5
5S	1W	W.M.	24	SE SE			Irrigation and Agricultural use (Nursery operations)		26.8
Total Acres Irrigated								38.7	431.1 32

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

1. Is a pump used? YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

SOURCE	MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Iverson Reservoir Pump	**General Electric**	**5K326JL2283 AE**	**31013866**	**Centrifugal**	**8 inches**	**8 inches**
Monitor Reservoir East	**Jacuzzi**	**40GM4-T4D**	**WSF0011**	**Centrifugal**	**4 inches**	**4 inches**
Monitor Reservoir Middle	**PACO**	**Unavailable**	**10-15957-0400011**	**Centrifugal**	**2 inches**	**1.5 inches**
Monitor Reservoir West	**Cornell**	**3YB-40-2**	**TC00274**	**Centrifugal**	**4 inches**	**3 inches**

3. Motor Information

SOURCE	MANUFACTURER	HORSEPOWER
Iverson Reservoir Pump	**General Electric**	**75 HP**
Monitor Reservoir East	**Gould**	**40 HP**
Monitor Reservoir Middle	**Baldor**	**20 HP**
Monitor Reservoir West	**Baldor**	**40 HP**

4. Theoretical Pump Capacity

SOURCE	HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
Iverson Reservoir Pump	**75 HP**	**0**	**16 feet**	**20 feet**	**13.8**
Monitor Reservoir East	**40 HP**	**75**	**3 feet**	**30 feet**	**1.18 cfs**
Monitor Reservoir Middle	**20 HP**	**75**	**3 feet**	**30 feet**	**0.59 cfs**
Monitor Reservoir West	**40 HP**	**75**	**3 feet**	**30 feet**	**1.18 cfs**

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

5. Provide pump calculations:

Q (Iverson Res Pump) = $\frac{(75\ Hp)(6.61/sec\ HP)}{(36\ ft\ lift + 0\ ft\ pressure\ head)}$ = 13.8 cfs

Q (Monitor Res East) = $\frac{(40\ Hp)(6.61\ ft^4/sec/Hp)}{(33\ ft\ lift + 191\ ft\ pressure\ head)}$ = 1.18 cfs

Q (Monitor Res Middle) = $\frac{(20\ Hp)(6.61\ ft^4/sec/Hp)}{(33\ ft\ lift + 191\ ft\ pressure\ head)}$ = 0.59 cfs

Q (Monitor Res West) = $\frac{(40\ Hp)(6.61\ ft^4/sec/Hp)}{(33\ ft\ lift + 191\ ft\ pressure\ head)}$ = 1.18 cfs

6. Measured Pump Capacity (using meter if meter was present and system was operating)

Initial Meter Reading	Ending Meter Reading	Duration of Time Observed	Total Pump Output (in cfs)
Not Running During Site Visit			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped? **YES**

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

Mainline Size	Length	Type of Pipe	Buried or Above Ground
6 inch	**(10,500 feet)**	**PVC**	**Buried**
6 inch	**(600 feet)**	**Aluminum**	**Above Ground**

9. Lateral or Handline Information

Lateral or Handline Size	Length	Type of Pipe	Buried or Above Ground
4 inch	**40 feet (>1,000 pieces)**	**Aluminum**	**Above Ground**

10. Sprinkler Information

Size	Operating PSI	Sprinkler Output (GPM)	Total Number of Sprinklers	Maximum Number Used	Total Sprinkler Output (CFS)
Nelson and Rainbird, 11/64"	**50**	**6.0 gpm**	**>1000**	**83**	**1.11**

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

Manufacturer	Maximum Wetted Radius	Operating PSI	Total Pivot Output (GPM)	Total Pivot Output (CFS)
NA				

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

12. Additional notes or comments related to the system:

None

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **NO**

If "NO", items 2 through 8 relating to this section may be deleted.

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) **YES**

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank **NO**

Bulge in System / Reservoir **YES**

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
NA		

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Bulge in System: Monitor Reservoir	**9.5 feet**	**21 AF**

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 3

CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	**June 12, 1996**		
BEGIN CONSTRUCTION (A)	**June 12, 1997**	**1997**	**Cleared ground, removed fences, secured wet ground, cleared out ditches, removed trees, and took out bridges.**
COMPLETE CONSTRUCTION (B)	**October 1, 1998 (Extended 10-1-12)**	**Phase 1 – 1999 Phase 2 – 2000 Phase 3 - 2003**	**Completed construction of the dam, constructed a portable pumping station, and installed the irrigation system.**
COMPLETE APPLICATION OF WATER (C)	**October 1, 1999 (Extended 10-1-12)**	**July 2012**	**Installed meter and put water to full beneficial use.**

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? **YES**

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
NA	**NA**	**NA**

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? **NO**

If "NO", items 4b through 4d relating to this section may be deleted.

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **NO**

If "NO", items 5b through 5e relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? **NO**

If "NO", items 6b through 6e relating to this section may be deleted.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **YES**

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA Name or #	Manufacturer	Serial #	Condition (working or not)	Current Meter Reading	Date Installed
POD	**McCrometer**	**12-06736-08**	**Working**	**12.872 AF**	**July 2012**

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **YES**

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted? **NO**

Method of Submitting Report (Paper or Electronic)	Water User Reporting ID
Electronic and Paper	**9688**

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

If "NO", items 9b through 9e relating to this section may be deleted.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

If "NO", items 10b and 10c relating to this section may be deleted.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards? **NO**

b. Was submittal of a ground water monitoring plan required? **NO**

c. Was the water user required to restore the riparian area if it was disturbed? **NO**

d. Was a fishway required? **NO**

e. Was submittal of a letter from an engineer required prior to storage of water? **NO**

f. Was submittal of a water management and conservation plan required? **NO**

g. Other conditions? **NO**

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

NA

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 4

VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. *"The permit allowed three points of diversion. The water user only developed one of the points."* or *"The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres."*)

1. **The permit allowed 185.6 AF of volume to be used, but according to the as-built described in Dam File I-15, the actual storage volume of the reservoir is 178.8 AF.**

2. **With better mapping using aerial photos and adding the DLC and government lot locations, the place of use was adjusted along with field verification:**

The original place of use is described as:

				Primary	Supplemental
5S	1E	19	NW SW		45.7
5S	1E	19	SW SW		43.5
5S	1E	13	SW SE		40.0
5S	1E	13	SE SE		3.0
5S	1E	23	NE NE		12.6
5S	1E	23	SE NE		19.6
5S	1W	24	NE NE	9.4	
5S	1W	24	NW NE	8.2	28.1
5S	1W	24	SW NE	13.3	11.5
5S	1W	24	SE NE	4.8	15.3
5S	1W	24	NE NW		22.1
5S	1W	24	NW NW		26.8
5S	1W	24	SW NW		37.4
5S	1W	24	SE NW		39.0
5S	1W	24	NE SW		28.6
5S	1W	24	SE SW		0.9
5S	1W	24	NE SE		39.6
5S	1W	24	NW SE		34.1
5S	1W	24	SW	3.1	10.9
5S	1W	24	SE SE		26.5
Total Acres Irrigated				38.8	485.2

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

The adjusted location are:

				GLot	DLC	Primary	Supplemental
5S	1E	W.M. 19	NW SW	Lot 3			45.7
5S	1E	W.M. 19	SW SW	Lot 4			43.5
5S	1E	W.M. 13	SW SE				40.0
5S	1E	W.M. 13	SE SE				3.0
5S	1W	W.M. 24	NE NE			9.4	
5S	1W	W.M. 24	NW NE			8.2	28.1
5S	1W	W.M. 24	SW NE	Lot 3		13.3	
5S	1W	W.M. 24	SW NE		73		15.4

5S	1W	W.M. 24	SE NE	Lot 4		4.8	
5S	1W	W.M. 24	SE NE		73		15.3
5S	1W	W.M. 24	NE NW		46		22.1
5S	1W	W.M. 24	NW NW		46		15.9
5S	1W	W.M. 24	SW NW		46		24.4
5S	1W	W.M. 24	SE NW		46		39.0
5S	1W	W.M. 24	NE SW		73		28.1
5S	1W	W.M. 24	NE SE		73		39.6
5S	1W	W.M. 24	NW SE		73		33.7
5S	1W	W.M. 24	SW SE		73	3.0	10.5
5S	1W	W.M. 24	SE SE				26.8
Total Acres Irrigated						38.7	431.1

→ see 6 PS

+ 0.1

431.2

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 5
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use Map	**Claim of Beneficial Use Map**
BLM Cadastral Map	**BLM Cadastral Map T.5S. R.1W. showing DLC and Government Lot locations**
2011-2012 Water Use Recording and Reporting Form	**Water use report for 2011-2012 water year**

SECTION 6
CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	**186.5 AF**	**178.8 AF**	**NA**	**Primary Irrigation**	**38.8**	**38.7**
				Secondary Irrigation	**485.2**	~~431.1~~ 431.2
				Agriculture (Nursery)	**524.0**	~~469.8~~ 469.9

SECTION 7
CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

The COBU map was prepared using tax assessor's maps 5 1W 13, 5 1W 24, 5 1W 25, and 5 1E 19, overlain by a 2009, orthographically corrected aerial photography obtained on line from Oregon State University's Oregon Imagery Explorer Natural Resources Library.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

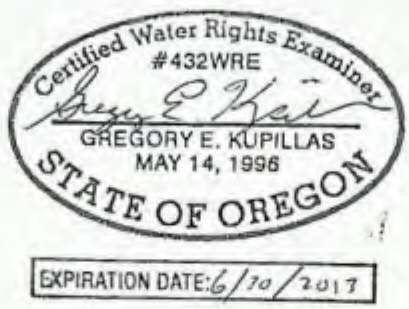
- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

SECTION 8
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

Seal and Signature



RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

CWRE NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Gregory E. Kupillas		**503-632-5016**	**503-939-3167 (cell)**
ADDRESS **18487 S. Valley Vista Rd.**			
CITY **Mulino**	STATE **OR**	ZIP **97042**	EMAIL **phggek@bctonline.com**

Permit or Transfer Holder's of Record Signature or Acknowledgement

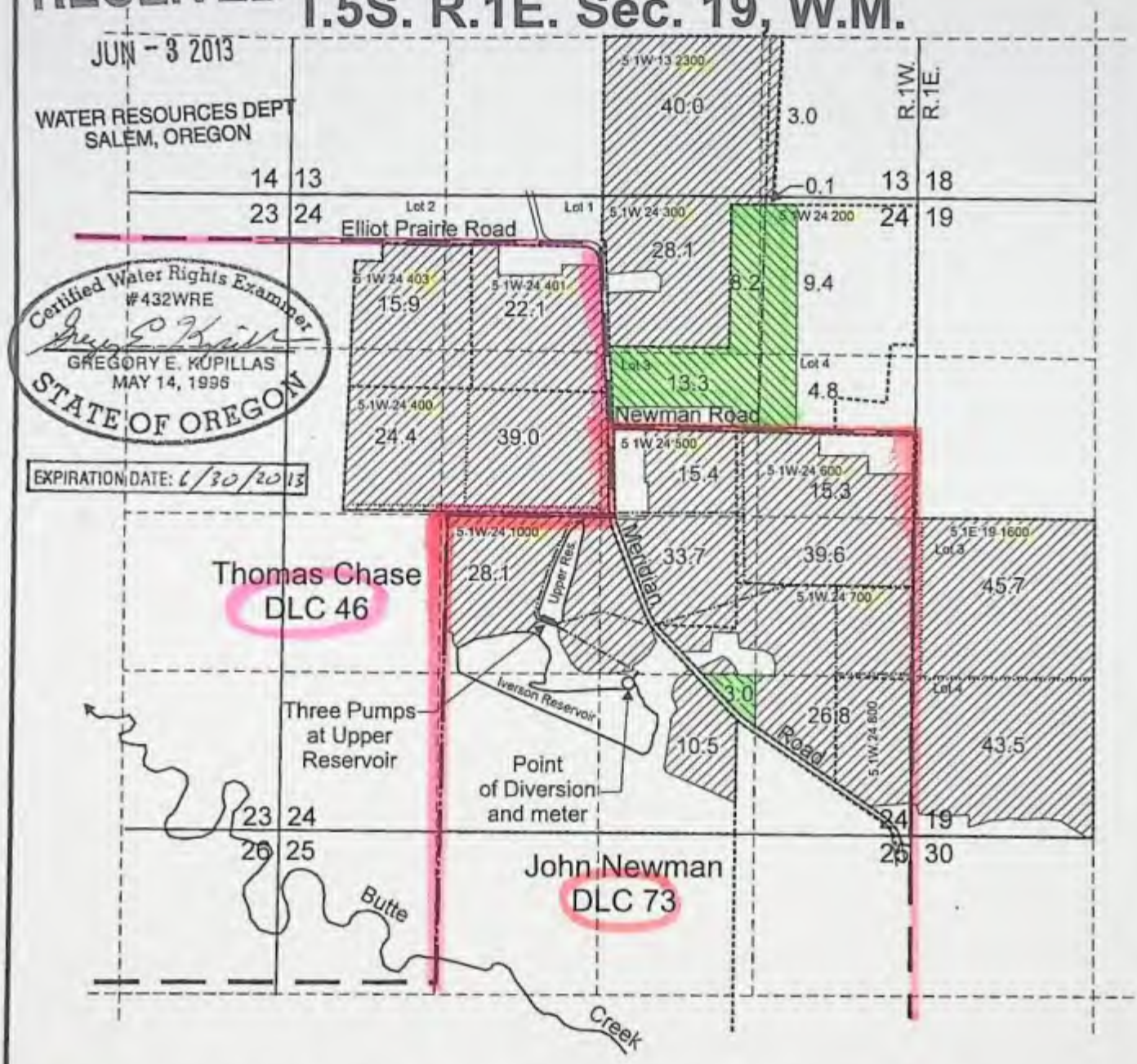
This Claim of Beneficial Use must be signed by each permit or transfer holder of record.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	DATE
	Barb Iverson, General Manager, Iverson Family Farms, Inc.	4/18/13

T.5S. R.1W. Sec. 13 & 24
T.5S. R.1E. Sec. 19, W.M.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON



Certified Water Rights Examiner
#432WRE
GREGORY E. KUPILLAS
MAY 14, 1996
STATE OF OREGON

EXPIRATION DATE: 6/30/2013

Point of Diversion is located 1,220 feet north and 2,880 feet east from the SW corner, Section 24.

Area covered by Primary Irrigation and Agricultural Use (Nursery Operations) (38.7 Acres).

Area covered by Supplemental Irrigation and Agricultural Use (Nursery Operations) (431.1 Acres).

Tax lot boundary

Irrigation mainline burried

Donation Land Claim boundary

Irrigation mainline above ground

Scale: 1" = 1,320'

0 1,320 Feet

N

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.

IversonR72359COBU.cdr

Pacific Hydro-Geology Inc.

Claim of Beneficial Use Map
Application R-72359; Permit R-11827 &
Application S-72360; Permit S-52392

Iverson Family Farms, Inc.
T.5S. R.1W. Sec. 13 & 24; T.5S. R.1E. Sec. 19, W.M.

04/2013

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OREGON 97071 → Assigned

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

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, PERMIT R-11827, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 38.8 ACRES, SUPPLEMENTAL IRRIGATION OF 485.2 ACRES, AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 524.0 ACRES

VOLUME/AMOUNT: 185.6 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: April 28, 1992

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 24, T 5S, R1W, W.M.; 3840 FEET SOUTH AND 5720 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	PRIMARY	SUPPLEMENTAL
NW 1/4 SW 1/4		45.7 ACRES ✓
SW 1/4 SW 1/4		43.5 ACRES ✓
	SECTION 19	
	TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.	
SW 1/4 SE 1/4		40.0 ACRES ✓
SE 1/4 SE 1/4		3.0 ACRES ✓
	SECTION 13	
NE 1/4 NE 1/4		12.6 ACRES
SE 1/4 NE 1/4		19.6 ACRES
	SECTION 23	
NE 1/4 NE 1/4	9.4 ACRES	
NW 1/4 NE 1/4	~~7.5~~ ~~8.2~~ ACRES	28.8 ~~28.1~~ ACRES * DM 0.7 → 15
SW 1/4 NE 1/4	~~4.0~~ ~~13.3~~ ACRES	15.5 ~~11.5~~ ACRES DM 9.3 → 15
SE 1/4 NE 1/4	4.8 ACRES	15.3 ACRES (Lot 3)
	SECTION 24	
	TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.	

* Note — COBU Report & Map show that DM wasn't claimed

	PRIMARY	SUPPLEMENTAL
NE 1/4NW 1/4		22.1 ACRES
NW 1/4NW 1/4		26.8 ACRES
SW 1/4NW 1/4		37.4 ACRES
SE 1/4NW 1/4		39.0 ACRES
NE 1/4SW 1/4		28.6 ACRES
SE 1/4SW 1/4		0.9 ACRE
NE 1/4SE 1/4		39.6 ACRES
NW 1/4SE 1/4		34.1 ACRES
SW 1/4SE 1/4	3.1 ACRES	10.9 ACRES
SE 1/4SE 1/4		26.5 ACRES

SECTION 24
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

STANDARD CONDITIONS

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

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

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

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

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

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

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

Issued June 12, 1996

for Martha O. Pagel, Director
Water Resources Department

RECEIVED
MAR 22 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon
DEPARTMENT OF
FISH AND
WILDLIFE

SALEM DISTRICT
OFFICE

March 20, 1996

Water Rights Section
Water Resources Department
158 12th Street NE
Salem, OR 97310

Re: Applications #R-72359 & S-72360; Proposed Final Orders
Iverson, Ross
Clackamas County
Butte Cr. and Iverson Reservoir; 185.6 acre-ft

Application R-72359 requests appropriation of water from Butte Cr. and surface runoff for storage in Iverson Reservoir. ODFW has previously stated that any withdrawal of water from Butte Cr. must be screened to prevent fish from entering the diversion. Since the reservoir is to be constructed off-channel, fish passage facilities will not be required on that dam. Any diversion structure placed in Butte Creek will require that fish passage be provided.

Application S-72360 requests appropriation of water stored in the reservoir for irrigation. Since fish will already have been screened out of the reservoir, additional fish screens on the irrigation pumps will not be necessary.

Thank you for the opportunity to review the PFOs.

Sincerely,

Wayne L. Hunt

Wayne L. Hunt
Ass't District Fish Biologist

c: Liverman, HCD
Ross Iverson

4412 Silverton Road NE
Salem, OR 97305
(503) 378-6925
FAX (503) 378-6233

Completion Checklist for Claims of Beneficial Use

Date Received 6-3-13 CWRE Greg Kupillas

By [signature]

File Marked yes

Claim Logged yes

Application # S-72360 **$150.00 Fee**

Transfer # _____ **No Fee Required**

Map Review:

- ✓ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b)
- ✓ Application & permit #; or transfer # (OAR 690-014-0100(1)
- ✓ Disclaimer (OAR 690-014-0170(5)
- ✓ North arrow (OAR 690-310-0050(2)(c)
- ✓ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ✓ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ✓ Township, range, section, and tax lot numbers (OAR 690-310-0050(4)

Report Review:

- ✓ On form or format provided by the Department (OAR 690-014-0100(1)
- ✓ Application & permit #; or transfer # (OAR 690-014)
- ✓ Ownership information (OAR 690-014)
- ✓ Date of survey (OAR 690-014)
- ✓ Person interviewed (OAR 690-014)
- ✓ County (OAR 690-014)
- ✓ CWRE stamp and signature (OAR 690-014-0100)
- ✓ Signature(s) of permittee or transfer holder (OAR 690-014-0100)

CLAIM OF BENEFICIAL USE for Permits claiming more than 0.1 cfs and All Transfers

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

No fee is required for submitting this form for a transfer.

A fee of $150 must accompany this form to be accepted for permits with a priority date of July 9, 1987, or later. (ORS 536.050(1))

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 1
GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S OR T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
S-72360	52392	

2a. Property Owner (current owner information) **TAX LOTS 51W24 200; 700**

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Iverson Ag Properties, Inc.			
ADDRESS			
33739 S. Meridian Road			
CITY	STATE	ZIP	EMAIL
Woodburn	OR	97071	

2b. Property Owner (current owner information) **TAX LOTS 51W24 400; 401; 403**

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Sharon Schneider			
ADDRESS			
33085 S. Meridian Road			
CITY	STATE	ZIP	EMAIL
Woodburn	OR	97071	

2c. Property Owner (current owner information) **TAX LOTS 51W13 2300; 51W24 300**

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Arlene Lucas			
ADDRESS			
16401 SW 126th Terrace			
CITY	STATE	ZIP	EMAIL
Tigard	OR	97224	

2d. Property Owner (current owner information) **TAX LOT 51W24 500**

APPLICANT/BUSINESS NAME **Jon and Katie Iverson**		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS **33501 S. Meridian Road**			
CITY **Woodburn**	STATE **OR**	ZIP **97071**	EMAIL

2e. Property Owner (current owner information) **TAX LOT 51W24 600**

APPLICANT/BUSINESS NAME **Iverson Farm Properties – Hall LLC**		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS **33739 S. Meridian Road**			
CITY **Woodburn**	STATE **OR**	ZIP **97071**	EMAIL

2f. Property Owner (current owner information) **TAX LOT 51W19 1600**

APPLICANT/BUSINESS NAME **Iverson Farm Properties – Beyer LLC**		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS **33739 Meridian Road**			
CITY **Woodburn**	STATE **OR**	ZIP **97071**	EMAIL

2g. Property Owner (current owner information) **TAX LOT 51W24 1000**

APPLICANT/BUSINESS NAME **Ross and Dorothy Iverson LLC**		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS **33739 Meridian Road**			
CITY **Woodburn**	STATE **OR**	ZIP **97071**	EMAIL

2h. Property Owner (current owner information) **TAX LOT 51W24 800**

APPLICANT/BUSINESS NAME **Paul and Janet Iverson**		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS **33881 S. Meridian Road**			
CITY **Woodburn**	STATE **OR**	ZIP **97071**	EMAIL

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by each permit or transfer holder of record.**

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD **Ross Iverson**		
ADDRESS **33739 S. Meridian Road**		
CITY **Woodburn**	STATE **OR**	ZIP **97071**

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD **NA**		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **September 20, 2012**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Barb Iverson	**September 20, 2012**	**General Manager, Iverson Family Farms, Inc.**

6. County: **Clackamas**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD **NA**		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL OWNER OF RECORD **NA**		
ADDRESS		
CITY	STATE	ZIP

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2

SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Point of Diversion (POD)	**NA**	**NA**

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
POD	**Iverson Reservoir constructed under Application R-72359, Permit R-11827**	**Butte Creek**

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
POD	**Primary Irrigation**	**Tulips, green beans, sweet corn, potatoes, grass seed,**	**March 1 through October 31**	
	Supplemental Irrigation		**March 1 through October 31**	
	Agricultural (Nursery)		**Year Round**	
Total Quantity of Water Used				**178.8 AF**

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

Water is pumped out of Lower Reservoir (Iverson Reservoir) using a General Electric 75 hp centrifugal pump with a McCrometer meter and conveyed to the Upper Reservoir (Monitor Reservoir) constructed under Permit R-6573 where it is stored temporarily prior to re-conveyance to the places of use. Water is discharged from the Monitor Reservoir using a combination of up to three centrifugal pumps which are located at the southern end of the reservoir and conveyed to the places of use through a series of buried 6-inch mainlines which are connected to 4-inch wheel or hand lines equipped with high-pressure, impact type sprinklers. The system uses a maximum of 83 sprinklers to irrigate the place of use described in this Claim of Beneficial Use.

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs? **NO**

If *"YES"* you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

POD

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

B. Place of Use

1. Is the right for municipal use? NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
5S	1E	W.M.	19	NW SW	Lot 3		Irrigation and Agricultural use (Nursery operations)		45.7
5S	1E	W.M.	19	SW SW	Lot 4		Irrigation and Agricultural use (Nursery operations)		43.5
5S	1E	W.M.	13	SW SE			Irrigation and Agricultural use (Nursery operations)		40.0
5S	1E	W.M.	13	SE SE			Irrigation and Agricultural use (Nursery operations)		3.0
5S	1W	W.M.	24	NE NE			Irrigation and Agricultural use (Nursery operations)	9.4	
5S	1W	W.M.	24	NW NE			Irrigation and Agricultural use (Nursery operations)	8.2	28.1
5S	1W	W.M.	24	SW NE	Lot 3		Irrigation and Agricultural use (Nursery operations)	13.3	
5S	1W	W.M.	24	SW NE		73	Irrigation and Agricultural use (Nursery operations)		15.4
5S	1W	W.M.	24	SE NE	Lot 4		Irrigation and Agricultural use (Nursery operations)	4.8	
5S	1W	W.M.	24	SE NE		73	Irrigation and Agricultural use (Nursery operations)		15.3
5S	1W	W.M.	24	NE NW		46	Irrigation and		22.1

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
							Agricultural use (Nursery operations)		
5S	1W	W.M.	24	NW NW		46	Irrigation and Agricultural use (Nursery operations)		15.9
5S	1W	W.M.	24	SW NW		46	Irrigation and Agricultural use (Nursery operations)		24.4
5S	1W	W.M.	24	SE NW		46	Irrigation and Agricultural use (Nursery operations)		39.0
5S	1W	W.M.	24	NE SW		73	Irrigation and Agricultural use (Nursery operations)		28.1
5S	1W	W.M.	24	NE SE		73	Irrigation and Agricultural use (Nursery operations)		39.6
5S	1W	W.M.	24	NW SE		73	Irrigation and Agricultural use (Nursery operations)		33.7
5S	1W	W.M.	24	SW SE		73	Irrigation and Agricultural use (Nursery operations)	3.0	10.5
5S	1W	W.M.	24	SE SE			Irrigation and Agricultural use (Nursery operations)		26.8
Total Acres Irrigated								38.7	431.1

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

1. Is a pump used? **YES**

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

SOURCE	MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Iverson Reservoir Pump	**General Electric**	**5K326JL2283 AE**	**31013866**	**Centrifugal**	**8 inches**	**8 inches**
Monitor Reservoir East	**Jacuzzi**	**40GM4-T4D**	**WSF0011**	**Centrifugal**	**4 inches**	**4 inches**
Monitor Reservoir Middle	**PACO**	**Unavailable**	**10-15957-0400011**	**Centrifugal**	**2 inches**	**1.5 inches**
Monitor Reservoir West	**Cornell**	**3YB-40-2**	**TC00274**	**Centrifugal**	**4 inches**	**3 inches**

3. Motor Information

SOURCE	MANUFACTURER	HORSEPOWER
Iverson Reservoir Pump	**General Electric**	**75 HP**
Monitor Reservoir East	**Gould**	**40 HP**
Monitor Reservoir Middle	**Baldor**	**20 HP**
Monitor Reservoir West	**Baldor**	**40 HP**

4. Theoretical Pump Capacity

SOURCE	HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
Iverson Reservoir Pump	**75 HP**	**0**	**16 feet**	**20 feet**	**13.8**
Monitor Reservoir East	**40 HP**	**75**	**3 feet**	**30 feet**	**1.18 cfs**
Monitor Reservoir Middle	**20 HP**	**75**	**3 feet**	**30 feet**	**0.59 cfs**
Monitor Reservoir West	**40 HP**	**75**	**3 feet**	**30 feet**	**1.18 cfs**

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

5. Provide pump calculations:

Q (Iverson Res Pump) = $\frac{(75\ Hp)(6.61/sec\ HP)}{(36\ ft\ lift + 0\ ft\ pressure\ head)}$ = 13.8 cfs

Q (Monitor Res East) = $\frac{(40\ Hp)(6.61\ ft^4/sec/Hp)}{(33\ ft\ lift + 191\ ft\ pressure\ head)}$ = 1.18 cfs

Q (Monitor Res Middle) = $\frac{(20\ Hp)(6.61\ ft^4/sec/Hp)}{(33\ ft\ lift + 191\ ft\ pressure\ head)}$ = 0.59 cfs

Q (Monitor Res West) = $\frac{(40\ Hp)(6.61\ ft^4/sec/Hp)}{(33\ ft\ lift + 191\ ft\ pressure\ head)}$ = 1.18 cfs

6. Measured Pump Capacity (using meter if meter was present and system was operating)

Initial Meter Reading	Ending Meter Reading	Duration of Time Observed	Total Pump Output (in cfs)
Not Running During Site Visit			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped? **YES**

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

Mainline Size	Length	Type of Pipe	Buried or Above Ground
6 inch	**(10,500 feet)**	**PVC**	**Buried**
6 inch	**(600 feet)**	**Aluminum**	**Above Ground**

9. Lateral or Handline Information

Lateral or Handline Size	Length	Type of Pipe	Buried or Above Ground
4 inch	**40 feet (>1,000 pieces)**	**Aluminum**	**Above Ground**

10. Sprinkler Information

Size	Operating PSI	Sprinkler Output (GPM)	Total Number of Sprinklers	Maximum Number Used	Total Sprinkler Output (CFS)
Nelson and Rainbird, 11/64"	**50**	**6.0 gpm**	**>1000**	**83**	**1.11**

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

Manufacturer	Maximum Wetted Radius	Operating PSI	Total Pivot Output (GPM)	Total Pivot Output (CFS)
NA				

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

12. Additional notes or comments related to the system:

None

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **NO**

If "NO", items 2 through 8 relating to this section may be deleted.

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) **YES**

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank **NO**

Bulge in System / Reservoir **YES**

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
NA		

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Bulge in System: Monitor Reservoir	**9.5 feet**	**21 AF**

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 3

CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	**June 12, 1996**		
BEGIN CONSTRUCTION (A)	**June 12, 1997**	**1997**	**Cleared ground, removed fences, secured wet ground, cleared out ditches, removed trees, and took out bridges.**
COMPLETE CONSTRUCTION (B)	**October 1, 1998 (Extended 10-1-12)**	**Phase 1 – 1999 Phase 2 – 2000 Phase 3 - 2003**	**Completed construction of the dam, constructed a portable pumping station, and installed the irrigation system.**
COMPLETE APPLICATION OF WATER (C)	**October 1, 1999 (Extended 10-1-12)**	**July 2012**	**Installed meter and put water to full beneficial use.**

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? **YES**

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
NA	**NA**	**NA**

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? **NO**

If "NO", items 4b through 4d relating to this section may be deleted.

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **NO**

If "NO", items 5b through 5e relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? **NO**

If "NO", items 6b through 6e relating to this section may be deleted.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **YES**

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD	**McCrometer**	**12-06736-08**	**Working**	**12.872 AF**	**July 2012**

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **YES**

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted? **NO**

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
Electronic and Paper	**9688**

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

If "NO", items 9b through 9e relating to this section may be deleted.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

If "NO", items 10b and 10c relating to this section may be deleted.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards? **NO**

b. Was submittal of a ground water monitoring plan required? **NO**

c. Was the water user required to restore the riparian area if it was disturbed? **NO**

d. Was a fishway required? **NO**

e. Was submittal of a letter from an engineer required prior to storage of water? **NO**

f. Was submittal of a water management and conservation plan required? **NO**

g. Other conditions? **NO**

RECEIVED
JUN – 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

NA

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 4

VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. *"The permit allowed three points of diversion. The water user only developed one of the points."* or *"The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres."*)

1. **The permit allowed 185.6 AF of volume to be used, but according to the as-built described in Dam File I-15, the actual storage volume of the reservoir is 178.8 AF.**

2. **With better mapping using aerial photos and adding the DLC and government lot locations, the place of use was adjusted along with field verification:**

The original place of use is described as:

				Primary	Supplemental
5S	1E	19	NW SW		45.7
5S	1E	19	SW SW		43.5
5S	1E	13	SW SE		40.0
5S	1E	13	SE SE		3.0
5S	1E	23	NE NE		12.6
5S	1E	23	SE NE		19.6
5S	1W	24	NE NE	9.4	
5S	1W	24	NW NE	8.2	28.1
5S	1W	24	SW NE	13.3	11.5
5S	1W	24	SE NE	4.8	15.3
5S	1W	24	NE NW		22.1
5S	1W	24	NW NW		26.8
5S	1W	24	SW NW		37.4
5S	1W	24	SE NW		39.0
5S	1W	24	NE SW		28.6
5S	1W	24	SE SW		0.9
5S	1W	24	NE SE		39.6
5S	1W	24	NW SE		34.1
5S	1W	24	SW	3.1	10.9
5S	1W	24	SE SE		26.5
Total Acres Irrigated				**38.8**	**485.2**

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

The adjusted location are:

				GLot	DLC	Primary	Supplemental
5S	1E	W.M. 19	NW SW	Lot 3			45.7
5S	1E	W.M. 19	SW SW	Lot 4			43.5
5S	1E	W.M. 13	SW SE				40.0
5S	1E	W.M. 13	SE SE				3.0
5S	1W	W.M. 24	NE NE			9.4	
5S	1W	W.M. 24	NW NE			8.2	28.1
5S	1W	W.M. 24	SW NE	Lot 3		13.3	
5S	1W	W.M. 24	SW NE		73		15.4

5S	1W	W.M. 24	SE NE	Lot 4		4.8	
5S	1W	W.M. 24	SE NE		73		15.3
5S	1W	W.M. 24	NE NW		46		22.1
5S	1W	W.M. 24	NW NW		46		15.9
5S	1W	W.M. 24	SW NW		46		24.4
5S	1W	W.M. 24	SE NW		46		39.0
5S	1W	W.M. 24	NE SW		73		28.1
5S	1W	W.M. 24	NE SE		73		39.6
5S	1W	W.M. 24	NW SE		73		33.7
5S	1W	W.M. 24	SW SE		73	3.0	10.5
5S	1W	W.M. 24	SE SE				26.8
Total Acres Irrigated						38.7	431.1

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

SECTION 5
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use Map	**Claim of Beneficial Use Map**
BLM Cadastral Map	**BLM Cadastral Map T.5S. R.1W. showing DLC and Government Lot locations**
2011-2012 Water Use Recording and Reporting Form	**Water use report for 2011-2012 water year**

SECTION 6
CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	**186.5 AF**	**178.8 AF**	**NA**	**Primary Irrigation**	**38.8**	**38.7**
				Secondary Irrigation	**485.2**	**431.1**
				Agriculture (Nursery)	**524.0**	**469.8**

SECTION 7
CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

The COBU map was prepared using tax assessor's maps 5 1W 13, 5 1W 24, 5 1W 25, and 5 1E 19, overlain by a 2009, orthographically corrected aerial photography obtained on line from Oregon State University's Oregon Imagery Explorer Natural Resources Library.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

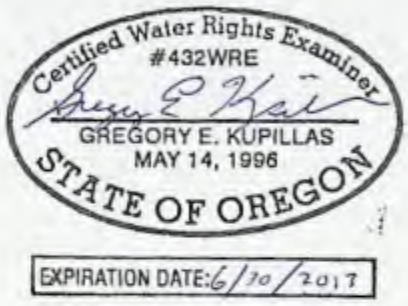
- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

SECTION 8
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

Seal and Signature



RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

CWRE NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Gregory E. Kupillas		**503-632-5016**	**503-939-3167 (cell)**
ADDRESS **18487 S. Valley Vista Rd.**			
CITY **Mulino**	STATE **OR**	ZIP **97042**	EMAIL **phggek@bctonline.com**

Permit or Transfer Holder's of Record Signature or Acknowledgement

This Claim of Beneficial Use must be signed by each permit or transfer holder of record.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

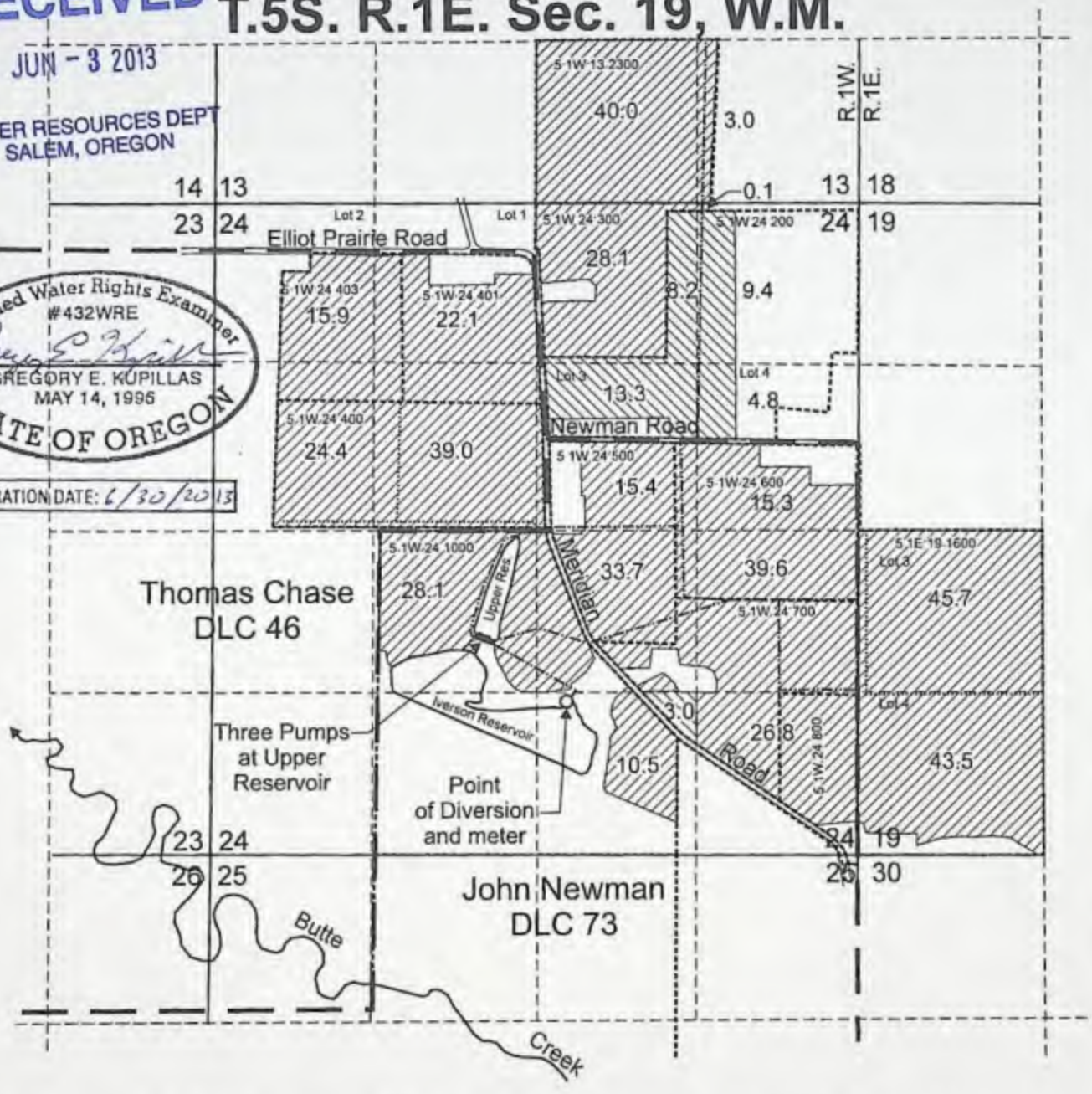
SIGNATURE	PRINT OR TYPE NAME	DATE
	Barb Iverson, General Manager, Iverson Family Farms, Inc.	4/18/13

T.5S. R.1W. Sec. 13 & 24
T.5S. R.1E. Sec. 19, W.M.

RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

Certified Water Rights Examiner
#432WRE
GREGORY E. KUPILLAS
MAY 14, 1996
STATE OF OREGON

EXPIRATION DATE: 6/30/2013



Point of Diversion is located 1,220 feet north and 2,880 feet east from the SW corner, Section 24.

Area covered by Primary Irrigation and Agricultural Use (Nursery Operations) (38.7 Acres).

Area covered by Supplemental Irrigation and Agricultural Use (Nursery Operations) (431.1 Acres).

Tax lot boundary

Irrigation mainline burried

Donation Land Claim boundary

Irrigation mainline above ground

Scale: 1" = 1,320'

0 1,320 Feet

N

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.

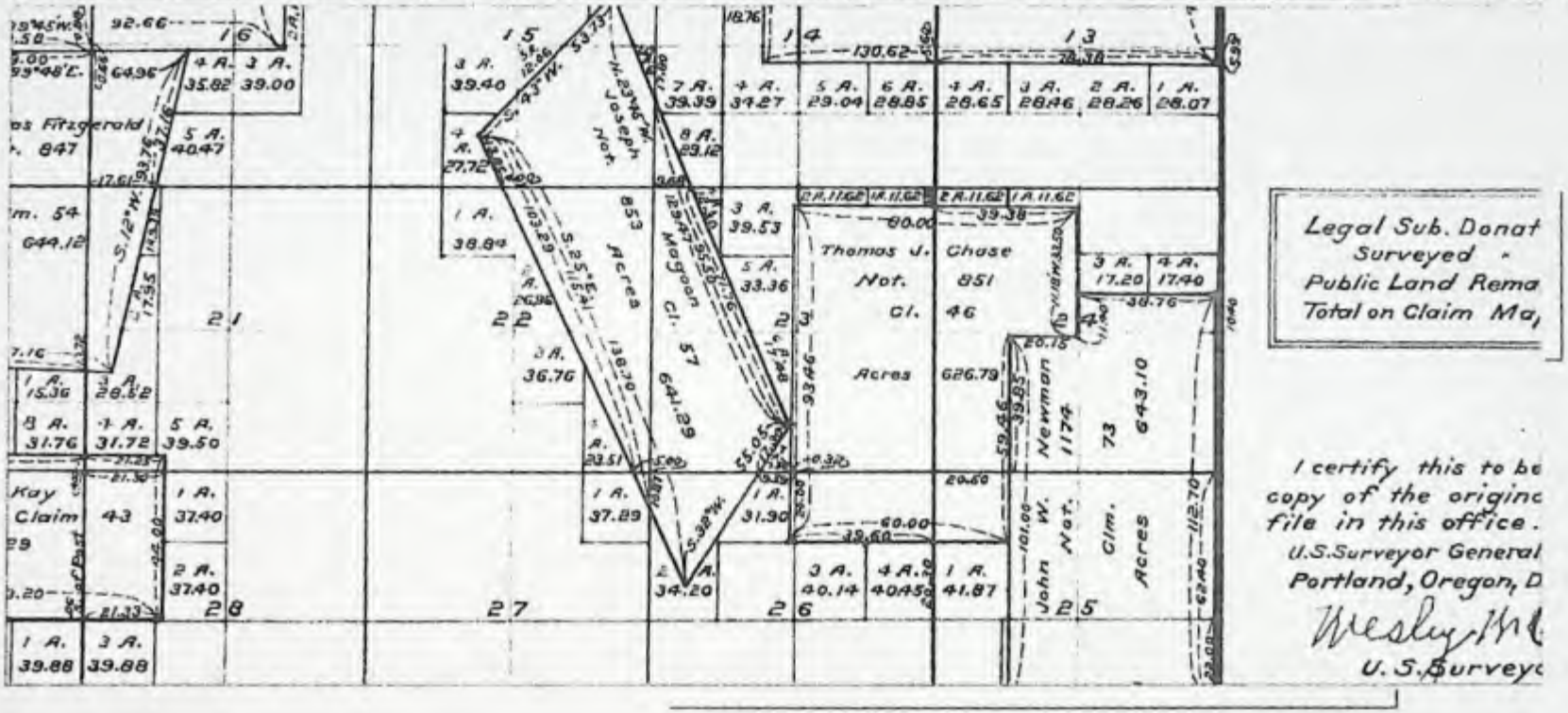
IversonR72359COBU.cdr

Pacific Hydro-Geology Inc.

Claim of Beneficial Use Map
Application R-72359; Permit R-11827 &
Application S-72360; Permit S-52392

Iverson Family Farms, Inc.

04/2013 T.5S. R.1W. Sec. 13 & 24; T.5S. R.1E. Sec. 19, W.M.



RECEIVED
JUN - 3 2013
WATER RESOURCES DEPT
SALEM, OREGON

2011 — Oregon Water Resources Department — 2012

October through September

Water Use Recording and Reporting Form

Consult the water right (permit, certificate, order) to determine applicable reporting conditions; the measurement, recording, and reporting conditions identified in a permitted or certified water right typically follow the place of use description. Use the columns below to document measurements for each authorized point of diversion/appropriation or reservoir. We ask that zeros be reported for any given month when water is not being used. Keep a copy of all measurement reports for your records. We encourage you to submit your water use data via our online utility when available, and to use the Monthly Water Use Forms for record keeping purposes. To lookup water rights, access the water use reporting webpage/online utility, or to obtain additional forms visit our web site: http://www.wrd.state.or.us

Iverson Ag Properties, Inc.		9688
Water Right Holder's Name	Water Right Holder's Business Name or Entity Name	USER ID#
iverson@monitorcoop.com	33739 S. Meridian Road, Woodburn, OR, 97071503-932-58	
Water Right Holder's Email	Water Right Holder's Complete Mailing Address	Phone Number

Facility → / Report ID →	Reservoir storage 51005 Application: R - 72359 Permit: R - 11827 Other:	Reservoir out 51006 Application: S - 72360 Permit: S - 52392 Other:	Application: - Permit: - Other:	Application: - Permit: - Other:
Describe the units of measurement as AF (acre-feet), G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), or MCF (million cubic feet)				
October - 2011				
November - 2011	170.85			
December - 2011	170.85			
January - 2012	170.85			
February - 2012	170.85			
March - 2012	170.90			
April - 2012	170.85			
May - 2012	170.85			
June - 2012	170.84			
July - 2012	170.39	0		
August - 2012	160.63	12.872		
September - 2012	150.34	0		
TOTAL *				
Unit of Measurement	☐G ☐KG ☐MG ☒AF ☐CF ☐MCF	☐G ☐KG ☐MG ☒AF ☐CF ☐MCF	☐G ☐KG ☐MG ☐AF ☐CF ☐MCF	☐G ☐KG ☐MG ☐AF ☐CF ☐MCF

RECEIVED
JUN -3 2013
WATER RESOURCES DEPT
SALEM, OREGON

Describe the method of measurement used: Staff Gage and meter. If used for irrigation, total number of acres irrigated: 469.8

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

5/30/2013	x Barbara Iverson	Barbara Iverson V. president	Iverson Ag Properties	503 634 2331
Date	Signature	Name and Title (print)	Company	Phone Number

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

Oregon
John A. Kitzhaber, MD, 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

June 10, 2013

ROSS IVERSON
33739 S MERIDIN RD
WOODBURN OR 97071

On June 3, 2013 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application R-72359 Permit R-11827
Application S-72360 Permit S-52392

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Your receipt was given to your agent.

Cc: file

Oregon
John A. Kitzhaber, MD, 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

November 21, 2011

IVERSON FAMILY FARMS-INC.
33739 S MERIDIAN RD
WOODBURN, OR 97071

REFERENCE: Application R-72359 / Permit R-11827
Application S-72360 / Permit S-52392

Dear Permit Holder:

The Water Right Services Division received your written progress reports for Permits R-11827 and S-52392. Receipt of the progress reports were published on the Department's weekly Public Notice, dated September 27, 2011. The Department did not receive any public comments on the progress reports.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permits and extensions has been demonstrated.

If you have any questions, please feel free to contact me by telephone at (503) 986-0812.

Sincerely,

Jerry Gainey
Extensions
Water Right Services Division

Enclosure

cc: Application S-72360
Watermaster District 16 – Mike McCord

Route Slip.....Extension of Time Progress Report

1. **Extension Specialist: Progress Report Review**

Date Report was Due: 10/1/2011 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: 9/22/2011

Report Complete: ☒ YES

☐ NO – Send letter requesting missing information.

☐ letter mailed on: _____

2. **Support Staff: Publish on the Department's Public Notice**

☒ **315** ☐ **320** OAR Division under which Progress Report was required

☒ Publish on Public Notice Date: 9-27-11

☒ Update workflow in WRIS (Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and add record for Checkpoint Public Notice ("EP2)

☒ **Return file to** Jerry Gainey.

3. **Extension Specialist: Prepare Progress Report Confirmation Letter**

See progress report procedures.doc (date / mail out after 30 day comment period)

Date Confirmation Letter Needed: 11-17-11

☐ Update Progress Report Worksheet.xls

☐ Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Iverson Family Farms, Inc. Attn: _____

Application: S- 72360

Permit: S- 52392

County: Clackamas

Source: Iverson Reservoir, constructed under Permit R-11827, a tributary of Butte Creek

Use: Irrigation of 38.8 acres, supplemental irrigation of 485.2 acres, and agricultural use (nursery operations) on 524.0 acres

last report

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Extension of Time
Diligence Progress Reporting Form
For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Iverson Family Farms, Inc.

Application S-72360
Permit S-52392

Report Due no later than October 1, 2011

Diligence Progress Report for 2011

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit S-52392

DATE WORK WAS DONE	WORK ACCOMPLISHED and FINANCIAL INVESTMENT SINCE OCTOBER 1, 2006 *List all work done after the last authorized date for complete application of water up to the date of this Diligence Progress Reporting Form*	FINANCIAL INVESTMENT
June 2010	Installed new pump and meter at pump station on reservoir.	~$10,000

2. **Compliance with terms and conditions of the permit and/or previous extension.**

With installation of the meter, the only condition that hasn't been met is reporting the water used in 2010. The water use information has been recorded, but not yet reported to the department.

3. **Total number of acres irrigated to date =** 38.8 *(if applicable)*

4. **Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.**

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

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

Acre Feet stored to date = 185.6 **AF**

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

Signature _____ Date 9/20/11

For OWRD use only

Diligence Shown ☐ Yes ☐ No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

RECEIVED
SEP 22 2011
WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-72360

Final Order
Extension of Time for Permit Number S-52392

Appeal Rights

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

Application History

The Department issued Permit S-52392 on June 12, 1996. The permit called for completion of construction by October 1, 1998 and complete application of water to beneficial use by October 1, 1999. On October 9, 2007, Iverson Family Farms, Inc. submitted to the Department an Application for Extension of Time for Permit S-52392. In accordance with OAR 690-315-0050(2), on November 27, 2007, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2012 and the time to fully apply water to beneficial use to October 1, 2012. The protest period closed January 11, 2008, in accordance with OAR 690-315-0060(1). No protest was filed.

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

CONDITIONS

1. **Checkpoint Condition**

   The permit holder must submit a completed Diligence Progress Report to the Department by **October 1, 2011.** ***A form is enclosed for your use.***

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

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

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

Order

The extension of time for Application S-72360, Permit S-52392, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended to October 1, 2012. The deadline for applying water to full beneficial use is extended to October 1, 2012.

DATED: January 24, 2008

Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
- 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

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Extension of Time
Diligence Progress Reporting Form
For Checkpoints

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Iverson Family Farms, Inc.

Application S-72360
Permit S-52392

Report Due no later than October 1, 2011

Diligence Progress Report for 2011

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit S-52392

DATE WORK WAS DONE	WORK ACCOMPLISHED and FINANCIAL INVESTMENT SINCE OCTOBER 1, 2006 *List all work done after the last authorized date for complete application of water up to the date of this Diligence Progress Reporting Form*	FINANCIAL INVESTMENT

2. Compliance with terms and conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date = _____ *(if applicable)*

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

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

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

Acre Feet stored to date = _____AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). ***Do not provide daily, monthly or annual water volume totals.***

Signature _____ Date _____

For OWRD use only

Diligence Shown ☐ Yes ☐ No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: January 24, 2008

Copies Mailed

By: QS
On: 1/24/08

Application S-72360
Permit S-52392

Original mailed to permit holder

Iverson Family Farms, Inc.
33739 S. Meridian Road
Woodburn, OR 97071

Copies sent to:

1. WRD - App. File S-72360/ Permit S-52392
2. WRD - Support Staff, Salem...*Permit record update*

Fee paid as specified under ORS 536.050 to receive copy:

3. None

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

4. WRD – Water Master District 16 – Mike McCord, Salem
   Done by KRF *Date* 1/24/08

CASEWORKER: KRF

Oregon Water Resources Department
Water Rights Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time for Permit S-52392, Water Right Application S-72360 in the name of Iverson Family Farms, Inc.	)))	PROPOSED FINAL ORDER

Permit Information

Application File S-72360 Permit S-52392

Basin: 2 – Willamette/ Watermaster District 16
Date of Priority: April 28, 1992

Authorized Use of Water

Source of Water:	Iverson Reservoir, Constructed Under Permit R-11827, a Tributary of Butte Creek
Purpose of Use:	Irrigation of 38.8 Acres, Supplemental Irrigation of 485.2 Acres and Agricultural Use
Maximum Rate:	185.6 Acre-Feet (AF)

This Extension of Time request is being processed in accordance with Oregon Administrative Rule Chapter 690, Division 315

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

This Proposed Final Order applies only to Permit S-52392, water right Application S-72360. A copy of Permit S-52392 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant an extension of time for complete construction of the water system from October 1, 2006 to October 1, 2012, and
- grant an extension of time to apply water to full beneficial use from October 1, 2006 to October 1, 2012.
- make the extension subject to certain conditions set forth below.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure
cfs – cubic feet per second
gpm – gallons per minute
AF – acre-feet

AUTHORITY

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

ORS 537.230(1) and (3) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

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

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

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

FINDINGS OF FACT

Background

1. Permit S-52392 was granted to Ross Iverson by the Department on June 12, 1996. On October 15, 2007, the permit was assigned to Iverson Family Farms, Inc. The permit authorizes the use of up to 185.6 AF of water from the Iverson Reservoir (constructed under Permit R-11827), for irrigation of 38.8 acres, supplemental irrigation of 485.2 acres and agricultural use. The permit specified actual construction of the water system was to begin by June 12, 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. Two prior permit extensions have been granted for Permit S-52392 resulting in the completion dates for construction being extended to October 1, 2006 and full application of water being extended to October 1, 2006.

3. The permit holder submitted an "Application for Extension of Time" to the Department on October 9, 2007 requesting the time to complete construction of the water system under the terms of Permit S-52392 be extended from October 1, 2006 to October 1, 2012 and the time to apply water to full beneficial use under the terms of Permit S-52392 be extended from October 1, 2006 to October 1, 2012.

4. Notification of the Application for Extension of Time for Permit S-52392 was published in the Department's Public Notice dated October 23, 2007. No public comments were received regarding the extension application.

Review Criteria *[OAR 690-315-0040]*

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230[1], 537.248[2] and/or 539.010(5)[3].

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

5. On October 9, 2007, the Department received a completed Application for Extension of Time and the fee required by ORS 536.050 from the permit holder.

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

6. Actual construction of the water system began prior to the deadline specified in the permit, being June 12, 1997.

---

[1]ORS 537.230 applies to surface water permits only.

[2]ORS 537.248 applies to reservoir permits only.

[3]ORS 539.010(5) applies to surface water and ground water permits.

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.

7. As of October 9, 2007, the remaining work to be completed consists of completing construction of the water system and applying water to full beneficial use.

8. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2012, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms of Permit S-52392 is both reasonable and necessary.

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

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

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

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

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

9. The following construction was completed within the time allowed in the permit or previous extension:

   a. Construction of the water system began prior to the time specified in the permit, being June 12, 1997.

   b. Work was accomplished (specified in the Application for Extension of Time) during the original development time frame under Permit S-52392.

   c. During the most recent extension period, being from October 1, 2003, to October 1, 2006, the following was accomplished:

      - A portable pump station was made available to pump water from the reservoir; and
      - A fish screen was installed on the reservoir.

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

10. The following beneficial use was made of the water during the permit or previous extension time limits:

   a. Since the issuance of Permit S-52392 on June 12, 1996, the permit holder has not diverted any water from the Iverson Reservoir for irrigation.

b. Delay of full beneficial use of water under Permit S-52392 was due, in part, to the permit holder installing a fish screen on the reservoir that did not pass inspection from the Oregon Department of Fish and Wildlife. Additionally, financial constraints, a drop in the potato market and the loss of a very large customer caused the permit holders to have to change their cropping program, further delaying the development of this project.

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

11. The water right permit holder's conformance with the permit or previous extension conditions.

a. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the record does not show that a meter or other suitable measuring device has been installed, and (2) annual reports of the amount of water used each month have not been received by the Department.

b. Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

Financial Investments *[OAR 690-315-0040(3)(d)]*

12. Financial investments made toward developing the beneficial water use.

a. As of October 9, 2007, the permit holder has invested approximately $1,500, which is 13 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional $10,000 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose *[OAR 690-315-0040(2)(b)]*

13. As of October 9, 2007, the permit holder has invested approximately $1,500 which is 13 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional $10,000 investment is needed for the completion of this project.

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

14. The Department has found good faith of the appropriator under Permit S-52392.

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

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

15. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife *[OAR 690-315-0040(4)(a-c)]*.

    a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit S-52392; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such application for a new water right is submitted. The point of diversion is located on Butte Creek. Butte Creek is not located within or above any state or federal scenic waterway, however it is located within an area ranked "high" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is not located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Butte Creek is listed by the Department of Environmental Quality as a water quality limited stream.

16. Economic investment in the project to date *[OAR 690-315-0040(4)(d)]*.

    a. As of October 9, 2007, the permit holder has invested approximately $1,500.

17. Other economic interests dependent on completion of the project *[OAR 690-315-0040(4)(e)]*.

    a. None have been identified.

18. Other factors relevant to the determination of the market and present demand for water and power *[OAR 690-315-0040(4)(f)]*.

    a. None have been identified.

19. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

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

20. Use and income from the permitted water development results 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. Unforeseen events extended the length of time needed to fully develop and perfect Permit S-52392, caused mainly by financial constraints, a drop in the potato market and the loss of a very large customer, which caused the permit holders to have to change their cropping program.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).

2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).

3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).

4. Completion of construction and full application of water to beneficial use can be accomplished by October 1, 2012[4], as required by OAR 690-315-0040(1)(c).

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

6. As required by OAR 690-315-0050(6) and as described in Finding 19 above, the Department has established, as specified in the "Conditions" section of this PFO (Item 1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit S-52392.

Proposed Order

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

---

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

extend the time for complete construction of the water system under Permit S-52392 from October 1, 2006 to October 1, 2012.

extend the time to apply water to beneficial use under Permit S-52392 from October 1, 2006 to October 1, 2012.

Subject to the following conditions:

CONDITIONS

1. **Checkpoint Condition**

The permit holder must submit a completed Diligence Progress Report to the Department by **October 1, 2011.** ***A form will be enclosed with your Final Order.***

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

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

DATED: November 27, 2007

Dwight French
Administrator
Water Rights & Adjudications Division

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

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may protest and request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources

Department no later than **January 11, 2008** being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.

2. A written request for contested case hearing 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 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 protest fee required under ORS 536.050, if petitioner is other than the water right permit holder.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
   a. Issue a final order on the extension request; or
   b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
      1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
      2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

- If you have any questions about statements contained in this document, please contact Kim French at 503-986-0813.
- If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
- If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0801.
- Address any correspondence to : Water Rights and Adjudications Division
  725 Summer St NE, Suite A
  Fax: 503-986-0901 Salem, OR 97301-1266

Mailing List for Extension PFO Copies

PFO Date: November 27, 2007

Application S-72360
Permit S-52392

Copies Mailed

By: QS
On: 11/27/07

Original mailed to Applicant:

Iverson Family Farms, Inc.
33739 S. Meridian Road
Woodburn, OR 97071

Copies sent to:

1. WRD - App. File S-72360/ Permit S-52392

Fee paid as specified under ORS 536.050 to receive copy:

2. None

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

3. PFO: WRD – Watermaster District 16 – Mike McCord, Salem
   Done by KF *Date* 11/27/07

CASEWORKER: KRF

Extension PFO Checklist for

Other than Muni or Quasi-Municipal

Water Use Permits

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

Application: S- 72360 Permit: S- 52392 Permit Amendment? No ☒ Yes ☐ T- ____

Permit Holder's Name: Iverson Family Farms, Inc.

Permit Holder's Mailing Address: 33739 S. Meridian Road, Woodburn, OR 97071

Phone Number: ____

POD Location: Township 5S Range 1W Section 24 ¼¼ NESW

Drainage Basin: 2 County: Clackamas Watermaster District: 16 Watermaster: Mike McCord

Date Permit was issued: 6/12/1996 **Priority Date:** 4/28/1992 **Date of PN:** 10/23/2007

Source: Iverson Reservoir, constructed under permit R-11827, a tributary of Butte Creek

Use: Irrigation of 38.8 acres, supplemental irrigation of 485.2 acres, and agricultural use

"Q": 185.6 acre-feet

Orig "A" Date: 6/12/1997 **Orig "B" Date:** 10/1/1998 **Orig "C" Date:** 10/1/1999

Extension request rec'd: 10/9/2007 **Last Authorized "B" Date:** 10/1/2006 **Last Authorized "C" Date:** 10/1/2006

Request Number (1, 2, 3...): 3 **Proposed "B" Date:** 10/1/2012 **Proposed C Date:** 10/1/2012

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
☐	☒	Install meter
☐	☒	Submit annual WU reports
☐	☐	
☐	☐	
☐	☐	

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 ____ 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: $**1,500** Estimated Remaining Cost: $**10,000**

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

Application: S- 72360 Permit: S- 52392 Township 5S Range 1W Section 24

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

Identify the closest surface water or localized water basin. Butte Creek

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

☒ ☐ 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 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: **2011**)

☐ Other: _____

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

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

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

☐ **COBU Requirement - Surface Water - post July 9, 1987**

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

☒ **COBU Requirement - Ground Water - post July 9, 1987**

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

NOTES:

Extension "PFO" Dates

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

Reviewer's Name: _____ **Date:** _____

Application # S-72360 Permit # S-52392

Public Notice Route Slip ... New Application Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

- **WRIG...**
  Money Received on: 10/9/07
- **Kim French...**
  - ☑ Added to tracking spreadsheet

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

- **Jonnine Skaug...**
  - ☑ Publish on Public Notice (initial 30-day comment): Date of notice 10/23/07 JS
  - ☑ 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.

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 90058

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

INVOICE # _____

RECEIVED FROM: Iverson Family Farms

BY:

APPLICATION	S-72360
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☒ 8709 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 350.00

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

RECEIVED
OVER THE COUNTER

	MISCELLANEOUS		
0407	COPY & TAPE FEES		$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	_____	$
TC162	DEPOSIT LIAB. (IDENTIFY)	_____	$
0240	EXTENSION OF TIME		$ 350.00

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 90058 DATED: 10-9-07 BY: _____

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

IVERSON FAMILY FARMS INC

Water Resources Department		10/9/2007	8708
	Extension Reservoir use		350.00

RECEIVED
OVER THE COUNTER

Checking - Columbia S-72360 350.00

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

October 23, 2007

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE #** S-72360 (**PERMIT #** S-52392). Your application will be reviewed in the near 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.

If you have questions concerning your extension of time application, please contact Kim French at (503) 986-0813. 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 Internet home page at: "**www.wrd.state.or.us**".

Division 315 - Other Than Muni or Quasi-Muni
Extension of Time Application - Completeness Checklist
OAR 690-315-0020

Check a "✓" in the box if the item is satisfied	
✓	The appropriate extension of time fee (as specified in ORS 536.050). *[OAR 690-315-0020(3)]* **$350** – applications received on or after July 1, 2007
✓	The name and mailing address of the water right permit holder(s); *[OAR 690-315-0020(3)(a)]*
✓	The application number and the permit number for which an extension is requested; *[OAR 690-315-0020(3)(b)]*
	If the water right permit holder receives delivery of the subject water right permit from a municipality, municipal corporation, or other special district, the applicant shall provide the name of the entity and evidence that a copy of the application for extension of time has been provided to the entity responsible for delivering the water; *[OAR 690-315-0020(3)(c)]*
✓	Evidence of the actions taken to begin actual construction within the time period in the permit or previous extension: • "Actual construction" means physical work performed towards completion of the water system, which demonstrates both the present good faith of the water right permit holder and the water right permit holder's 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, or surveying. *[OAR 690-315-0020(3)(d)]*
✓	Evidence of progress made toward completion of the water development and application to full beneficial use, which includes but is not limited to: *[OAR 690-315-0020(3)(e)]* • The annual accomplishments toward perfecting the water right under the terms and conditions of the permit, including the dates on which each condition contained in the relevant permit and any previous extension(s) was satisfied or the reason the condition was not satisfied; • The maximum rate of diversion, if any, made to date; and • If for irrigation, a listing by year of the number of acres irrigated each year since permit issuance, the total number of acres irrigated to date under the permit or previous extension, and a copy of the application map showing the acres irrigated.
✓	A description of financial expenditures made toward completion of the water development; *[OAR 690-315-0020(3)(f)]*
✓	An estimate of the cost to complete the water development; *[OAR 690-315-0020(3)(g)]*
✓	A summary of any additional unforeseen events which delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relating to the project which have significantly delayed completion of construction or perfection of the right; *[OAR 690-315-0020(3)(h)]*
✓	The date by which the water development will be completed and water put to full beneficial use; *[OAR 690-315-0020(3)(i)]*
✓	A summary of the applicant's plan and schedule to complete construction and/or perfect the water right; *[OAR 690-315-0020(3)(j)]*
✓	Justification of why the requested time is needed to complete the project and/or apply the water to full beneficial use; *[OAR 690-315-0020(3)(k)]*
	A description of any undue hardship to the applicant which will result from denial of the extension, and that there are no other reasonable alternatives for meeting water use needs; *[OAR 690-315-0020(3)(l)]* *(NOTE: The permit holder is not asked to answer this specific question when filling out the Extension of Time Application. The Department decided this was a finding that should be determined by staff. In order to make this determination, review the Extension of Time Application and documentation in the file record. Generally, a denied extension of time may result in possible loss of investments made in the project, loss of future property value, and/or loss of future income.*
	Any other information the applicant determines is relevant to evaluate the application in accordance with applicable statutes and these rules; *[OAR 690-315-0020(3)(m)]*
	Any other information required in the application form that is necessary to evaluate the application in accordance with applicable statutory requirements; and *[OAR 690-315-0020(3)(n)]*
✓	Signature(s) of the water right permit holder(s).

Name of Reviewer: Kim FRENCH **Date:** 10/9/07

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

Application for Extension of Time for a Water Right Permit

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

A separate extension application must be submitted for <u>each</u> permit as per OAR 690-315-0020(2).

This application and a summary of review criteria and procedures that are generally applicable to this application are available at http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

I, Iversion Family Farms, Inc.
NAME OF PERMIT HOLDER *[OAR 690-315-0020(1) and (3)(a)]*

33739 S. Meridian Road	Woodburn	OR	97071
ADDRESS	CITY	STATE	ZIP

(503) 634-2331	iverson@monitorcoop.com
PHONE	E-MAIL ADDRESS

the permit holder of: Application Number ____ - S-72360

Permit Number - S-52392
[OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:

☒ complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on October 1, 2006, be extended to October 1, 2012,

and/or the time in which to:

☒ apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2006, be extended to October 1, 2012.

RECEIVED
OCT 09 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

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 $350.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

RECEIVED
OCT 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

MAIL COMPLETED APPLICATION

along with the

$350 STATUTORY FEE TO:

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



GENERAL TIPS:

- Request the reasonable amount of time necessary to fully complete the water construction 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).
- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: http://www.wrd.state.or.us/OWRD/LAW/index.shtml.

- 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 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 and Adjudications Division.

- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. 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 at *http://www.wrd.state.or.us* (find the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).

- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification;, a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Answer the Following Questions to Complete this Application for Extension of Time

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

1. **Did the actual construction of the water system/well drilling begin within the time specified in the permit? [yes/no]** Yes

TIP: *Not all permits specify a date by which construction was to begin.*

Date construction began is: September 1999

Details of construction: The use under this permit is dependent on construction of the reservoir (Application R-72359). Construction of the reservoir was mosty completed in two phases in 1999 and 2000. Except for a pumping station at the reservoir, all of the irrigation system required to serve the secondary use under this permit was in place or available prior to construction of the reservoir.

RECEIVED
OCT 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

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

2. **Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? [yes/no]** No

A) **Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.**



TIP: The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.

CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied

** ***Condition No:*** *Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).*

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

CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
1	10/1/08	Crop program changed and faced severe financial limitations.
2	10/1/08	To date, no water has been pumped from the reservoir for the secondary use.

** ***Condition No:*** *Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension.*

RECEIVED
OCT 09 2007 WRAD
WATER RESOURCES DEPT
SALEM, OREGON

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

3. **Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).**

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

CHART-C

INSERT DATES	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED *List any work done before the permit was issued – eg. well drilled.*	COST*
Pre-existing	Most of irrigation systems for the secondary use were already in place or available	None

INSERT DATES	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED *and* PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER *List work/actions done during the permitted time period.*	COST*
	The permit was signed - find date above signature on last page of permit.	
	The permit specified "Actual Construction Work" shall begin ("A-Date") - not all permits contain this date.	
Fall 1999	Plans were prepared for construction of a permanent pump station.	$1,500 (1)
	Note: (1) This is an estimated cost. This cost was included with total costs for	
	Phase I provided in extension application for Application R-72359.	
10/1/1999	The permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

INSERT DATES	WORK ACCOMPLISHED AFTER "C-DATE" *COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR 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.*	COST*
2001	A portable pump station was made available to pump water from the reservoir	None (2)
	Note: (2) No cost because the portable pump unit was part of existing equipment.	
	Total Cost to Date	$1,500

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

RECEIVED
OCT 09 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

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

CHART-D

INSERT DATES	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD *List all work done during the last authorized extension period.*	COST*
10/1/2002	"Extended From" date for complete application of water used in the 1st (or the most recent) Application for Extension of Time.	
10/1/2006	"Extended To" date for complete application of water resulting from the 1st (or the most recent) Application for Extension of Time.	

INSERT DATES	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED *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.*	COST*
Total Cost to Date		$1,500

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

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

4. **Cost of project to date:** $1,500
(The total cost from CHART-C and CHART-D)

RECEIVED
OCT 09 2007
WRD
WATER RESOURCES DEPT
SALEM, OREGON

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

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



TIP: Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet – usually only specified on a reservoir water right). Do not provide daily, monthly or annual water use totals.

Maximum rate = 0.00 **cfs (cubic feet per second)** *or,*

Maximum rate = _____ **gpm (gallons per minute)** *or,*

Acre Feet Stored = _____ **AF**

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

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

Total acres irrigated to date: None

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

7. **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)
4/2008 - 9/2008	Install a new pump and meter on the portable pump station.	$10,000
	Put water to the full beneficial, secondary use.	$0
Year: 2008	Intend to apply water to full beneficial use under the terms and conditions of this permit.	
	Total Cost	$10,000

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

8. **Estimated remaining cost to complete the project:** $10,000
(The total cost from CHART-E)

RECEIVED
OCT 0 9 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

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

9. **List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances.**

A) **The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.**

Not applicable

B) **The financial resources needed to develop the project precluded completion of the project within authorized time frames.**

We have experienced severe reductions in revenues dating back to 2002. Since then we have had to make significant changes to our cropping program and have been struggling to pay our debts and meet our other financial obligations. As a result, we have had to limit or delay new equipment purchases. In August 2007, we sold one of our farms, which put us in a much better financial position.

C) **Good faith attempts to comply with permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.**

Not applicable

RECEIVED
OCT 09 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

The loss of our large contract with Kettle Chips, and subsequent drop in the market for potatoes, has forced us to quit growing potatoes and completely change our cropping program. As a result, we have not yet needed to use the water from the reservoir for irrigation. Consequently, we have not had the opportunity to put the stored water to the full beneficial, secondary use.

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

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2, 3-A, 3-B, 7 and 9 of this Application for Extension of Time, and should also 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 believe that we should have no trouble finishing the project in the allotted time. We are now able to afford the necessary equipment to finish the project. The weather also determines the amount of water needed, which is the reason for the multiple year extension to put water to the full use.

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

We had a change in management in our family business in late 2004. There were some gaps in communication regarding water right tranfers, extensions, etc. Pacific Hydro-Geology has done a great job of highlighting the steps now necessary to finish this project.

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

Barbara Jones — **Signature**

10/9/07 — **Date**

RECEIVED
OCT 09 2007
WRAB
WATER RESOURCES DEPT
SALEM, OREGON

Instructions for Filling Out Extension of Time Application
For Water Right Permits

The following instructions are numbered to correspond with the APPLICATION FOR EXTENSION OF TIME. Each question is shown in italics, followed by guidance that may help you respond to the question. When reviewing these instructions, it will be helpful to have a copy of your water right permit at hand.

If needed, a copy of the water right permit can be downloaded from the Department's Website at *http://www.wrd.state.or.us* (find the link to the Water Rights Information System (WRIS). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).

1. ***Did the actual construction of the water system /well drilling begin within the time specified in the permit? [yes/no]***

Actual Construction - any 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, or surveying. OAR 690-315-0020(3)(d)(A)and(B).

Each water right permit contains specific dates by which permit holders are to have completed a certain level of development of the right. Generally, these dates appear toward the end of a permit. Among the dates that may be cited are the following:

A. **A-date**: Actual construction work shall begin on or before [date certain];

B. **B-date**: Construction shall be completed on or before [date certain];

C. **C-date**: Complete application of the water shall be made on or before [date certain]

For convenience, these are often referred to as the "A-date", "B-date", and "C-date", respectively. Not all permits will include all three dates. Some newer permits may not include a "B-date," and even more recent permits may not include an "A-date". However, all permits should include a "C-date". By statute, if the "A-date" is specified in a permit, a permit extension cannot be granted when there is no evidence of actions taken to begin **actual construction** by that date" with a few exceptions (permits for municipal use or projects requiring federal hydropower licenses). Permit extensions may be granted for both the B-date and C-date.

If the permit specifies an "A-date" it is very important to have written confirmation in the OWRD's official water right file that **actual construction** began on or before that "A-date". In submitting such confirmation, give dated details of all **actual construction** work completed prior to the "A-date" stipulated in the permit.

RECEIVED
OCT 09 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

2. ***Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit? [yes/no]***

A) ***Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.***

Depending on the vintage of the water right permit issued by OWRD, the location of the conditions on the permit may vary. Most, but not all, permits issued before 1990, did not include conditions. If these permits contained conditions they would generally appear on the permit just above the State Engineer's or Water Resources Director's signature. In the early 1990's conditions became more common. Conditions associated with the point of diversion or point of appropriation might be listed immediately following the description of the point of diversion or appropriation. Conditions associated with the place of use, might be listed immediately following the description of the place of use. From the mid-1990's to present, conditions may be listed under separate subtitles in the permit such as "Measurement, Recording, and Reporting Conditions" or "Standard Conditions."

Conditions requiring a written response in the extension of time application include those which:

- Stipulate a specific date by which the permit holder was to have accomplished a specific action, such as a condition that requires plans and specifications for a reservoir, a groundwater monitoring plan or some other document which "…shall be submitted…within (for example) *two* years of permit issuance."

- Are triggered by the use of water, but do not stipulate a specific date. These conditions represent a milestone in development of the project and use of water, such as the permit holder "shall install…a water meter or other suitable measuring device approved by the Director…before any use of water begins." Another common condition triggered by the use of water is that "fish screens are to be installed according to Oregon Department of Fish and Wildlife specifications."



TIP: Any supporting documentation submitted to demonstrate compliance with time-sensitive permit conditions or any conditions from prior permit extension(s) must be clearly referenced and may include, but is not limited to: well construction logs; static water level measurement reports, annual water use reports; and/or a plan to monitor the effect of water use on ground water aquifers utilized under the permit.

If needed, you may contact the OWRD for assistance in identifying and/or interpreting which conditions in the water permit are pertinent to the extension application.

RECEIVED
OCT 0 9 2007
WRD
WATER RESOURCES DEPT
SALEM, OREGON

In responding to question 2 A) on the application:

Step (1) Hand-number each condition on a copy of your permit. Refer to each condition in Chart-A by this number (place the number in the column **"Condition No."**). Submit the hand-numbered copy of the permit along with the application.

Step (2) List all pertinent permit conditions in Chart-A, and explain how you have complied with them (**"Describe How Permit Condition Has Been Satisfied"**).

Step (3) Indicate the date the condition was met (**"Date Satisfied**).

Step (4) Repeat steps (1), (2), and (3) for any conditions contained in any order approving a permit amendment and/or prior final order for an approved extension of time.

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

If a permit holder is not in compliance with time-sensitive conditions, OWRD may take one of three actions:

1. Suspend processing of the application until the permit holder complies with them; or
2. Establish time certain performance deadlines by which the conditions must be complied with and include them as conditions on the extension order; or
3. Deny the permit extension.

If you are considering applying for a permit extension and you are not in compliance with time-sensitive conditions, you may want to hold off filing the extension application until you have complied with the conditions. If you are not in compliance, but wish to proceed with the extension application, you should explain how, and the dates by which, you will comply with the conditions in Chart-B. If the extension is allowed, OWRD will likely not grant much time (less than one year) for the permit holder to comply with time-sensitive conditions.

In responding to question 2 B) on the application:

Step (1) Hand-number each condition on a copy of your permit. Refer to each condition in Chart-B by this number (place the number in the column **"Condition No."**). Submit the hand-numbered copy of the permit along with the application.

Step (2) List all pertinent permit conditions in Chart-A, and explain why you have not complied with them (**"Explain Why Each Permit Condition Has NOT Been Satisfied"**).

Step (3) Indicate the date the condition will be met (**"Date Will Comply"**).

Step (4) Repeat steps (1), (2), and (3) for any conditions contained in any order approving a permit amendment and/or prior final order for an approved extension of time.

RECEIVED
OCT 09 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

3. ***Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).***

Permitted Time Period - period of time between the date when the permit was signed *and* the date specified in the permit for complete application of water

Time Period of the Previous Extension
For 2nd Application for Extension of Time - period of time between the date specified in the permit for complete application of water and the new "extended to date" for complete application of water specified in the 1st approved extension.
For 3rd or Application for Extension of Time - period of time between the "extended from date" for complete application of water and the "extended to date" for complete application of water specified in the most recently approved extension.

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

Chart-C must be filled out by all applicants regardless of how many extensions have been granted in the past. List all materials and equipment purchases made within the applicable time period, the system components installed and components brought into use within the time period. Identify costs by each line item to assist in responding to Question 4 on the application for extension.

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

Chart-D must be filled out by all applicants who have been granted an extension in the past (that is, this is your 2nd, 3rd, or 4th, etc. request) List all materials and equipment purchases made within the applicable time period, the system components installed and components brought into use within the time period. Identify costs by each line item to assist in responding to Question 4 on the application for extension.

4. ***Cost of project to date _____.***

Indicate the amount invested in developing the water use system to date. This will be a total of the costs indicated on Chart-C and Chart-D from Question 3. If exact cost is not known, you must provide your best estimate.

5. ***What is the maximum rate, or duty if applicable, of diversion, if any, made to date?***

Indicate the rate (not the volume) of water you are beneficially using under this permit in **cubic feet per second** or **gallons per minute** for surface water and ground water permits. If you are using stored water, indicate the amount in acre-feet.

6. ***What is the total number of acres irrigated to date under this permit?***

If your permit authorizes the irrigation of land, indicate the maximum number of acres to which you have applied water under this permit.

RECEIVED
WRAD
OCT 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

7. ***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.***

Fill out Chart-E, making your best estimate of the future time line and costs for work necessary to complete construction and/or apply water to full beneficial use under the terms and conditions of the permit.

8. ***Estimated remaining cost to complete the project _____.***

Indicate your estimate of the remaining investment necessary to fully construct the system and put water to beneficial use. This will be a total of the costs indicated in Chart-E from Question 7.

9. ***List the reasons why the project was not constructed, and/or water was not beneficially used within the permitted time limits. Provide supporting information for the reason(s) that best fits your circumstances.***

It may be appropriate to respond in more than one category. Respond in category D) if the reasons for delay do not fit in any other category.

A) ***The project is of a size and scope that was originally planned to be phased it in over a time frame longer than the one allowed in the permit.***

Useful supporting information might include an excerpt from a business plan or a phasing schedule showing how the project is to be fully developed and water applied in increments. The supporting information can be simple and straightforward. This information would also be useful in evaluating the time needed to complete the project and beneficially use water.

For group domestic permits, historic population and employment information, growth forecasts and/or build-out status, including total number of residential units and other uses built, the number remaining to be built and absorption rates should be identified.

B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

If financing was critical to development of the project, indicate the contract number, financing entity, date when you originally applied for financing and date the financing agreement was executed. It is not necessary to submit a copy of the agreement nor to disclose the terms of the agreement. If cash flow is a constraint to developing the project, develop a phasing plan indicating the investments made annually to date and estimated annual investments anticipated until the project is completed and water applied.

RECEIVED
OCT 09 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

If it was necessary to obtain specific permits (land use approvals, wetland fill and removal permits, individual waste disposal system, or other water quality permits, etc.) to proceed with work under the water right permit, indicate the permits, date permit applications were filed, and date permits were issued by the appropriate authorities. If delays were caused by a general need to comply with government requirements, including specific conditions of the water right permit or other permits, provide a brief explanation of the requirements and, the good faith effort and general timeframes involved in complying with those requirements that delayed development of the water project under the permit.

D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

Natural disasters, severe weather, grave illnesses or death suffered by permit holders, family members, and business partners may be among the legitimate reasons that permit holders have not fully developed water systems and made beneficial use of water within permit timeframes. Supporting documentation to submit may include a list of the specific system or site damage caused by natural disasters or severe weather and the amount of delay and financial impact resulting from necessary repairs. For family illnesses and the like, a simple statement should be made indicating whether or not illness/accidents may have resulted in death or hospitalization and if resulting legal or ongoing health care/rehabilitation programs have affected the ability to complete the project authorized by the permit.

If there are other reasons for the delay that are not "Acts of God" and don't fit in categories A, B, and C, list them in this subsection and provide supporting information and estimates of the delay caused by the unforeseen events.

10. Justify the time requested to complete the project and/or apply the water to full beneficial use.

A justification should integrate information from Items 2, 3-A, 3-B, 7 and 9 of this Application for Extension of Time, but may include any other information or evidence to establish that the requested amount of time is reasonable. This can be a summary of why you need the amount of time you have requested.

11. Provide any other information you wish the OWRD to consider while evaluating the extension of time application.

This is your opportunity to include any other information you want the OWRD to have when considering your extension request.

RECEIVED
OCT 09 2007
WRAD
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
OCT 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OREGON 97071

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

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, PERMIT R-11827, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 38.8 ACRES, SUPPLEMENTAL IRRIGATION OF 485.2 ACRES, AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 524.0 ACRES

VOLUME/AMOUNT: 185.6 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: April 28, 1992

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 24, T 5S, R1W, W.M.; 3840 FEET SOUTH AND 5720 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	PRIMARY	SUPPLEMENTAL
NW 1/4 SW 1/4		45.7 ACRES
SW 1/4 SW 1/4		43.5 ACRES
	SECTION 19	
	TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.	
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4		3.0 ACRES
	SECTION 13	
NE 1/4 NE 1/4		12.6 ACRES
SE 1/4 NE 1/4		19.6 ACRES
	SECTION 23	
NE 1/4 NE 1/4	9.4 ACRES	
NW 1/4 NE 1/4	8.2 ACRES	28.1 ACRES
SW 1/4 NE 1/4	13.3 ACRES	11.5 ACRES
SE 1/4 NE 1/4	4.8 ACRES	15.3 ACRES
	SECTION 24	
	TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.	

RECEIVED
OCT 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

	PRIMARY	SUPPLEMENTAL
NE 1/4NW 1/4		22.1 ACRES
NW 1/4NW 1/4		26.8 ACRES
SW 1/4NW 1/4		37.4 ACRES
SE 1/4NW 1/4		39.0 ACRES
NE 1/4SW 1/4		28.6 ACRES
SE 1/4SW 1/4		0.9 ACRE
NE 1/4SE 1/4		39.6 ACRES
NW 1/4SE 1/4		34.1 ACRES
SW 1/4SE 1/4	3.1 ACRES	10.9 ACRES
SE 1/4SE 1/4		26.5 ACRES

SECTION 24
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit. (1) (2)

B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

STANDARD CONDITIONS

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

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

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

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

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

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

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

Issued June 12, 1996

for Martha O. Pagel, Director
Water Resources Department

RECEIVED
OCT 09 2007
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OREGON 97071

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

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, PERMIT R-11827, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 38.8 ACRES, SUPPLEMENTAL IRRIGATION OF 485.2 ACRES, AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 524.0 ACRES

VOLUME/AMOUNT: 185.6 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: April 28, 1992

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 24, T 5S, R1W, W.M.; 3840 FEET SOUTH AND 5720 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	PRIMARY	SUPPLEMENTAL
NW 1/4 SW 1/4		45.7 ACRES
SW 1/4 SW 1/4		43.5 ACRES
	SECTION 19	
	TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.	
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4		3.0 ACRES
	SECTION 13	
NE 1/4 NE 1/4		12.6 ACRES
SE 1/4 NE 1/4		19.6 ACRES
	SECTION 23	
NE 1/4 NE 1/4	9.4 ACRES	
NW 1/4 NE 1/4	8.2 ACRES	28.1 ACRES
SW 1/4 NE 1/4	13.3 ACRES	11.5 ACRES
SE 1/4 NE 1/4	4.8 ACRES	15.3 ACRES
	SECTION 24	
	TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.	

	PRIMARY	SUPPLEMENTAL
NE 1/4NW 1/4		22.1 ACRES
NW 1/4NW 1/4		26.8 ACRES
SW 1/4NW 1/4		37.4 ACRES
SE 1/4NW 1/4		39.0 ACRES
NE 1/4SW 1/4		28.6 ACRES
SE 1/4SW 1/4		0.9 ACRE
NE 1/4SE 1/4		39.6 ACRES
NW 1/4SE 1/4		34.1 ACRES
SW 1/4SE 1/4	3.1 ACRES	10.9 ACRES
SE 1/4SE 1/4		26.5 ACRES

SECTION 24
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

STANDARD CONDITIONS

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

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

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

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

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

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

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

Issued June 12, 1996

for Martha O. Pagel, Director
Water Resources Department

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

Request for Assignment

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

I, Ross Iverson
(Name of Applicant / Permit / Transfer Holder)

33739 S. Meridian Rd | Woodburn | OR | 97071 | 5036342331
(Mailing address) (City) (State) (Zip) (Phone #)

☒ ...hereby assign *all my interest* in and to application/permit/transfer;

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

☐ ...hereby assign *a portion of my interest* in and to the *entire* application/permit/transfer;

RECEIVED
OCT 16 2007
WATER RESOURCES DEPT
SALEM, OREGON

Application # R-72359, Permit # R-11827; Transfer # _____
-OR-
GR Statement # _____, GR Certificate of Registration # _____

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

Iverson Family Farms Inc.
(Name of New Owner)

33739 S. Meridian Rd | Woodburn | OR | 97071 | 503 634 2331
(Mailing address) (City) (State) (Zip) (Phone #)

O.K. ASS 10.16.2007

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

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 15th day of October, 2007.

Applicant/Permit holder Ross Iverson

Applicant/Permit holder Iverson Family Farms Inc. per Barbara Iverson

---

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 90202
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of **$50**.

Iverson Family Farms Inc
33739 S. Meridian Road
Woodburn, OR 97071

RECEIVED
OCT 16 2007
WATER RESOURCES DEPT
SALEM, OREGON

Owners:
Ken Iverson – President
32934 S. Verna Street
Woodburn, OR 97071

Nels Iverson – Secretary
1222 Miller Road SE
Jefferson, OR 97352

Barbara Iverson – Vice President
5858 S. Newman Road
Woodburn, OR 97071

Paul Iverson – Vice President
33988 S. Meridian Road
Woodburn, OR 97071

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 90202

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

INVOICE # _____

RECEIVED FROM: Iverson Family Farms

BY: _____

APPLICATION	
PERMIT	
TRANSFER	
TOTAL REC'D	$ 100.00

CASH: ☐ CHECK:# ☒ 8761 OTHER: (IDENTIFY) ☐ _____

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

R-72359 - 50.00
S-72360 - 50.00

	MISCELLANEOUS		
0407	COPY & TAPE FEES		$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)	Assignment	$ 100.00
TC162	DEPOSIT LIAB. (IDENTIFY)		$
0240	EXTENSION OF TIME		$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 90202 DATED: 10-16-07 BY: L. Parker

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Oregon
Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

October 17, 2007

Iverson Family Farms, Inc.
33739 S. Meridian Rd.
Woodburn, Oregon 97071

Reference: Application R-72359, Permit S-11827
Application S-72360, Permit S-52392

The assignment from Ross Iverson to Iverson Family Farms, Inc., has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 90202 covering the recording fee of $100 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 90202

cc: Watermaster 20
Data Center, OWRD (Complete Copy of Assignment Request)
File

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

Request for Assignment

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

I, Ross Iverson
(Name of Applicant / Permit / Transfer Holder)

33739 S. Meridian Rd Woodburn OR 97071 5036342331
(Mailing address) (City) (State) (Zip) (Phone #)

☒ ...hereby assign *all my interest* in and to application/permit/transfer;

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

☐ ...hereby assign *a portion of my interest* in and to the *entire* application/permit/transfer;

RECEIVED
OCT 16 2007
WATER RESOURCES DEPT
SALEM OREGON

Application # S-72360, Permit # S-52392; Transfer # _____
-OR-
GR Statement # _____, GR Certificate of Registration # _____

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

Iverson Family Farms Inc.
(Name of New Owner)

33739 S. Meridian Rd Woodburn OR 97071 503634 2331
(Mailing address) (City) (State) (Zip) (Phone #)

O.K. ASSIGN 10-16-2007

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

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 15th day of October, 2007.

Applicant/Permit holder Ross Iverson

Applicant/Permit holder Iverson Family Farms per Barbara Iverson

---

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 90202
For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of **$50**.

Iverson Family Farms Inc
33739 S. Meridian Road
Woodburn, OR 97071

Owners:
Ken Iverson – President
32934 S. Verna Street
Woodburn, OR 97071

Nels Iverson – Secretary
1222 Miller Road SE
Jefferson, OR 97352

Barbara Iverson – Vice President
5858 S. Newman Road
Woodburn, OR 97071

Paul Iverson – Vice President
33988 S. Meridian Road
Woodburn, OR 97071

RECEIVED
OCT 16 2007
WATER RESOURCES DEPT
SALEM OREGON

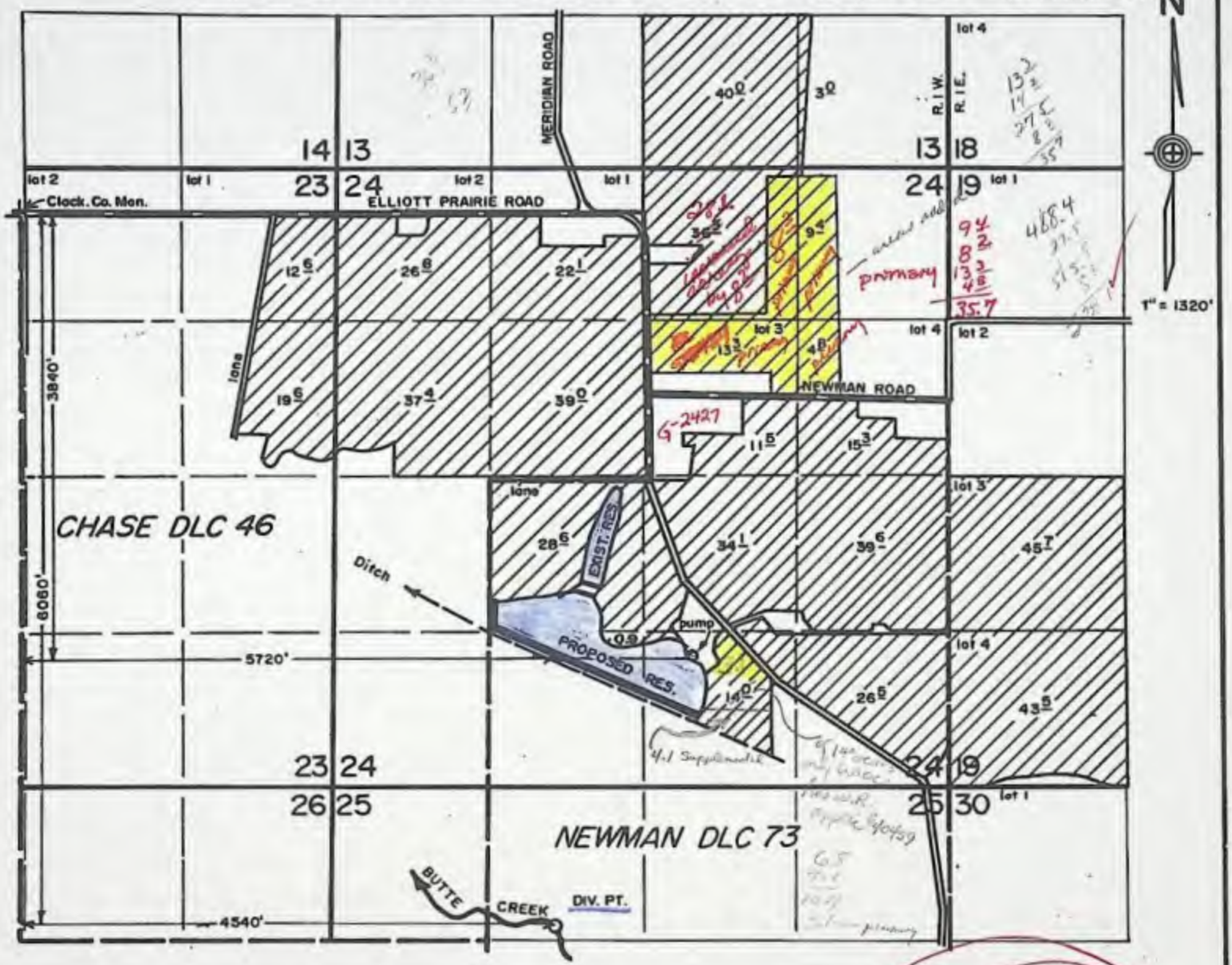
RECEIVED

NOV 2 0 1995

WATER RESOURCES DEPT
SALEM, OREGON

Township 5 South, Ranges 1 West & 1 East, W.M.

Section 24 and Portions of Sections 13, 14, 23, 25 and 26 in Range 1 West & Portions of Sections 19 and 30 in Range 1 East



Appl. No. 72360

Per. No. _____

Certified Water Right Examiner
#026 WRE
Donald R. Buell
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

Application Map
for
ROSS IVERSON

work copy

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.

4-20-92, REV. 11-20-95 DRB

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSS IVERSON
33739 S. MERIDIAN RD. PHONE: (503) 634-2331
WOODBURN, OREGON 97071

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

APPLICATION FILE NUMBER: R-72359

SOURCE OF WATER: SURFACE RUNOFF AND BUTTE CREEK, TRIBUTARIES OF PUDDING RIVER

STORAGE FACILITY: IVERSON RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED AND MAINTAINED UNDER APPLICATION S-72360, PERMIT 52392, FOR AGRICULTURAL USE, PRIMARY IRRIGATION, AND SUPPLEMENTAL IRRIGATION FOR NURSERY OPERATIONS AND WILDLIFE USE

VOLUME OF USE: 185.6 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM NOVEMBER 1 TO APRIL 30 OF EACH YEAR.

DATE OF PRIORITY: APRIL 28, 1992

THE AREA SUBMERGED BY THE RESERVOIR, WHEN FULL, WILL BE 12.6 ACRES AND THE MAXIMUM DEPTH OF WATER WILL BE 20.0 FEET. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 15.0 FEET.

DAM LOCATION: NE 1/4 SW 1/4, SE 1/4 SW 1/4, AND SW 1/4 SE 1/4, SECTION 24, T5S, R1W, W.M.; 3840 FEET SOUTH & 4640 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

POINT OF DIVERSION: NE 1/4 NW 1/4, SECTION 25, T5S, R1W, W.M.; 6060 FEET SOUTH AND 4540 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED WITHIN:

NE 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 24
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided. The applicant is hereby directed to contact an ODFW Fish Passage Program coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

The outlet gate shall be cycled at least once each year and shall be fully operational at all times.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to control weeds and brush, repair slumps and areas of erosion, and/or replace defective equipment.

No water shall be stored until this department receives written certification from the engineer of record that construction was performed under the supervision of a professional engineer licensed in Oregon, and has been completed in accordance with the approved plans and specifications. If construction deviates from the approved design, a set of as built drawings must accompany the engineer's written certification of completion.

The earthen dam and resultant reservoir shall be constructed, operated, and maintained according to the approved plans and specifications dated December 23, 1992, on file with the Water Resources Dam Safety Program.

The completed structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resource Department or the Director's authorized representatives.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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

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

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

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

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

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

Issued June 12, 1996

for Martha O. Pagel, Director
Water Resources Department

USER-ID 9688

2001 2002

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

App R 72359 ~7 App 72360

Facility ☞ POD-ID ✏	DAM IC 51004	Butte Ck IC 51005	Iverson Reservoir To Field IC 51006		
October - 2001	160 AF	0	0		
November - 2001	170 AF				
December - 2001	179 AF				
January - 2002	179 AF				
February - 2002	179 AF				
March - 2002	179 AF				
April - 2002	179 AF				
May - 2002	179 AF				
June - 2002	175 AF		0		
July - 2002	150 AF		20 AF		
August - 2002	115 AF		30 AF		
September - 2002	110 AF		0		
TOTAL *		0			

RECEIVED
JAN 16 2003
WATER RESOURCES DEPT.
SALEM, OREGON

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

Describe method of measuring the water used: eye witness approx. If use is irrigation, total number acres irrigated 90

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

Signature	Title	Reporting Entity	Date
Steve Iverson	V-pres	Iverson Family Farms Inc.	12-31-02

Steve Iverson
Name - Please Print

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

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-72360

Final Order
Extension of Time for Permit Number S-52392

Appeal Rights

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

Application History

On AUGUST 12, 2004, ROSS IVERSON submitted an application to the Department for an extension of time for permit number S-52392. The Department issued permit number S-52392 on JUNE 12, 1996. The permit called for completion of construction by OCTOBER 1, 1998, and complete application of water to beneficial use by OCTOBER 1, 1999. In accordance with OAR 690-315-0050(2), on NOVEMBER 8, 2005, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project to OCTOBER 1, 2006, and the time to fully apply water to beneficial use to OCTOBER 1, 2006. The protest period closed DECEMBER 23, 2005, in accordance with OAR 690-315-0060(1). No protest was filed.

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

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

Order

The extension of time for Application Number S-72360, Permit Number S-52392, therefore, is approved. The deadline for completing construction is extended to OCTOBER 1, 2006. The deadline for applying water to full beneficial use is extended to OCTOBER 1, 2006.

DATED: May 4, 2006

Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Ann L. Reece at (503) 986-0808.

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.

***NOTE:** Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.*

Mailing List for Extension FO Copies

Application S-72360 **FO Date: May 4, 2006**
Permit S-52392

Original mailed to permit holder:

Ross Iverson
33739 S Meridian Rd
Woodburn, OR 97071

Copies Mailed
By: JS (SUPPORT STAFF)
on: 5/2/06 (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File S-72360/ Permit S-52392
2. WRD - Watermaster District 16, Mike McCord, Salem
3. ODFW - Dist 03 – Danette Ehlers, Clackamas
4. DEQ – Northwest Region, Andy Schaedel, Portland
5. WRD - Support Staff, Salem...*Permit record update*

Other interested parties:

6. Pacific Hydro-Geology, Inc
   Attn: Greg Kupillas
   18477 S Valley Vista Rd
   Mulino, OR 97042

CASEWORKER: **ALR**

S:\groups\wr\extensions\F O\Done\2006 final orders\s72360_iverson.doc

Oregon Water Resources Department
Water Rights Division

Application for Extension of Time

In the Matter of the Application for an Extension of Time for Permit #S-52392, Water Right Application #S-72360 (Ross Iverson)	)))))	PROPOSED FINAL ORDER

Permit Information

Application File #S-72360 / Permit #S-52392
Basin: #02 - Willamette Basin / Watermaster District: #16
Date of Priority: April 28, 1992

Authorized Use of Water

Source of Water:	Iverson Reservoir, constructed under Permit #R-11827, a tributary of Butte Creek
Purpose or Use:	Irrigation of 38.8 acres, supplemental irrigation of 485.2 acres, and agricultural use (nursery operations) on 524.0 acres
Maximum Rate:	185.6 acre feet of stored water only

This Extension of Time request is being processed in accordance with Oregon Administrative Rule Chapter 690, Division 315.

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit #S-52392, water right Application #S-72360. A copy of Permit #S-52392 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 2003, to October 1, 2006; and
- grant the extension for complete application of water from October 1, 2003, to October 1, 2006.

AUTHORITY

ORS 537.230(2) provides in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

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

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

FINDINGS OF FACT

Background

1. Permit #S-52392 was granted by the Water Resources Department on June 12, 1996. The permit authorizes the appropriation of up to 185.6 acre feet of stored water only from Iverson reservoir, constructed under Permit #R-11827, for irrigation of 38.8 acres, supplemental irrigation of 485.2 acres, and agricultural use (nursery operations) on 524.0 acres. The permit specified that construction of the water development project was to be completed by October 1, 1998, and that complete application of water was to be made on or before October 1, 1999.

2. One prior extension has been granted for Permit #S-52392. It extended the dates to complete construction of the water system and complete the application of water to full beneficial use under the permit to October 1, 2003.

3. The permit holder submitted an "Application for Extension of Time" to the Department on August 12, 2004, requesting the time in which to complete construction of the water system and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #S-52392 be extended from October 1, 2003, to October 1, 2006.

4. Notification of the permit holder's extension of time request for Permit #S-52392 was published on the Department's Public Notice dated August 17, 2004. No public comment on the extension application was received.

Review Criteria *[OAR 690-315-0040(1)(2)]*

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction and/or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230[1], 537.248[2], and/or 539.010(5)[3].

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

5. Delay in the development of this project was caused, in part, by other governmental requirements. Specifically, the source of water (being Iverson reservoir constructed under Permit #R-11827) is conditioned to not allow any diversion of stored water until fish screening and by-pass devices are in place, functional and approved by the Oregon Department of Fish and Wildlife (ODFW).

   As of May 25, 2004, the permit holder had not yet installed the required fish screening and by-pass devices due to a lack of financial resources. Before the use of stored water under Permit #S-52392 may be made, therefore, the permit holders must install the fish screening and by-pass devices and obtain the necessary approval from ODFW.

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

6. Construction of the water system began within the time specified in the permit, being June 12, 1997.

Cost to Appropriate and Apply Water to a Beneficial Use *[OAR 690-315-0040(2)(b)]*

7. As of August 12, 2004, the permit holder had invested a total of $300,000 into the project, consisting of the majority of reservoir construction, including clearing of vegetation, installation of dikes, a spillway and an overflow, and installation of a temporary pumping station (consisting of a portable pump and temporary meter). An additional $42,500 investment is anticipated for the completion of this project.

---

1 ORS 537.230 applies to surface water permits only.

2 ORS 537.248 applies to reservoir permits only.

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

Reasonable Diligence and Good Faith of the Appropriator *[OAR 690-315-0040(3)]*

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [OAR 690-315-0040(3)].

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction

8. The following construction was completed within the time allowed in the permit or previous extension:

   a. During the last authorized extension period under Permit #S-52392, being October 1, 1998, to October 1, 2003, the permit holder installed dikes, a spillway and an overflow at the reservoir, and installed a temporary pumping station (consisting of a portable pump and temporary meter).

Beneficial Use of Water

9. The following beneficial use was made of the water during the permit or previous extension time limits:

   a. As of August 12, 2004, the permit holder has not appropriated any of the water stored in Iverson reservoir, constructed under Permit #R-11827, for beneficial purposes under Permit #S-52392.

   b. Delay of full beneficial use of water under Permit #S-52392 was due to the permit holder's financial constraints. Specifically, the permittee lost a significant amount of income as a result of losing a large contract to provide potatoes to the Kettle Chips company. The loss of this contract has reduced the annual farm income by 40 percent and has caused an extreme financial strain on the permit holder's operations.

   Additionally, due to the lack of financial resources, the permit holder has not yet been able to install a permanent pump, piping and electrical system and the ODFW required fish screening and by-pass devices (as described in Finding #5 above) at Iverson reservoir in order to appropriate stored water under this permit.

Compliance with Conditions

10. The water right permit holder's conformance with the permit or previous extension conditions.

   a. The record does not raise concerns about the permit holder's compliance with conditions.

Financial Investments

11. Financial investments made toward developing the beneficial water use.

   a. As of August 12, 2004, the permit holder had invested a total of $300,000 into the project, consisting of the majority of reservoir construction, including clearing of vegetation, installation of dikes, a spillway and an overflow, and installation of a

temporary pumping station (consisting of a portable pump and temporary meter). An additional $42,500 investment is anticipated for the completion of this project.

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

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:

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

    a. The permitted point of diversion (the reservoir constructed under Permit #R-11827), authorized under Permit #S-52392, is not located within or above the designated boundaries of a state scenic waterway.

13. 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).

    a. The permitted point of diversion, authorized under Permit #S-52392, is located within a stream segment that has been identified by the Oregon Department of Fish and Wildlife as a "high" needs ranking area for streamflow restoration for fish.

    b. The permitted point of diversion is located within the Butte Creek Basin. Butte Creek has been designated by the Oregon Department of Environmental Quality as a water quality limited stream.

    c. The permitted point of diversion, authorized under Permit #S-52392, is not located within a segment of a designated federal wild and scenic river.

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

    a. The permitted point of diversion is located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified by the Oregon Department of Fish and Wildlife.

15. Economic investment in the project to date.

    a. As of August 12, 2004, the permit holder had invested a total of $300,000 into the project, consisting of the majority of reservoir construction, including clearing of vegetation, installation of dikes, a spillway and an overflow, and installation of a temporary pumping station (consisting of a portable pump and temporary meter). An additional $42,500 investment is anticipated for the completion of this project.

16. Other economic interests dependent on completion of the project.

    a. None have been identified.

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

    a. None have been identified.

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

18. The use of water and income from the permitted water development will result in reasonable returns against the investment made in the project to date.

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

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

19. As of August 12, 2004, the remaining work to be completed under Permit #S-52392 consists of complete construction of the water system and complete application of water to beneficial use.

20. Financial issues extended the length of time needed to fully develop and perfect the permit, caused mainly by the permit holder's financial constraints. Specifically, the permittee lost a significant amount of income as a result of losing a large contract to provide potatoes to the Kettle Chips company. The loss of this contract has reduced the annual farm income by 40 percent and has caused an extreme financial strain on the permit holder's operations.

    Additionally, due to the lack of financial resources, the permit holder has not yet been able to install a permanent pump, piping and electrical system and the ODFW required fish screening and by-pass devices (as described in Finding #5 above) at Iverson reservoir in order to appropriate stored water under this permit.

21. Given the amount of development left to occur, the Department has determined that the permittee's request to have until October 1, 2006, to complete construction of the water system and to complete the application of water to beneficial use under the terms of Permit #S-52392 is both reasonable and necessary.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230.

2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1), as required by OAR 690-315-0040(1)(a).

3. The applicant demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0040(1)(b).

4. Completion of construction and full application of water to beneficial use can be completed by October 1, 2006[4], as required by OAR 690-315-0040(1)(c).

5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to complete construction and apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #S-52392 from October 1, 2003, to October 1, 2006; and

Extend the time for complete application of water to beneficial use under Permit #S-52392 from October 1, 2003, to October 1, 2006.

DATED: November 8, 2005

Dwight French
Administrator
Water Rights & Adjudication 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 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than ***Friday, December 23, 2005,*** being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.

2. A written request for contested case hearing shall include:
   a. The name, address and telephone number of the petitioner;
   b. A description of the petitioner's interest in the final order and if the protestant

---

[4] Pursuant to ORS 537.230(4), 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 the claim of beneficial use.

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 final order would adversely affect or aggrieve the petitioner's interest;

d. A detailed description of how the 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 petition upon the water right permit holder, if petitioner is other than the water right permit holder; and

g. The protest fee required under ORS 536.050.

3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:

   a. Issue a final order on the extension request; or

   b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:

      1) Upon review of the issues, the director finds there are significant disputes related to the proposed agency action; or

      2) The applicant submitted a timely request for a contested case hearing.

If you have any questions about statements contained in this document, please contact Lisa Jaramillo at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Mike Reynolds. His telephone number is (503)986-0820.

If you have other questions about the Department, or any of its programs, please contact our Water Resources Customer Service Group at (503)986-0801.

Address any correspondence to:

Water Rights Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901

Application # S-72360 / **Permit #** S-52392

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

- **WRIG...**
  Money Receipted on: $250.00 on 8-12-04
- **Lisa Juul...**
  Extension Completeness: OK 8-13-04
  (If NOT complete, send certified letter requesting add'l information.)

If Extension Appl complete and $250 fee submitted, route to...

- **Jonnine Fuss...**

☒ Publish **on Public Notice (initial 30-day comment):** 8/17/04

Update "cdatewext.DB" 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.

At the close of the Initial 30-day Comment Period...

- **Lisa Juul...**

Pull files for Ext PFO review: _____

Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

- **Jonnine Fuss...**

Prepare Ext PFO for mailing to applicant: _____

Mail to those who commented *and* paid copy fee: _____

Include Ext PFO on weekly Public Notice: _____

EXTENSION REVIEW CHECKLIST for PFO... *Div. 315 - Regular*

Application #: S-72360 / **Permit #:** S-52392

Permittee's Name: Ross Iverson

Permittee's Mailing Address: 33739 S. Meridian Rd, Woodburn, OR 97071

POD Location: Township 5-S Range 1-W Section 24 ¼¼ NESW

Drainage Basin: 2-Willamette **County:** Clackamas **Watermaster District #:** 16

✓1. Has the applicant submitted the appropriate fee? **Yes** / No $250 paid on 8-12-04
***If "No"..... STOP. (Extension of Time cannot be processed if insufficient fees submitted.)
****(NOTE:* *Any missing Extension information that is needed before an Extension PFO can be completed???)*

✓2. Has the applicant completely filled out the Extension Application form? **Yes** / No
***If "No"..... List the shortcomings below and send a letter requesting the additional/missing information that is needed before the Extension of Time can be processed.

✓3. **Date Permit was issued:** 6-12-96 **Priority Date:** 4-28-92

✓4. **Source:** Iverson Reservoir (constructed under Permit R-11827), trib of Butte Cr.

✓5. **Use:** Irrig of 38.8 Ac, Suppl Irrig of 485.2 Ac & Agricultural Use on (Nursery Oper.) 524.0 AC

✓6. **"Q":** 185.6 AF

✓7. **Orig "A" Date:** 6-12-97 **Orig "B" Date:** 10-1-98 **Orig "C" Date:** 10-1-99

✓8. **Conditions of Permit:**
- Before Use begins → shall install meter or other suitable meas device.
- Shall keep monthly water use records & report annually to WRD.

✓9. **Extension request received:** 8-12-04 **Request Number (...1st 2nd, 3rd):** 2nd

✓10. **Last Authorized "B" Date:** 10-1-03 **Last Authorized "C" Date:** 10-1-03

✓11. **Proposed "B" Date:** 10-1-2006 **Proposed C Date:** 10-1-2006

✓12. **Amount Invested to date:** $300,000.00 **Estimated Total Cost:** $342,500.00

(Estimated Remaining Cost:* $42,500.00

13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. **Yes** / **No** ***If "No"..... What permit terms and/or conditions have not been met?*

- "A" Date met
- Conditions – OK. No Water Used yet.

14. Work on the water development project completed to date includes: _____

- Completed dikes, spillway & overflow at reservoir.
- Temporary pump site established at reservoir — but permanent pump, piping & electrical system not yet installed.
- portable pump with temporary meter is available, if necessary — but No use to date.

15. The work remaining to be completed consists of:

- Completion of Construction &
- Full beneficial use of water

16. Progress in perfecting the permit is being held up by: _____

- Unexpected change in farm produce markets have resulted in huge revenue losses
- Lost contract to provide potatoes to Kettle Chips – result is significant loss in income
- Also development of this permit is tied to completion of reservoir. Due to income loss, unable to install ODFW required fish screens can't use water until satisfied.
- And see 5-25-04 letter - Need to install fish screens

17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? (**Yes**) / **No**

Some Factors that may be considered in determining *"Reasonable Diligence"* [OAR 690-315-040(3)]

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 permit holder conformance with the permit or previous extension conditions; and
d. Financial investments made toward developing the beneficial water use.

- Permit holder has completed approximately 90 % of the construction.
- Permit holder has beneficially used 0 % of the total permitted quantity of water.
- Has the permit holder complied with conditions? (**Yes**) / **No**
  —*If No, reasons why not?* _____
- Permit holder has invested approximately 88 % of the total estimated cost to complete the project.
- Other: _____

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

Some factors to consider in determining the *Market and the Present Demand for water* or power [OAR 690-315-040(4)]:

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 (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
c. The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
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 the present demand for water or power.

Is the POD/POA located.....

- If a GW permit, is GW hydraulically connected to SW (see original Div. 09 GW review)? N/A – SW
- within or above a state scenic waterway? NO
- within a ground water limited/critical area? NO
- within a segment that has been identified as a federal wild and scenic river? NO
- within an area that ODFW has identified as an ST&E Area? YES
- within an area that ODFW has identified as a "High" Needs Ranking Area for streamflow restoration for fish?
- within an area that DEQ has identified as being water quality limited? Butte Creek - Yes
- Other: _____

19. 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

20. 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
☐ Other: _____

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

☐ **COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Checklist Last Revised: 3/4/ 2004

Mailing / Issuance Date: _____ **WRD Project ~~Manager~~ Caseworker:** _____

Protest Deadline Date: _____ **Date:** 10-28-05

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 69293

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

INVOICE # _____

RECEIVED FROM: Lakeview Farming Co Inc

BY: _____

APPLICATION	T-60
PERMIT	52912
TRANSFER	

CASH: ☐ CHECK:# ☒ 5243 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $250.00

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		$ 250.00

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 69293 DATED: 8/12/04 BY: K. Allen

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

RECEIVED
AUG 12 2004
WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

I, Ross Iverson
NAME

33739 S. Meridian Road	Woodburn	OR	97071	(503) 634-2331
ADDRESS	CITY	STATE	ZIP	PHONE

owner of record, or duly authorized agent, of Application No. S-72360, Permit No. S-52392, do hereby request that the time in which to:

☑ complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 2003, be extended to October 1, 2006,

and/or the time in which to:

☑ accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2003, be extended to October 1, 2006.

NOTE: **The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.**

Attached is an instruction sheet to assist you in completing the information on the permit extension application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension application. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, you may contact the Department at (503) 986-0900, and request assistance from the Water Rights Division, permit extensions personnel.

RECEIVED
AUG 12 2004
WATER RESOURCES DEPT
SALEM, OREGON

1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]?
Yes

2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?

No.

A) Please describe how you have complied with each applicable permit condition (***NOTE:* the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).**
Applicable permit conditions include installation of a flow meter and water use reporting. A permanent pump station has not been completed for the reservoir (i.e., the source of water for this permit); however, a portable pump station with a flow meter is available to pump from the reservoir, if necessary. To date, no significant quantities of water have been pumped from the reservoir for use under this permit. Consequently, there has been no use to report.

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.
The permanent pump station and dedicated flow meter have not been installed due to severe financial losses in the farming operations within the last couple of years (see Section 6 B, below). It is anticipated that, with improvements in economic conditions, the permanent pump station may be completed (with dedicated flow meter), water may be be put to beneficial use, and water use reporting can begin, by June 2006.

3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:
The use of this permit is directly linked to construction of the reservoir (Permit R-11827). Since the date of the last permit extension (July 18, 2000), we have completed construction of Phase I and Phase II of the reservoir (dikes completed, spillway and overflow constructed, etc.). The pump site at the reservoir has been established, but a permanent pump, piping, and electrical system have not been completed. A portable pump with a temporary flow meter is available to withdraw water from the reservoir, if necessary.

RECEIVED
AUG 12 2004
WATER RESOURCES DEPT
SALEM, OREGON

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:
Prior to the date of the last extension (July 18, 2000), we began Phase I activities for construction of the reservoir, including clearing vegetation, starting construction of the dikes, and completing construction of the overflow structure.

4. I have accomplished beneficial use of water under the permit to the extent of (amount of water used and acres irrigated):

A) Quantity of Water Used *[in cubic feet per second (cfs) or gallons per minute (gpm) if using surface water or ground water.....and/or..... in acre-feet (af) if using stored water]*:
Effectively none.

B) Number of Acres Irrigated *(if an irrigation permit)*:
None.

5. Cost of project to date $300,000. Estimated remaining cost to complete the project $42,500.

6. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.
Not applicable.

RECEIVED
AUG 12 2004
WATER RESOURCES DEPT
SALEM, OREGON

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

The farming operations have experienced significant losses in income in the past two years. The loss of income has occurred as a result of losing a large contract to provide potatoes to Kettle Chips. The potential revenues associated with this contract amount to about 40% of the total annual farm income. The loss of this income has resulted in an extreme financial strain on our operations.

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

Not applicable.

D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

Unanticipated changes in farm produce markets are respnsible for the huge losses in revenues we have experienced.

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

Signature _____ Date 8-13-04

For an application to be complete, it must be accompanied with the required fee. See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION *and* FEE TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271

File # S-72360

RECEIVED
OVER THE COUNTER

Pacific Hydro-Geology Inc.
18477 S. Valley Vista Rd.
Mulino, OR 97042
(503) 632-5016

RECEIVED
MAY 25 2004
WATER RESOURCES DEPT
SALEM OREGON

May 25, 2004

Ms. Lisa Juul
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-4172

Re: Request for Extension, Application R-72359, Ross Iverson

Dear Ms. Juul:

On behalf of the Iverson brothers, I am requesting an amendment to the Application for Extension of Time for Application R-72359 which was submitted on October 1, 2003. That application requested that the deadline to complete construction and accomplish beneficial use be extended to 2003. At the time of submittal, The Iversons believed that they would be able to install an ODFW-approved fish screen and complete the remaining construction on the reservoir pump site in time to meet the new deadline. However, because they have experienced significant losses in revenues in the past two years, they have been financially unable to complete the necessary work. This loss of revenues has occurred as a result of losing a large contract to provide potatoes to Kettle Chips. The potential revenues associated with this contract amounts to about 40% of The Iverson's total annual farm income. The loss of these revenues has resulted in an extreme financial strain on the Iverson's operations. Therefore, the Iversons wish to amend their original application to request that the date to complete construction and apply water to beneficial use be extended to October 1, 2006.

Application R-72359 is associated with a secondary permit, Application S-72360. Because this secondary use is directly linked to the reservoir permit, and cannot be exercised until the reservoir is ready for use, the Iversons also request that the date for applying water to beneficial use under Application S-72360 be extended to October 1, 2006.

Please call me at (503) 632-5016 if there are any questions, or additional information is required.

Sincerely,

Gregory E. Kupillas R.G., C.W.R.E.

cc: Steve Iverson, Iverson Brothers Bulb Farms

Mailing List for Extension PFO Copies

Application #S-72360 **PFO Date: November 8, 2005**
Permit #S-52392

Original mailed to:

Applicant: **Ross Iverson**
33739 South Meridian Road
Woodburn, OR 97071

Copies Mailed
By: LS (SUPPORT STAFF)
on: 11/7/05 (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #S-72360 / Permit #S-52392

2. WRD - Watermaster District: #16 - Ken Wilcke, Salem
   - **NW Region WM PFO copy sent by e-mail.....**

Done by: [signature]
Date: 11-1-05

3. DEQ - Northwest Region: Andy Schaedel, Portland

4. ODFW - District #3 - Danette Ehlers, Clackamas

Other interested parties:

5. **Pacific Hydro-Geology, Inc.**
   Attn: Greg Kupillas
   18477 S. Valley Vista Road
   Mulino, OR 97042

CASEWORKER: **LJJ**
S:\groups\wr\extensions\P F O\Done\2005 pfos\November\s72360.wpd

MEMO

Date: April 30, 2004

To: File Application S-72360/Permit 52392

From: Dorothy Pedersen

RE: Action required in conjunction with Transfer T-7567 approval.

Transfer application T-7567 proposes to move irrigation rights from Butte Creek under Certificate 34541 (priority date December 7, 1964) onto 10.0 acres of land to which Permit 52392 is appurtenant. The attached affidavit authorizes diminishment of Permit 52392 to supplemental irrigation on those lands as follows:

NW¼ NE¼ 0.7 acre
SW¼ NE¼ 9.3 acres
Section 24
Township 5 South, Range 1 West, W.M.

RECEIVED
MAR 08 2004
WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A WATER RIGHT PERMIT

State of Oregon)
) ss
County of Marion)

I/We (or authorized agent), Ross & Dorothy Iverson,
residing at 33789 S. Meadowview Rd. Canby OR 97071
telephone number 503-634-2331, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 200, within the NW¼ NE¼ and SW¼ NE¼, Section 24, Township 5 S, Range 1W, of the Willamette Meridian, in Clackamas County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;

2. A portion of water right permit number 52392 issued to Ross Iverson, with a date of priority of April 28, 1992 for use of water from Iverson Reservoir, constructed under application R-72359, Permit R-11827, for the purpose of primary irrigation on 10.0 acres is appurtenant to my/our property;

3. Upon approval of T-7567 I/we have obtained a source of water with an earlier priority for the primary irrigation of the portion of this water right shown on the attached map and described as follows: The right to the use of water from Iverson Reservoir for the irrigation of 10.0 acres located:

NW¼ NE¼ 0.7 Acre
SW¼ NE¼ 9.3 Acres
Section 24
Township 5 South, Range 1 West, WM;

4. I/we request the water right be diminished from a right for primary irrigation to a right for supplemental irrigation of the above described lands;

5. The appurtenant water right is not located within the boundaries of an irrigation district; and

(MORE – PAGE 1 of 2)

Copy – original in T-7567 file

AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A WATER RIGHT CERTIFICATE
(CONTINUED – PAGE 2 of 2)

6. I/We agree that if this change is approved, it is permanent and the right to the use of water from Iverson Reservoir cannot be changed back to the primary source. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from Iverson Reservoir for irrigation of these lands.

Signature of legal owner as listed on deed, or authorized agent — Date: 3-5-04

Signature of legal co-owner as listed on deed (if applicable) — Date: 3/5/04

Subscribed and Sworn to Before Me this 5 day of March, 2004.

Merryl DeMott
Notary Public for Oregon

My Commission Expires Aug 6, 2005

RECEIVED
MAR 08 2004
WATER RESOURCES DEPT
SALEM, OREGON

OFFICIAL SEAL
MERRYL DeMOTT
NOTARY PUBLIC-OREGON
COMMISSION NO. 348580
MY COMMISSION EXPIRES AUG. 6, 2005

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

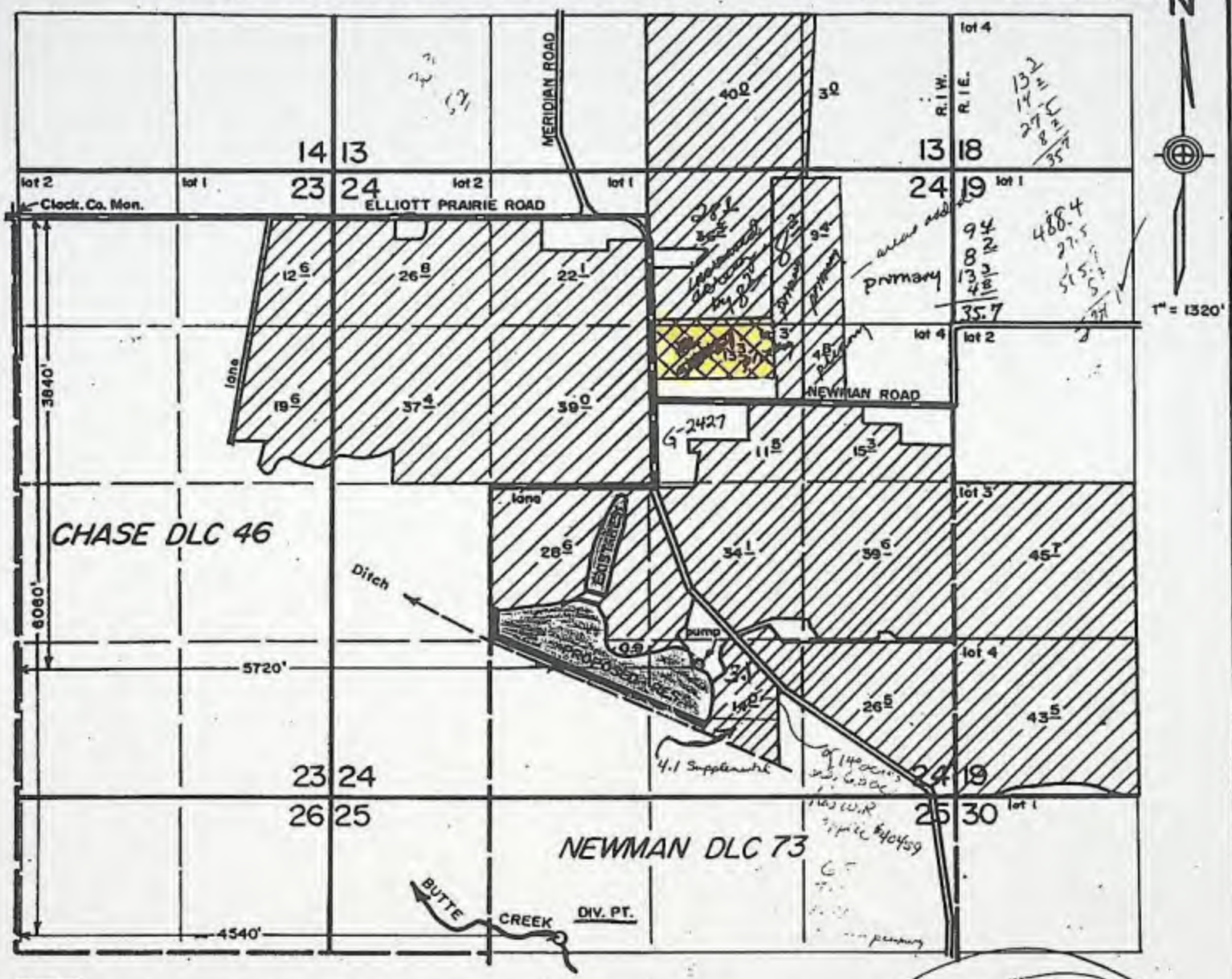
RECEIVED

NOV 2 0 1995

WATER RESOURCES DEPT
SALEM, OREGON

Township 5 South, Ranges 1 West & 1 East, W.M.

Section 24 and Portions of Sections 13, 14, 23, 25 and 26 in Range 1 West & Portions of Sections 19 and 30 in Range 1 East



Portion of Per. 52392 being diminished

RECEIVED

MAR 08 2004

WATER RESOURCES DEPT
SALEM, OREGON

Appl. No. 72360

Per. No. 52392

Application Map

for

ROSS IVERSON

Certified Water Right Examiner
#026 WRE
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

work copy

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.

-20-92, REV. 11-20-95 OAA

USER-ID 9688

2002 2003

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

APP-R 72359 → APP-72360

Facility ☞ POD-ID ✏	Dam 51004 AG	Butte Ck 51005 IR	Iverson Reservoir To Field 51006 IR		
October - 2002	105 AF				
November - 2002	150 AF				
December - 2002	179 AF				
January - 2003	179 AF				
February - 2003	179 AF				
March - 2003	179 AF				
April - 2003	179 AF				
May - 2003	179 AF				
June - 2003	175 AF				
July - 2003	140 AF		30 AF		
August - 2003	100 AF		30 AF		
September - 2003	90 AF		5 AF		
TOTAL *					

RECEIVED
FEB 03 2004
WATER RESOURCES DEPT
SALEM OREGON

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

Describe method of measuring the water used: eye witness Approx. If use is irrigation, total number acres irrigated 90

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

Steve Iverson — Signature
V-Pres — Title
Iverson Family Farms Inc — Reporting Entity
1-19-04 — Date

Steve Iverson
Name - Please Print

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

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-72360

Final Order
Extension of Time for Permit Number 52392

Application History
On December 10, 1998, Ross Iverson submitted an application to the Department for an extension of time for permit number 52392. The Department issued Permit number 52392 on June 12, 1996. The permit called for completion of construction of the water development project by October 1, 1998 and complete application of water to the full beneficial use by October 1, 1999. In accordance with OAR 690-320-0010(8), on February 15, 2000, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2003, and/or the time to fully apply water to beneficial use to October 1, 2003. The protest period closed March 31, 2000. No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 537.248, 537.630 and 539.010(5) (as appropriate).

Order

The extension of time for Application S-72360, Permit Number 52392, therefore, is approved. The deadline for completing construction is extended to October 1, 2003. The deadline for applying water to full beneficial use is extended to October 1, 2003.

DATED July 18, 2000

Dwight French for
Paul R. Cleary, Director

PLACED IN U.S. MAIL
JUL 18 2000
OREGON WATER RESOURCES DEPT.

Appeal Rights
Under the provisions of ORS 536.075, 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. ORS 183.484.

Oregon Water Resources Department
Water Rights Division

Water Right Permit Extension Application
for Permit Number 52392

Water Right Application Number S-72360

Proposed Final Order

This Proposed Final Order applies only to permit number 52392.

Summary of Recommendation

The Department proposes to:

grant the extension for complete construction of the water system from October 1, 1998, to October 1, 2003, and

grant the extension for complete application of water from October 1, 1999, to October 1, 2003.

Application History

Permit no. 52392 was granted by the Water Resources Department on June 12, 1996. The permit authorizes use of 185.6 acre-feet of water from Iverson Reservoir for nursery operations on 524.0 acres in the Butte Creek basin. It specified that construction must be completed by October 1, 1998, and water applied to full beneficial use by October 1, 1999. A copy of permit no. 52392 is attached.

On December 10, 1998, the Department received an application from Ross Iverson for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2003 to complete construction of the water system and until October 1, 2003 to apply water to full beneficial use. This is the first permit extension request.

Findings of Fact

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has

PLACED IN U.S. MAIL
FEB 15 2000
OREGON WATER RESOURCES DEPT.

60r copies ✓

considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. Progress in perfecting the permit is being held up by the limited season in which work can be accomplished. Construction was not able to continue for the entire construction season that was expected, due to early rains in September. Additionally, there were financial difficulties complicated by the timing of the construction.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
   a) Work on the water development project completed to date includes draining and removal of approximately 80% of the top soil from the proposed reservoir area and placement of mainlines
   b) The applicant has invested approximately $ 4,500 of an estimated total water system project cost of $ 175,000.
   c) The work remaining to be completed consists of the remaining construction of the reservoir and complete application of water.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence. Perfection of the permit has been delayed by weather and finances.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 2003, and the length of time requested for completion of the application of water should be extended to October 1, 2003, as requested by the applicant.

Conclusions of Law

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.
4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).

5. The permit extension should be approved until October 1, 2003, to complete construction and until October 1, 2003, to complete the application of water.

Recommendation

The Department proposes to issue an order to:
extend the permit time to complete construction from October 1, 1998, to October 1, 2003, and
extend the permit time to complete application of water from October 1, 1999, to October 1, 2003.

DATED: February 15, 2000

Dwight French
Water Rights Section Manager

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

Protest Rights and Comments

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
   a) Your name, address and telephone number;
   b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
   c) A detailed description of how the action in the proposed final order would impair or be detrimental to your 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 your protest, if known; and
   f) The $25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the comment period.
3. The Water Resources Department must receive written protests or written comments no later than **March 31, 2000**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

This document was prepared by Russell W. Klassen. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 266. Outside of Oregon you can dial 1-503-378-8455.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97310, Fax: (503)378-2496

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 25015

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

INVOICE #_____

RECEIVED FROM: Iverson Brothers

BY: _____

APPLICATION	S 72360
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 24-201 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 200.00

0417 WRD MISC CASH ACCT

See # 24982

	ADJUDICATIONS		$
	PUBLICATIONS / MAPS		$
_____	OTHER: (IDENTIFY)	_____	$
_____	OTHER: (IDENTIFY)	_____	$

REDUCTION OF EXPENSE

_____ CASH ACCT. _____ $

_____ PCA AND OBJECT CLASS _____ VOUCHER #

0427 WRD OPERATING ACCT

PCA # 66111

	MISCELLANEOUS				
0407	COPY & TAPE FEES				$
0410	RESEARCH FEES				$
0408	MISC REVENUE: (IDENTIFY)				$
New) TC165	DEPOSIT LIAB. (IDENTIFY)				$
(Existing) TC168	**WATER RIGHTS:**	**EXAM FEE**		**RECORD FEE**	
0201	SURFACE WATER	$	0202		$
0203	GROUND WATER	$	0204		$
0205	TRANSFER	$	0206		$
	WELL CONSTRUCTION	**EXAM FEE**		**LICENSE FEE**	
0218	WELL DRILL CONSTRUCTOR	$	0219		$
	LANDOWNER'S PERMIT		0220		$
02.50	OTHER (IDENTIFY) Extension				$ 100.00

0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	$

0487 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HRDRO APPLICATION	_____	$

RECEIPT # 25015 DATED: 2-28-98 BY: M. Mucke

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

RECEIVED
DEC 10 1998
WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ross Iversow
NAME

33739 S Meridian Rd | Woodburn | ORE. | 97071 | 503-634-2331
ADDRESS | CITY | STATE | ZIP | PHONE

record owner of application No. S-72360 permit No. S-2329, do hereby request that the time in which to:

[] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19____, be extended to October 1, _____, and/or the time in which to

[X] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1998, be extended to October 1, 2003.

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? Yes

2-Have you put any water to use under this permit [yes/no]? No
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]?_____ If no, please explain. Which terms and/or conditions have not been completely fulfilled at this time. Construction has not been completed

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.
(a) within past year cleared trees and fences on site. Realigned irrigation lines which passed through site.

(b) prior to this past year Top soil and vegetation Removal

© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) None

4-Cost of project to date $4500. Projected cost for completion of project $175,000.

5-Have there been any unforeseen events which delayed development of water system? financial constraints due to weather and crop market conditions - Reduction in farm income. Contractors bid doubled from 1997 to 1998. Other contrators not available at that time.

6-Have there been any significant government requirements that have delayed the completion of construction or application of water ? [please explain] The delay of water Resources in approving the application At the time the project was proposed funding was no problem. IN years since we have purchased more land incurring more debt

7-What reasons was the project not completed within permit time limits ? financial constraints Our Banker advised us not to proceed with this project in 1998.

8-Has there been any change in the demand for water or power since permit was issued? (please explain) yes decrasing crop margins and higher valve crops Require use of water in a more timely fashion.

9-Has there been any change in the market for water or power since the permit was issued? (please explain) No

RECEIVED
DEC 10 1998
WATER RESOURCES DEPT
SALEM, OREGON

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)
Yes. Will allow for Investment in labor Saving Irrigation Systems
Will Know water is Available.

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)
No. Limited water Supplies Available now do not allow for the growing of Irrigated Crops on all the land every year. Water must be Rotated. Farm land is high Value (Back)

12-Is there an alternative source of water available [yes/no please explain]? Yes Butte Creek, wells and existing pond. These all have limited Supplies.

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)
No - no water has been used under this permit.

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature Ross Larson

MAIL COMPLETED APPLICATION TO:
WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310

and unirrigated crops to not provide a Return high enough. Limited Supplies of water do not allow for the use of labor saving equipment (Pivots or linear irrigation Systems).

RECEIVED
APR 21 1999
WATER RESOURCES DEPT.
SALEM, OREGON

April 15,1999

Iverson Brothers Bulb Farm Inc.
33739 S. Meridian Rd.
Wood burn, Oregon 97071
503–634–2331

Oregon Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310
Atten: Dallas Miller

RE: File S72360, R72359

Dear Mr. Miller

In your letter of February 5, you asked what physical construction had taken place before the date of 6/12/97. We had, before that date, done some excavation in a drainage ditch which passed through the site of the proposed reservoir. This allowed for the area to drain out and dry enough so we could remove vegetation.

In August of 97, we removed the grass sod from about 80% of the floor area of the reservoir. We were not able to do this earlier in the summer because we did not have an empty field to spread the spoils in. This field became available in August after the Bush Beans were harvested. Early rains in September were enough to prevent us from finishing the last 20% of the area. We also talked with a contractor who gave us a bid to assist us with the project in the summer of 1998.

In June of 98, we realigned several irrigation mainlines which passed through the area the dikes would occupy. At this time we attempted to contact the engineer, John Woodruff, who had drawn the original plans. When we finally got in contact with the engineer, he advised us not to proceed with the project because it was an "El Nino" year. He was concerned we would not have enough dry weather to complete the project. When pushed, he said he had no interest in doing the project. We then contacted another firm, Boatwright Engineering, who came out and set some preliminary stakes. At this time we also contacted the contractor who had given us the bid a year earlier only to find his bid had doubled.

Last July our banker, who had given us a tentative approval on this project a year earlier, advised us not to proceed. This advice was given in part to a wet spring and not getting crops planted, as well as the general decline in in prices of the ag commodities that we grow.

At this point in time, no physical dam work or pipe installation has taken place. Other than the removal of vegetation, no major excavation has taken place. With the setbacks we encountered in the summer of 1998 we decided it was best to put the project on hold until the summer of 1999. Our plan is to construct the western half of the dike with the pipe installation in the summer of 1999. In the summer of 2000, we would construct the eastern half. No water would be stored until the complete structure was finished in 2000. The drain pipe would be left open on the western half to allow for the runoff water to escape.

At this time, barring unforseen delays, we plan to have the project completed by the fall of 2000.

If you have any further questions please do not hesitate to contact us.

Steve Iverson

Oregon
John A. Kitzhaber, M.D., Governor

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

April 26, 1999

STEVE IVERSON/ IVERSON BROTHERS BULB FARM INC.
33739 S. MERIDIAN RD.
WOODBURN, OR 97071

REFERENCE: File R 72359, 72360

Dear Mr. Iverson:

Regarding your letter of 4/15/99 and the request for an extension of time under permits R 11827 and 52392. It appears at this time you do not have enough work completed on the project for us to approve an extension of time. The amount of work progress you have reported would not meet the criteria of 'diligence' and 'good cause' required of an extension of time approval.

At this time we can hold off processing the request, with the possibility that by 10/1/99 you may be able to report a substantial amount of progress. You have until 10/1/99 under these permits to work on the project, and processing the request is not necessary at this time. If by that date you can show a lot of work done, we may be able to approve the request.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,

Dallas Miller
Water Rights Specialist

cc: Watermaster, District 16

Oregon
John A. Kitzhaber, M.D., Governor

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

February 5, 1999

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OR 97071

REFERENCE: File R 72359, 72360

Dear Mr. Iverson:

We received your request for an extension of time under permits R 11827 and 52392. More information is required before we can process your request.

These permits have a beginning of construction date of 6/12/97, which means some physical construction must have taken place by that date. What construction was done by that date? You filed a Notice of beginning construction form, but did not describe what physical construction had been accomplished.

We also need to know more about what construction work has been done after the beginning date. Has any excavation of the reservoir taken place? If so, about how much volume of material have there been excavated? Has any dam work, diversion works, or pipe installation taken place? We just need a more complete picture of what actual physical development has taken place.

What projected work will you accomplish before October 1, 2000 if your request is approved?

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,

Dallas Miller
Water Rights Specialist

cc: Watermaster, District 16

Oregon
John A. Kitzhaber, M.D., Governor

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

October 29, 1998

FILE#: S 72360

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OR 97071

Dear Water Right Permit Extension Applicant:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office last summer. Many permit holders held their extension requests until the new rules are in place. Because of the Attorney General's advice, extensions will no longer be limited to one year in length for most permits and five years for municipalities and irrigation districts. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted.

In order to help staff to complete the processing of your extension application, we will need you to fill out the enclosed form. The new rules require that the Department consider this information when determining whether or not to approve an extension request. It is important for you to complete a response to all items on the form. If additional space is needed for your responses, please use a separate sheet of paper.

Please send the completed form at your earliest convenience to the following address:

Dallas Miller
Water Right Permit Extensions
Water Resources Department
158 12th Street NE
Salem, Oregon 97310

I would be happy to send you a copy of the new permit extension rules, upon request. If you have any questions, please contact me at 1-800-624-3199 extension 272. If I am not available, you may contact either Pat Lee (ext. 276) or Dwight French (ext 268).

Sincerely,

Dallas Miller
Water Rights Specialist

Oregon
John A. Kitzhaber, M.D., Governor

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

October 2, 1998

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OR 97071

Reference: Files 72360, R 72359 Permit 52392, R 11827

Dear Extension Applicant:

We have received your request for extension of time limits under your permits.

Because of action taken by the Oregon Attorney Generals Office the Water Resources Department is working on new administrative rules affecting the extension process. Anticipating this change in the rules, we will hold your application until the new rules are in effect.

If it is necessary that you have an extension of time before that, it may be possible if you can make the statement that water can be fully used within one year.

Your patience is appreciated and we will process your request as soon as possible. Enclosed is receipt 25015, 24982 for the $100 recording fee submitted.

If you have questions please contact me at the address below or phone 1-800-624-3199 ext. 272.

Sincerely,

Dallas Miller
Natural Resource Specialist 2

cc: Watermaster Dist 16

RECEIVED
SEP 28 1998
WATER RESOURCES DEPT.
SALEM, OREGON

File No. S-72368

APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ross Iverson
name

33739 S Meridian Rd Woodburn OR 97071 503-634-2331
address city state zip phone

record owner of permit No. R 52392, do hereby request that the time in which to:

[X] complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19 98, be extended to October 1, 19 00, and/or the time in which to

[] accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 19___, be extended to October 1, 19___.

I have accomplished the following described works and/or purchase and installation of equipment necessary to use of water under said permit.

(1) within past year Cleared trees and fences on site. Realigned irrigation lines which passed through site.

(2) prior to this past year Topsoil and Vegetation Removal.

(3) and have accomplished beneficial use of water to the extent of (if for irrigation, state how many acres have been irrigated)

(4) unable to complete construction ~~and/or application of water~~ within the permit time limits because financial constraints our banker advised us not to proceed with this project this year (1998). Contractors Bid had doubled.

Ross Iverson 9/26/98
signature date

MAIL APPLICATION AND STATUTORY FEE OF $100 FOR EACH PERMIT TO:
WATER RESOURCES DEPARTMENT
158 12TH ST NE
SALEM, OREGON 97310

C:\WPS1\FORMS\EXTFORM

Oregon
John A. Kitzhaber, M.D., Governor

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

September 21, 1998

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OR 97071

REFERENCE: R 72359, 72360

Dear Mr. Iverson:

In answer to your letter of 9/19/98 requesting an extension of time for permits R 11827, 52392. To get an extension of time requires submitting the enclosed form describing your progress and a $100 fee for each permit.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,

Dallas Miller
Water Rights Specialist

cc: Watermaster, District 16

RECEIVED
SEP 22 1998
WATER RESOURCES DEPT.
SALEM, OREGON

September 19, 1998

Iverson Brothers Bulb Farm Inc.
33739 S. Meridian Rd.
Woodburn, Oregon 97071
503-634-2331

Oregon Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310
Atten: Dick Baily

RE: File S72360, R72359

Dear Mr. Baily:

We are asking for an extension of these two applications. Due to financial constraints due in part to a wet spring and not being able to get crops planted in a timely fashion, our banker advised us not to proceed with this project this year. Another factor was the contractors bid was double that of last year.

Our original engineer, John Woodruff, quit before we got started and also advised us not to proceed due to "El Nino".

If an extension is not possible, we need to know about applying for new permits because we definitely need this water storage for our farming operation.

Sincerely,

Steve Iverson

September 19, 1998

Iverson Brothers Bulb Farm Inc.
33739 S. Meridian Rd.
Woodburn, Oregon 97071
503-634-2331

Water Rights

Oregon Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97310
Atten: Dick Baily

09/19/1998 13 IVERSON BROTHERS BUL PAGE 02

RE: File S72360, R72359

Dear Mr. Baily:

We are asking for an extension of these two applications. Due to financial constraints due in part to a wet spring and not being able to get crops planted in a timely fashion, our banker advised us not to proceed with this project this year. Another factor was the contractors bid was double that of last year.

Our original engineer, John Woodruff, quit before we got started and also advised us not to proceed due to "El Nino".

If an extension is not possible, we need to know about applying for new permits because we definitely need this water storage for our farming operation.

Sincerely,

Steve Iverson

612454
R72359 S78360 . USER-ID 9688

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

Iverson

Facility ☞ POD-ID ✏	DAM ST 51004	Butte CK ps 51005	Iverson Reservoir to field 51006		
October - 2000	9.0 AF	0	0		
November - 2000	30 AF	0			
December - 2000	65 AF	0			
January - 2001	97 AF	0			
February - 2001	105 AF	30 AF			
March - 2001	140 AF	30 AF			
April - 2001	170 AF	0			
May - 2001	179 AF	0			
June - 2001	175 AF	0			
July - 2001	170 AF	0			
August - 2001	165 AF	0			
September - 2001	160 AF	0			
TOTAL *			0		

RECEIVED
APR 30 2002
WATER RESOURCES DEPT
SALEM, OREGON

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

Describe method of measuring the water used: eye witness Approx. . If use is irrigation, total number acres irrigated 0

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

Signature | Title: V-Pres | Reporting Entity: Iverson Family Farms Inc | Date: 1-25-02

Apps: 72359, 72360

USER-ID 9688

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

Facility ☞ POD-ID ✏	Dam 51004 AG/IC/WI	Butte CK 51005 AG/IC/WI	Iverson Reservoir To Field 51006 AG/IC		
October - 1999	7.0 AF Total	0	0		
November - 1999	28.8 AF Total	↑	↑		
December - 1999	52.7 AF Total			water was not	used during this
January - 2000	74.9 AF Total			Time. ½ of the	dam was completed
February - 2000	74.9 AF Total			in 1999 using a	interior Dike to hold
March - 2000	74.9 AF Total			the water total	completion
April - 2000	74.9 AF Total			was made by Oct	2000
May - 2000	74.7 AF Total				
June - 2000	73.8 AF Total			Staff gage Not	
July - 2000	72.0 AF Total			installed yet	
August - 2000	↓ AF Pump out to Creek				
September - 2000	9.0 AF	↓	↓		
TOTAL *		0	0		

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

Describe method of measuring the water used: eye-witness Approx. . If use is irrigation, total number acres irrigated 0

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

Corbey Boatwright	CWRE #208	Iverson Farm	12-21-00
Signature	Title	Reporting Entity	Date

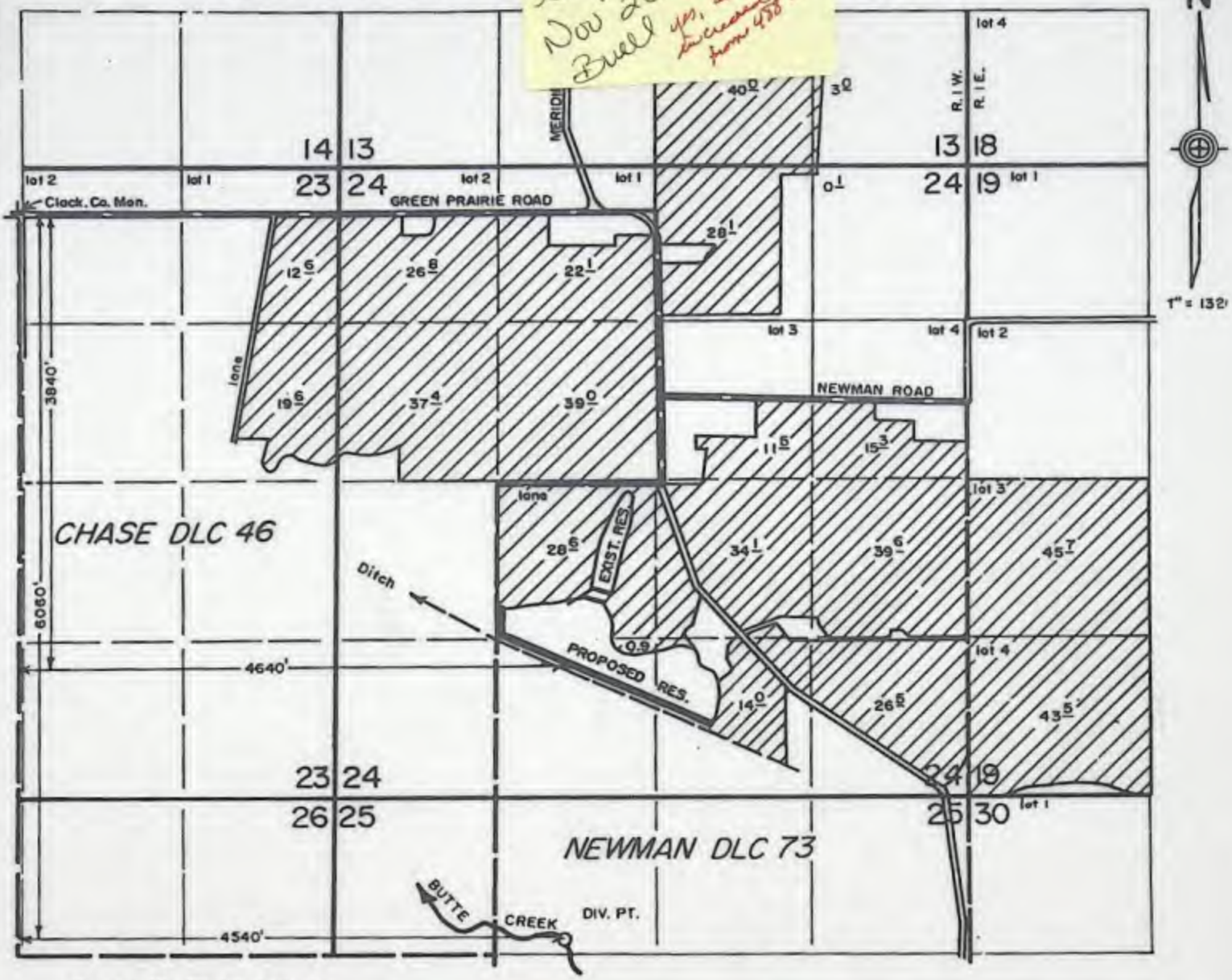
Corbey Boatwright
Name - Please Print

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

Township 5 South, Ro[illegible] East, W.M.

This map was superseded on Nov 20 by Duell yes, acreage increased from 458 to 524

Section 24 and Portions[illegible] 25 and 26 in Range 1 West & Portions of[illegible] Range 1 East



RECEIVED
APR 2[illegible]
NATL[illegible]
SALEM, OREGON

Appl. No. 72360
Per. No. _____

WORK COPY

CONFLICTS
R-55485 S-55486
40459 & GR-1382
71380
RESERVOIR OVERLAPS UNDERLYING R

Application Map
for
ROSS IVERSON

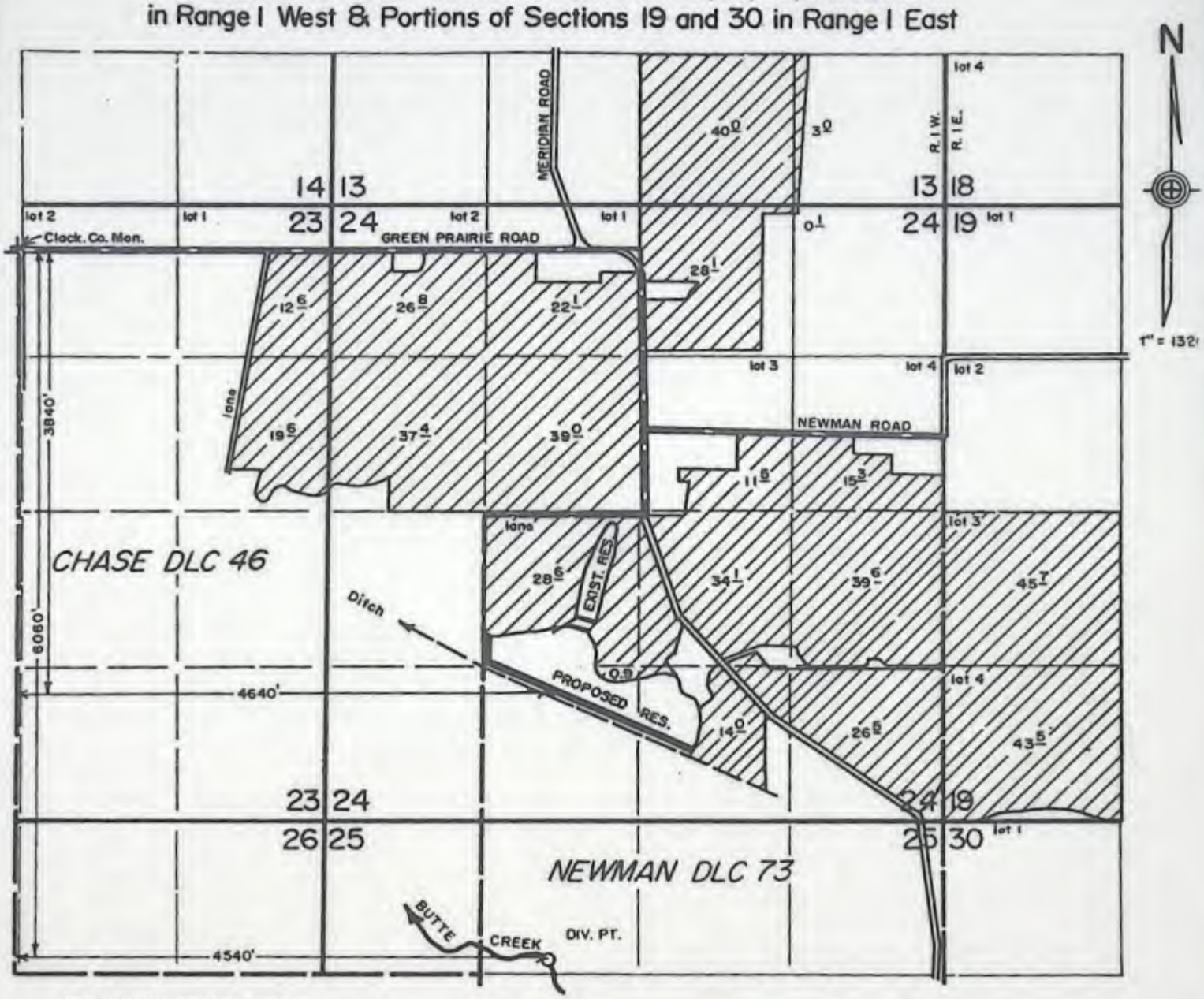
Certified Water Right Examiner
#026 WRE
Donald R. Buell
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

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.

4-20-92

Township 5 South, Ranges 1 West & 1 East, W.M.

Section 24 and Portions of Sections 13, 14, 23, 25 and 26 in Range 1 West & Portions of Sections 19 and 30 in Range 1 East



RECEIVED
APR 2 [illegible]
WATER RESOURCES DEPT.
SALEM, OREGON

Appl. No. 72360
Per. No. _____

WORK COPY

Application Map
for
ROSS IVERSON

Certified Water Right Examiner
#026 WRE
Donald R. Buell
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

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.

4-20-92

? G 7830, 8882, (G 7372?, G 8280) Permit #

P G 12454

OREGON WATER RESOURCES PLAT CARD: Township 5.00 S Range 1.00 W SECTION 24 2/ 5/1996

APP. NO. / PERMIT NO.	CERT NO.		GOV'T LOT DLC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
Y 3561	0	V													24.00 (IR)				
CS 14464																			
G 2427	32259	V	DLC 73			5.00 (IR)													
G 2251																			
G 4004	42785	V	DLC 73									9.00 (IR) (S)							
S 2756																			
			DLC 73									16.30 (IR) (S)							
			DLC 73														5.40 (TC)		
			DLC 73														5.40 (IR) (S)		
			DLC 73									9.00 (TC)							
G 5828	47150	V	DLC 73															2.40 (IR)	
G 5461																	2.00 (IR)		
G 6257	47153	V	DLC 73															0.60 (IR)	
G 5902			DLC 73																10.80 (IR)
			DLC 73														0.60 (IR)		
			DLC 73														2.00 (IR) (S)		
			DLC 73															2.40 (IR) (S)	
G 5771	47151	V														21.90 (IR)	5.10 (IR) 2.50 (IR) (S)	3.00 (IR) (S)	10.80 (IR) (S)
G 5289																			
G 8820	55375	V	DLC 73																2.50 (IR) (S)
G 9359																			
G 7760	50849	V	DLC 73														5.30 (IR) (S)		
G 9485																			
			DLC 73														5.00 (IR) (S)		

Continuing with Township 5.00 S Range 1.00 W SECTION 24 — 2/ 5/1996

APP. NO. / PERMIT NO.	CERT NO.		GOVT LOT DLC	NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE
G 7760	60849	V	DLC 73																9.70
G 9485																			(IR)
																			(S)
			DLC 73															3.00	
																		(IR)	
																		(S)	
			DLC 73									5.00							
												(IR)							
												(S)							
			DLC 73															(GR)	
GR 1382	0	V											1.20		5.30		2.40	8.50	
GR 1339													(IR)		(IR)		(IR)	(IR)	
GR 3627	0	V						10.60											
GR 3322								(IR)											
R 55485	0	V										(IR)							
R 6573												(S)							
S 18826	43544	V	DLC 73															12.10	
S 14454																		(IR)	
			DLC 73												4.90				
															(IR)				
S 19699	19437	V	DLC 46											15.80					
S 15278														(IR)					
S 20078	19439	V	DLC 46											19.20					
S 15644														(IR)					
S 23912	19440	V	DLC 46										13.00						
S 18837													(IR)						
S 23553	19438	V	DLC 46										10.00						
S 18873													(IR)						
S 40459	34541	V	DLC 73												4.60				
S 30158															(IR)				
			DLC 73									37.80							
												(IR)							
			DLC 73														6.40		
																	(IR)		
			DLC 73															6.80	
																		(IR)	
S 55485	0	V										35.00			14.00	24.00	18.00	8.40	12.00
S 47509												(IR)			(IR)	(S)	(IR)	(IR)	(IR)
												(S)			(S)		(S)	(S)	(S)
S 57446	55374	V	DLC 73																2.50
S 43717																			(IR)

55486

no conflicts and notes ok per my written request by applicant 2/96

TOWNSHIP 5 S RANGE 1 E W. M. Card #1 SECTION 19

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Acreage in lot or legal subdivision as shown on Government plat, if other than 40 acres					L1	L2			L3	L4								
											19.02			29.72		G1295	G-1139	30447
											21.62					G-2382	G-2227	34542
		6.25					40.00									OR-3092	OR-2900	/
				0.72												G-5824	G-5157	43220
39.00	34.00			16.32												G-6144	G-5164	44142
												17.62				G-6423	G5998	52012
				19.32												G-6793	G-6083	44143
						34.72										G-6895	G-6424	50076
39	34			35.52												Supplemental G-7277	G-6711	51883
		15	16.72													G-7636	G-7073	51901
									20.00							~~G-7830~~	~~G-7276~~	~~66074~~
								45.72								~~G-8682~~	~~G-8280~~	~~66072~~
								~~40.00~~	~~46.00~~	~~40.00~~				29.72		Supp. 1 ~~G-8682~~	~~G-8280~~	~~66072~~
		4.52	12.12													G-9146	98480	51909

TOWNSHIP 5S RANGE 1E W. M. Card #2 SECTION 19

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Acreage in lot or legal subdivision as shown on Government plat, if other than 40 acres																		
		1.60	5.02											9.62	19.42	G-11342	T-6534 G-10475	~~66615~~ ~~55628~~
		6.02					4.00									Suppl. G-11399	G-10575	66227
		3.22			41.92		28.42					18.52	9.92	5.72	21.32	G-11399	G-10575	66227
														0.62	19.42	T-6534	(G-65628)	
								41.72	41.92							Supp. 1 72360		
									20.02							T-6603 (G-66071)		
								45.72	23.52							T-6603 (G-66072)		
										46.02				26.02		G-8682	G-8280	68455

SP*35621-690

TOWNSHIP 5S RANGE 1W W.M. Card #1 SECTION 24

NE				NW				SW				SE				Application Number	Permit Number	Certificate Number	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
		DLC 73 Lot 3	Lot 4	DLC 46 Lot 1	Lot 2			DLC 73		DLC 46	DLC 78		DLC 73						
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																			
								~~38.4~~			~~20.9~~ 40.5		~~44~~	~~72~~ 40.5		18826	14464	15111	
											15.8					19699	15278	19437	
											19.2					20078	15644	19439	
									13							23912	18837	19440	
									10.0							23653	18873	19438	
									1.2		5.3		2.4	8.5		[illegible]	GR 1329	?	OK
		6.2														G-2427	G-2261	32259	NCR
				10.6												GR-3627	GR-3322	2	NCR
								37.8			4.6		6.4	6.8		40459	30158	34541	CONFLICT w/ 1165.
								00.2			10		19.0	2.0	5	G-3401	G-3191	CANCELLED	
								25.3					5.4			Supplemental G-4004	G-3756	42785	OK
													2	2.4		G-5628	G 5461	47150	OK

(SEE BACK OF CARD FOR PLAT OF SECTION)

WHAT ABOUT RESERVOIR OVERLAPPING THIS

TOWNSHIP 5S RANGE 1W W. M. Card #2 SECTION 24.

N E				N W				S W				S E				Application Number	Permit Number	Certificate Number	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																			
												2.9	2.4	10		Supplemental G-6267	G 5902	47153	OK
												0.6	0.6	10.8		G-6267	G 5902	47153	OK
																~~R-51064~~	WITHDRAWN		
																Supplemental ~~51066~~	WITHDRAWN		
												21.2	5.1			G-6771	G-6289	47151	OK
													2.6	3	10.8	Supplemental G-6771	G-6289	47151	OK
								About 9Q					First 6.2			G-4004	G-3756	42785	OK
											4.9			12.1		Tr. 3100	V.26, P.187	43544	OK
												24.2				Tr. 3100	V.26 P.187	T-3661	OK
CONFLICT								Pos								R-55485	R-6573		OK
CONFLICT								7.6			12.2	24.2	15.6	8.2	12.9	55486	41509		CONFLICT
																G-8087	G9580		
											4.0	-3.0				T3661	(15111 T3100)		NCR
															25.5	57446	43711	55374	NCR

TOWNSHIP 5S RANGE 1W W. M. Card #3 SECTION 24

N E				N W				S W				S E				Application Number	Permit Number	Certificate Number	
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																			
															2.5	~~Supplemental~~ G-8820	G8359	55375	NCR
								6.0				11.3	3.0	9.7		Supplemental G-7760	G9485	60849	OK
																G-12454			
withdrawn by applic 11495																71380			
																INTERIM AK			
																72360			
								R.07		R.07				R.06		R-72359			

TOWNSHIP 5 S. RANGE 1 W. W.M. Card #2 SECTION 23

NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	Application Number	Permit Number	Certificate Number
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
		Res	Res													R-24615	R-1251	CANCELLED
10⁰	5 3/4	11 2/4	7⁰									1 2/4	0 5/4			24614	20337	23055 NCR
				Res												R-24831	R-1323	22611
	3⁰			17 5/4	7 5/4											26872	4072	22610
7 2/4	3 3/4															G 398	G-366	27752 NCR
10 3/4	5 2/4	1⁴	2⁰													Supplemental G 398	G-366	27752 NCR
	9 4/4															G-3339	G-3135	42990
										0 4/4	11 5/4		0 3/4	5 4/4		23875	18894	33027
							3 3/4	15 3/4	0 1/4	1 3/4	6 5/4		0 1/4			23482	18574	33028
									0 3/4							42235	31582	36422
					0 1/4	15 3/4			2 5/4							24481	19646	33245
				Res												R45904	R-5462	42896

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 5 S RANGE 1 W W.M. SECTION 18

N E NE	N E NW	N E SW	N E SE	N W NE	N W NW	N W SW	N W SE	S W NE	S W NW	S W SW	S W SE	S E NE	S E NW	S E SW	S E SE	Application Number	Permit Number	Certificate Number
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
										4						GR-1244	GR-1292	
						PRIMARY		OK				12	18	2	1	GR-2070	GR-1992	
												9⁰				GR-2305	GR-2198	
						PRIMARY		OK						8⁰	14⁰	GR-2468	GR-2337	
										5⁰	18 2/4					GR-3627	GR-3322	2 NCR
					5 8/4											G-5338	G-4987	43328
				7 4/4												G-6156	G 5842	51238
					5 4/4											G-7083	G-5827	57069
		20 6/4										5⁰				G-8194	G 8011	56626
								11/95 withdrawn						40⁰	3⁰	~~71380~~		
														40⁰	3⁰	72360		
	5 4/4															G-13490		
9 2/4	18 3/4	17 4/4		24 1/4	14 5/4	14 2/4	36⁰	10 1/4	4 2/4				7⁰	6		G-13661		

TOWNSHIP 5 S RANGE 1 W W.M. #3 SECTION 23

N E NE	N E NW	N E SW	N E SE	N W NE	N W NW	N W SW	N W SE	S W NE	S W NW	S W SW	S W SE	S E NE	S E NW	S E SW	S E SE	Application Number	Permit Number	Certificate Number
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
					1 2/4											45905	34289	42897
					3 8/4											Supplemental 45905	34293	42897
								7 6/4		17 2/4						59191	44465	CANCELED
					6 8/4											61118	45672	55071
12 6/4			19 4/4						11/95 withdrawn							71380		
	1 3/4	16 4/4	4 4/4													6-12583		
		11 5/4	2 4/4									18 3/4	3 1/4	2 1/4	0 1/4	6-12583 3rd P		
			1 0/4													R-71712 3rd P		
12 6/4			19 4/4													72168		

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 5 S RANGE 1 W W.M. Card #1 SECTION 23

N E NE	N E NW	N E SW	N E SE	N W NE	N W NW	N W SW	N W SE	S W NE	S W NW	S W SW	S W SE	S E NE	S E NW	S E SW	S E SE	Application Number	Permit Number	Certificate Number
	DLC 46				DLC 57				DLC 57				DLC 46					
Lot 1	Lot 2			Lot 3	Lot 4	Lot 5		Lot 6			Lot 7							
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
						12										13070	9315	11590
					7											14790	10756	CANCELLED
					14 3/4	14 3/4										17878	13551	15400
					5											20254	15192	CANCELLED
						9 3/4	15 3/4	3 1/4	10 2/4							21421	16804	17125
		1 0/4				0 1/4		0 1/4				11 2/4	35 4/4	5 2/4	0 2/4	21609	16978	21162
						9 6/4		23 9/4	0 2/4	1 2/4	6		0 1/4			~~23406~~	~~18574~~	~~22311~~
								28	2	5	3					18802	14443	16659
					0 3/4													
										9 2/4				7 6/4		~~23875~~	~~18894~~	~~22313~~
										10				0 4/4				
														2 4/4	0 2/4	24357	19289	22174
					0 4/4	10 4/4										~~24481~~	~~19646~~	~~22677~~
														16 3/4	4 4/4	25475	20024	31534 ~~21225~~

(SEE BACK OF CARD FOR PLAT OF SECTION)

Township 5 South, Range 1 West, W.M.

Section 24 and Portions of Sections 13, 14, 23, 25 & 26

24383



APP #72360

PROPOSED RESERVOIR

Primary

Suppler

ppl. No. 71380

er. No.

TECHNICAL REVIEW HAS ALREADY GONE OUT ON FILE 71380 F.P. MAP WILL HOPEFULLY SHOW RES

Monitor

1991

URCES DE
OREGON

Certified Water Right Examiner
#026 WRE
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

AS PREPARED FOR THE PURPOSE OF THE LOCATION OF A WATER RIGHT NOT INTENDED TO PROVIDE LEGAL OR LOCATION OF PROPERTY LINES.

Township 5 South, Range 1 West, W.M.

Section 24 and Portions of Sections 13, 14, 23, 25 & 26

24383



App #12360

PROPOSED

Primary

Supplemental

Appl. No. 71380

Per. No.

Withdrawn 11/20/95 By applicant

Application Map

for

ROSS IVERSON

RECEIVED

MAR 21 1991

WATER RESOURCES DEPT

SALEM, OREGON

X Monitor

Certified Water Right Examiner

#026 WRE

Donald R. Buell

Donald R. Buell

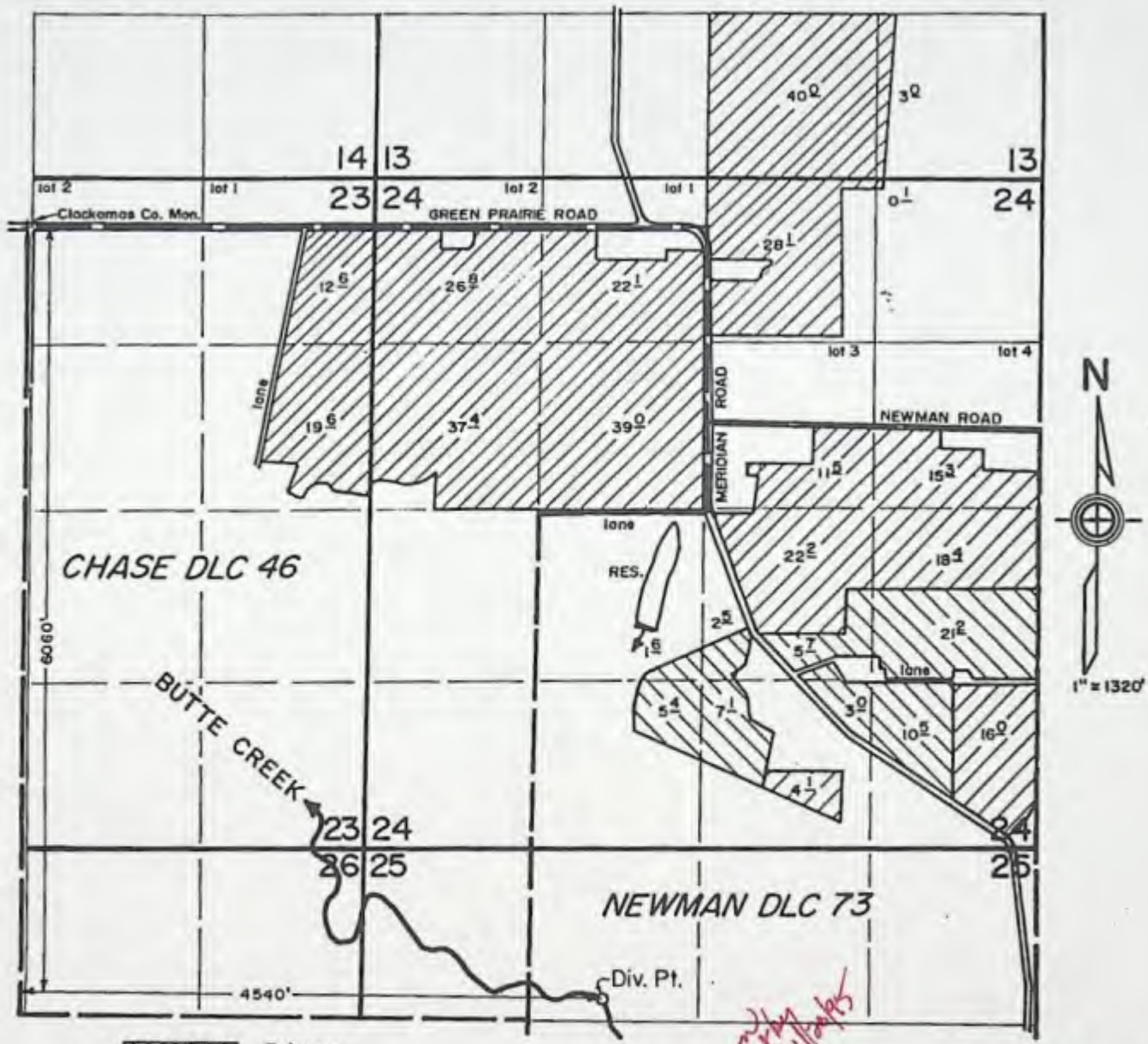
Nov 19, 1987

STATE OF OREGON

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.

Township 5 South, Range 1 West, W.M.

Section 24 and Portions of Sections 13, 14, 23, 25 & 26



Appl. No. 71380

Per. No. _____

withdrawn per request by applicant 11/20/95

RECEIVED

MAR 21 1991

WATER RESOURCES DEPT
SALEM, OREGON

Application Map

for

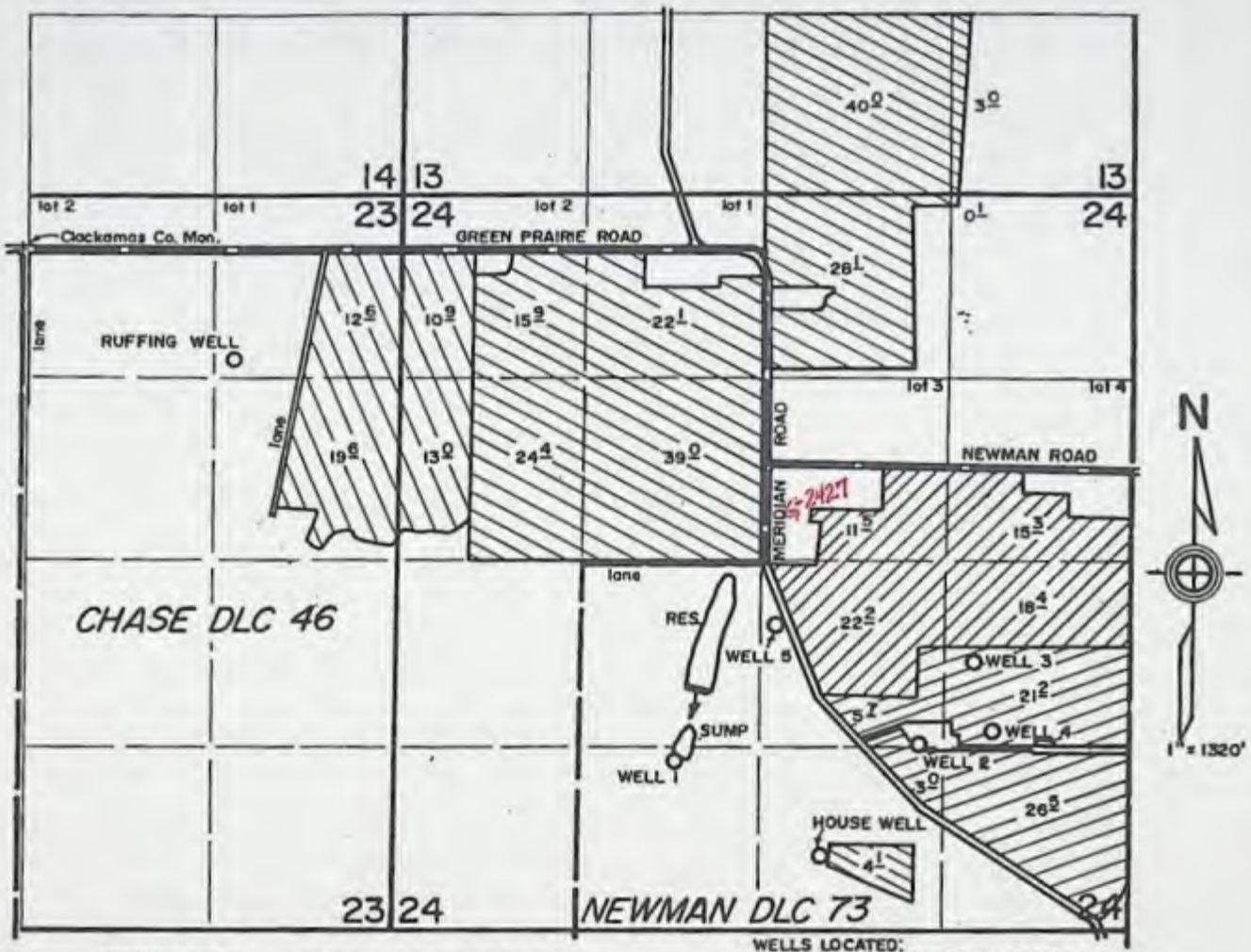
ROSS IVERSON

Certified Water Right Examiner
#026 WRE
Donald R. Buell
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

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.

Township 5 South Range 1 West W.M.

Section 24 and Portions of Sections 13, 14 & 23



HOUSE WELL, SUMP, WELLS 1 thru 5.

HOUSE WELL, SUMP, WELLS 1 and 5

HOUSE WELL, RUFFING WELL, SUMP, WELLS 1 and 5

NURSERY OPERATIONS – WELLS 2, 3, and 4

WELLS LOCATED:
HOUSE WELL, 2080' S. and 440' E.
SUMP, 1370' S. and 660' W.
No. 1, 1400' S. and 600' W.
No. 2, 1280' S. and 1140' E.
No. 3, 690' S. and 1530' E.
No. 4, 1190' S. and 1870' E.
No. 5, 440' S. and 110' E.;
All from the E. SE cor. DLC 46.
RUFFING WELL, 800' S. and 1530' E.
from the NW cor. DLC 46.

Appl. No. G-12454
Per. No. _____

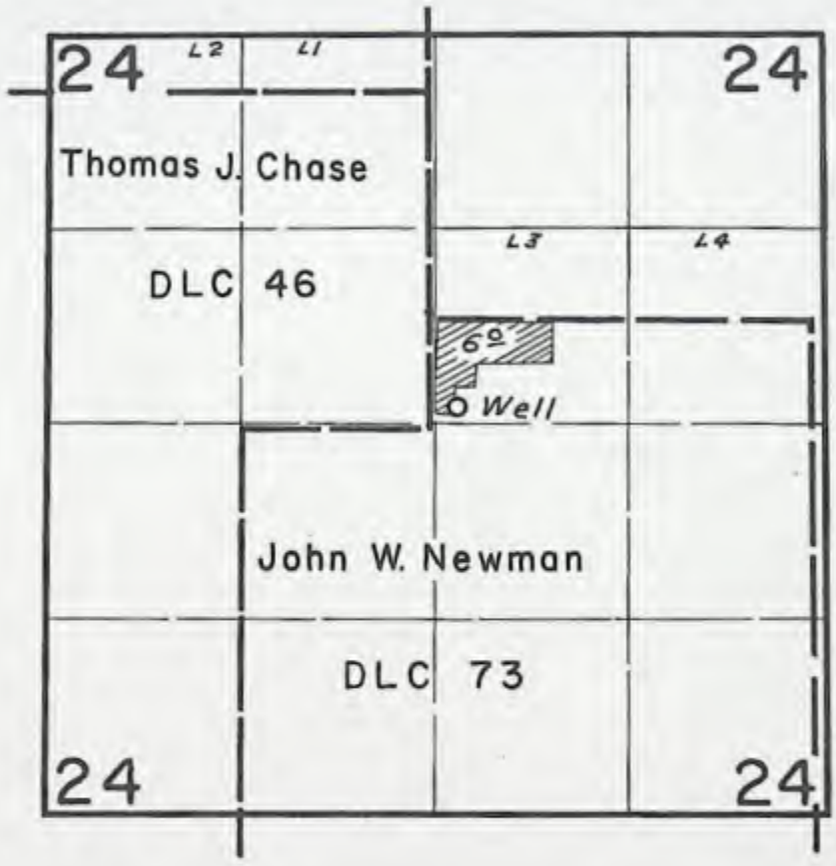
Application Map
for
ROSS IVERSON

RECEIVED
MAR 21 1991
WATER RESOURCES DEPT
SALEM, OREGON

Certified Water Right Examiner
#026 WRE
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

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.

T.5S. R.1W. W.M.



FINAL PROOF SURVEY
UNDER

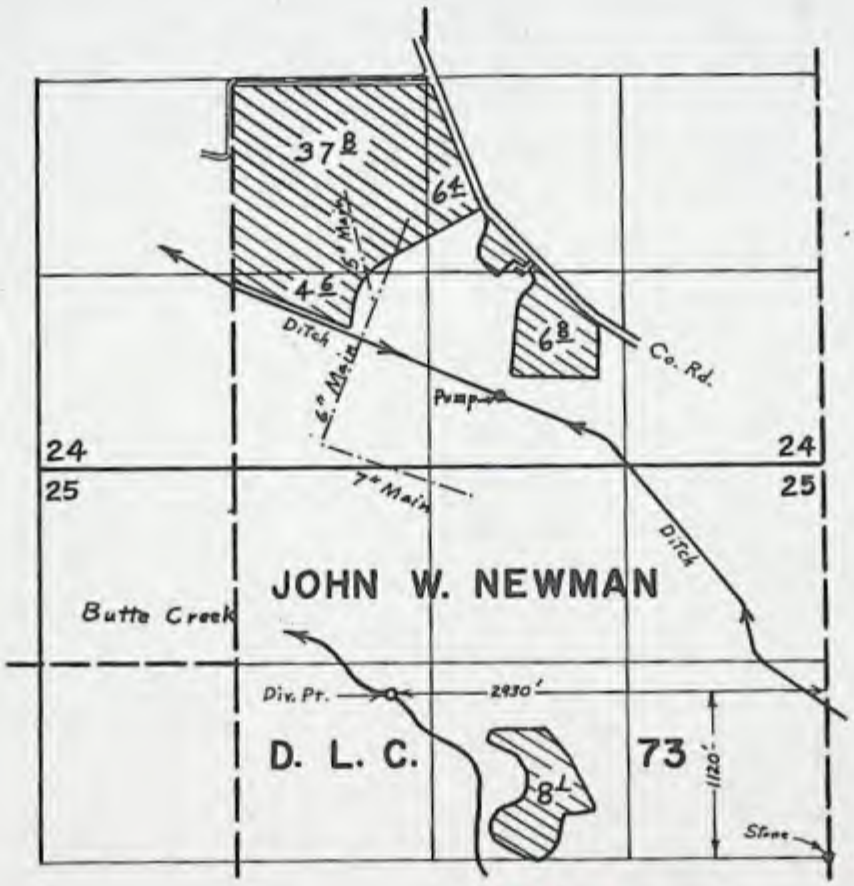
Application No. G-2427 Permit No. G-2261
IN NAME OF

HENRY W. SCHRODER

Surveyed Sept. 1, 1964, by C.J. Gardner

1964-0

T.5S.R.1W.W.M.



CONFLICT w/ Res. R-72359

FINAL PROOF SURVEY
UNDER

Application No. 40459 Permit No. 30158
IN NAME OF

ROSS IVERSON

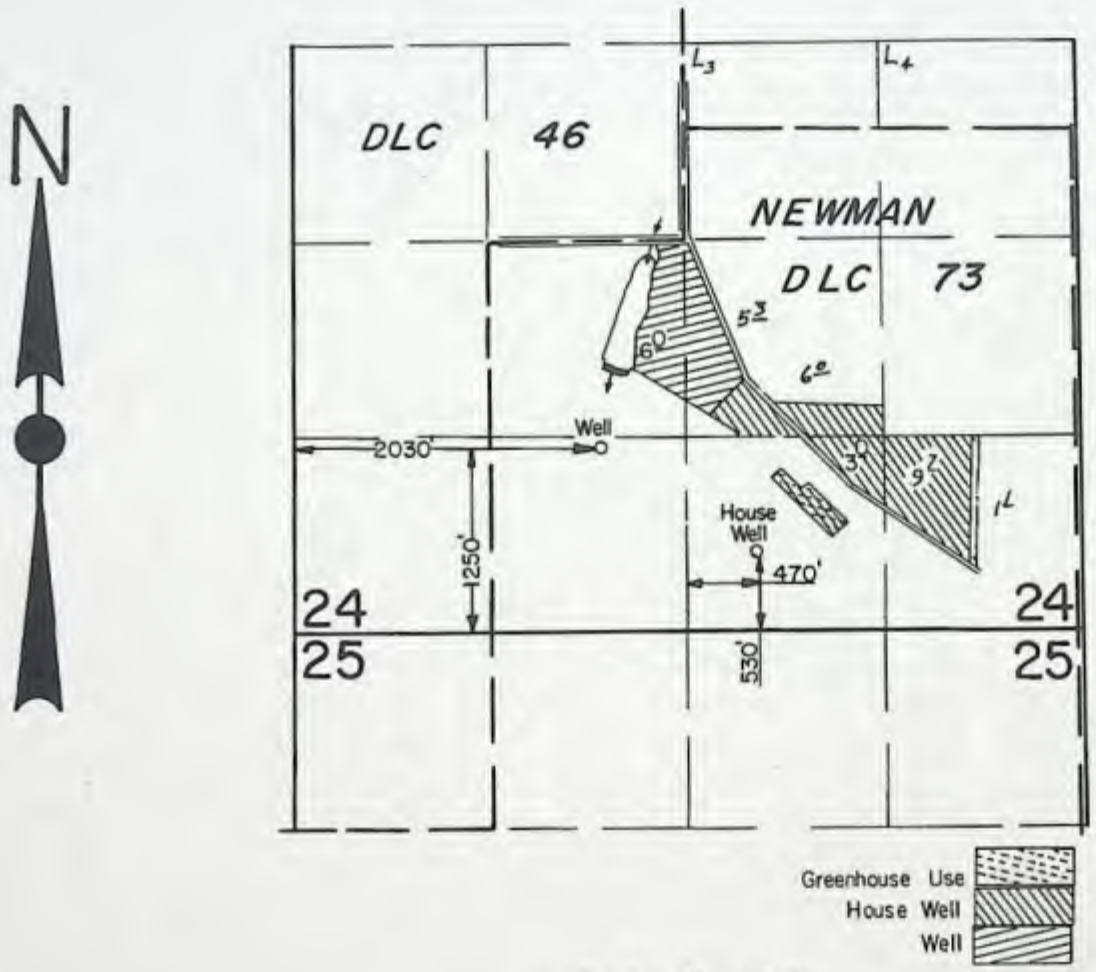
Surveyed Sept 29 1966., by L. E. Gould

DFK-2D-75 1967 W

90684

OR UNDERLYING RIGHT

T. 5S., R. 1W., W.M.



Scale: 1" = 1320'

FINAL PROOF SURVEY

UNDER

Application No. G-7760 Permit No. G-9485

IN NAME OF

VAN VEEN NURSERY

Surveyed JULY 16, 1985, by T. Warren

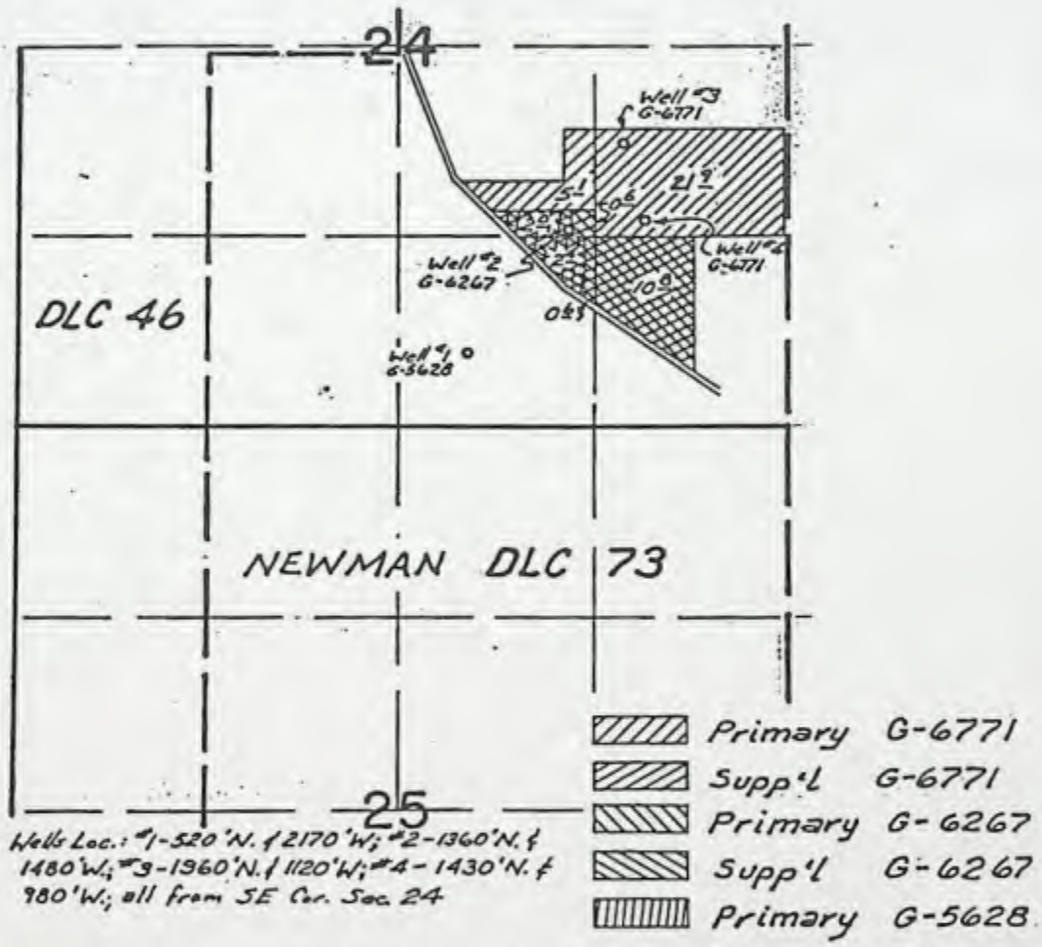
DFK-2LL-24
DFN-3LL-172

TMW

OK

UNDERLYING PRIMARY & SUPPLEMENTAL

T.5S.,R.1W.,W.M.



Wells Loc.: #1-520'N. & 2170'W; #2-1360'N. & 1480'W.; #3-1960'N. & 1120'W; #4-1430'N. & 980'W.; all from SE Cor. Sec. 24

FINAL PROOF SURVEY

UNDER

G-5628 G-5461
G-6267 G-5902

Application No. G-6771 Permit No. G-6289

IN NAME OF

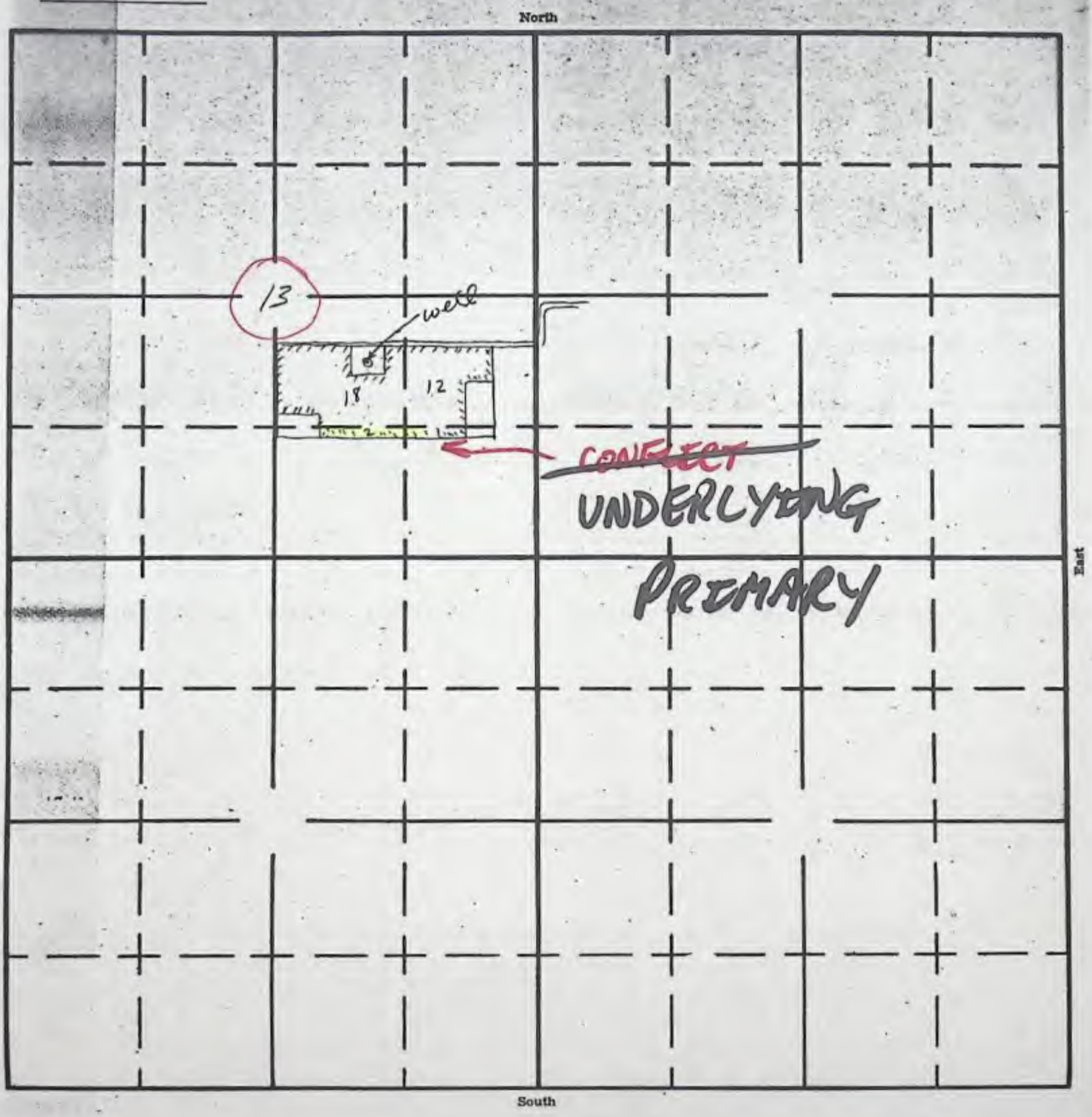
Van Veen Nurseries

Surveyed July 28, 1977, by J.C. Brown

SECTION

GR-2070
GR-1992

TOWNSHIP 55, RANGE 1W, W. M.



ION NO. GR-2468

ATE NO. GR-2337

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

TO THE STATE ENGINEER OF OREGON:

I, Raymond M Schmidt,

of ..... County of Clackamas

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. **Source** from which water is withdrawn is Ground water
(Flowing well, pump well, infiltration trench, or tunnel)

2. **Location** is: 3 miles north of Molalla;
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) 3 miles 1000 feet west & 200 feet north from S.E. corner Section 13
(Give distance and bearing to corner of section or other legal subdivision)

being within Willamette Riv. D.L.C. 45 SE¼ of SE¼ of Sec. 13, Twp. 5 South, Rge. 1 W
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city: .....

in Lot ....., Block ..... of .....
(Name of plat or addition)

..... County of .....
(If within city or town, give name)

3. **Construction Work** was begun on 1942 (Date); was completed on Jan. 1951 (Date)

and the ground water claimed was first used for the purposes set out below on Jan. 1951 (Date),

since which time the water has been used Continuously
(Continuously or intermittently)

from 1951 (Date) to 1957 (Date).

4. **Quantity** of water claimed and used is 45 gal. gallons per minute; ..... acre feet per year.

5. **Purpose or Purposes** for which water is used ~~Domestic~~ exempt ~~Irrigation~~

Irrigation
(Domestic, Irrigation, municipal, manufacturing, industrial, etc.)

6. **Description of Well:** Depth 155 feet. Type Drilled
(Dug or drilled)

diameter 6 inches. Elevation of ground at well site 160 (?) feet, mean sea level.
(As near as known)

Depth to water table 24 feet.

7. **Capacity of Well:** 135 g.p.m. with 30 feet drawdown.

..... g.p.m. with ..... feet drawdown.

Date of test 1951 - January

If Flowing Well: Measured discharge ..... g.p.m. on .....
(Date)

Shut-in pressure at ground surface ..... lbs. per sq. in. on .....
(Date)

Water is controlled by .....
(Cap, valve, etc.)

8. **Casing:** (Give diameter, commercial specifications and depth below ground surface of each casing size.)

6 inch diameter steel from 2 ft/sec to 112 feet

____ inch diameter ____ from ____ to ____ feet

____ inch diameter ____ from ____ to ____ feet

____ inch diameter ____ from ____ to ____ feet

Describe and show depth of shoe, plug, adapter, liner or other details: ____

9. **Perforated Casings or Screens:**

____ from ____ to ____
(Number per foot and size of perforations, or describe screen)

____ from ____ to ____

____ from ____ to ____

____ from ____ to ____

10. **Log of Well:** (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
at 41 ft - gravel stratum	18	59
clay		
126 to 129 ft - gravel "	3	21
clay		
129 to 133 ft gravel "	5	—

If log of well is not available, give name and address of driller. Byron Anderson
Rt. 2 Box 1 Hermiston, Ore. 2 Oregon

11. **Infiltration Trench:** Covered or open .....

Dimensions: Length ..... ft. Minimum depth ..... ft. Maximum depth ..... ft.

Bottom width ..... ft. Discharge ..... g.p.m. Date of test .....

12. **Tunnel:** Type of lining .....

Dimensions: .....
(Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel .....

.....

Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

13. **Pumping Equipment:**

(a) Pump ..... Cook turbine ..... Capacity ..... 6 5 ..... g.p.m.
(Make, type and size)

(b) Motor ..... 3 h.p. Ele .....
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

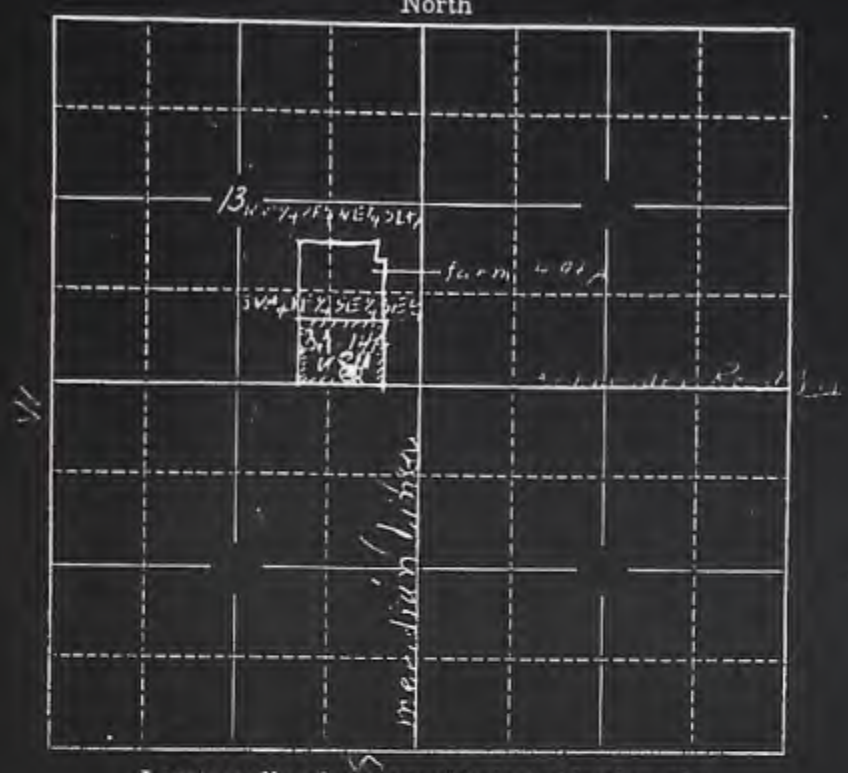
Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated	Date of Reclamation
4-S	1 W	13	SW¼ of SE¼	8 A	[illegible] 1951
"	1 W	13	SE¼ of SE¼	14 A	"
				22± Ac	

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

only 1 well

Township 5 S Range 1 W W.M.

North



Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON
County of Linn } ss.

I, Raymond M. Schneider, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

Raymond M. Schneider
(Signature of Registrant)

Subscribed and sworn to before me this 30 day of May, 1957

My commission expires July 22, 1957

Ruth Adams
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON
County of Marion } ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 24 day of July, 1958, at 8:10 o'clock A. M. and has been duly recorded in said office in Book No. 10 of Registration Statements on page GR-2337

~~Construction shall be completed by ... and the water applied by ...~~

~~Completion shall be by ...~~

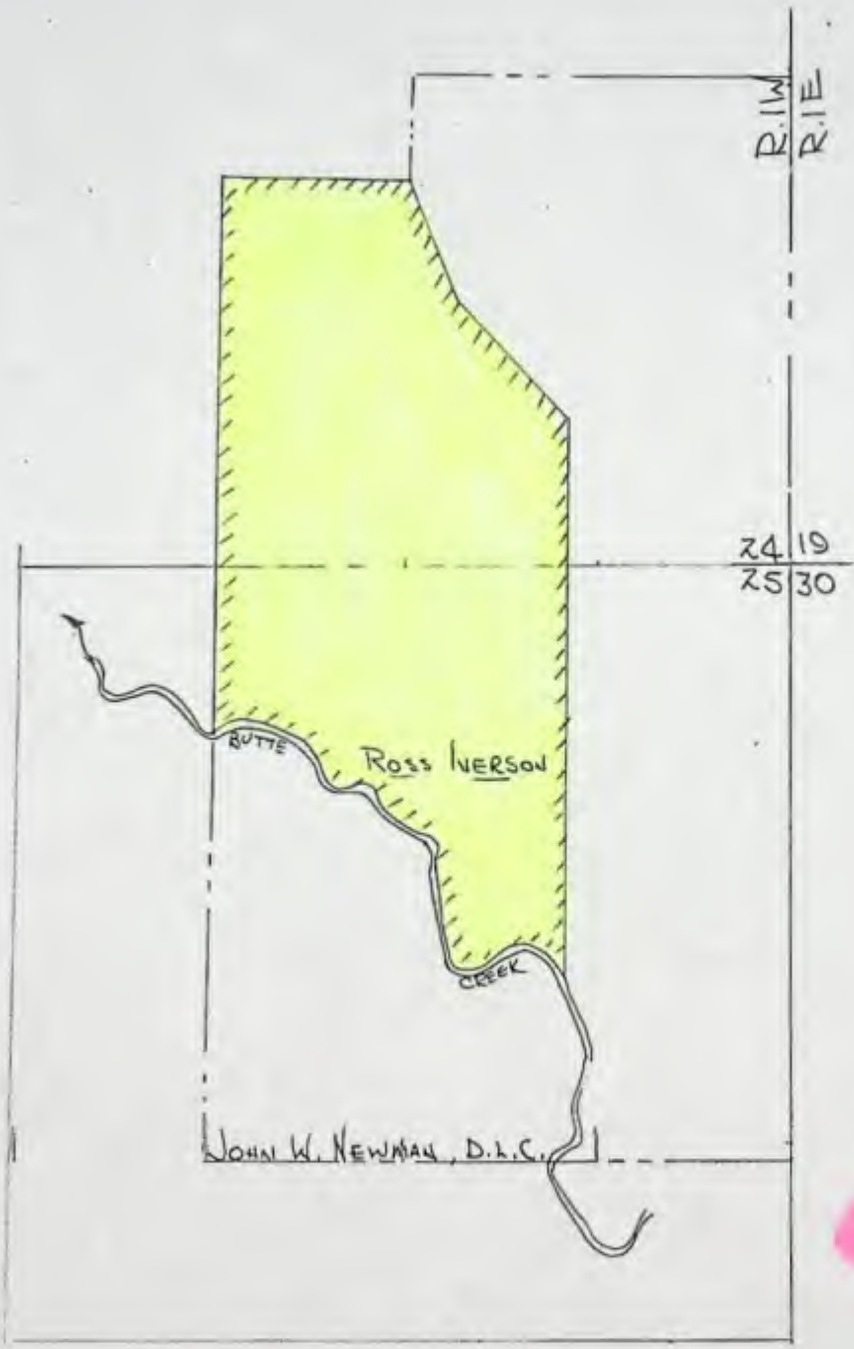
Witness my hand this 10th day of March, 1959

$15.00

Lewis A. Stevens
(State Engineer)

By ...
(Deputy)

GR-2337



SCALE: 1 INCH = 1320 FEET

GR-1382

IDENTIFY THE VALIDITY of THIS RIGHT AS NEW RESERVOIR OVERLAYS IT

REGISTRATION NO. GR-1382

Registration Statement CERTIFICATE NO. GR-1339

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

TO THE STATE ENGINEER OF OREGON:

WE ~~Iverson Bros.~~ - Ross Iverson

of Rt.2, Box 97, Woodburn County of Clackamas

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is Pump Well (See remarks)
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 2.5 miles NW of Monitor
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) S 40° 40' E, 2752 feet from the NW corner of the John W. Nehman D.L.C.
(Give distance and bearing to corner of section or other legal subdivision)

being within $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$ (Smallest legal subdivision) of Sec. 24, Twp. 5S (N. or S.), Rge. 1W (E. or W.)

or (b) within limits of recorded platted property, town or city:

in Lot ..... Block ..... of .....
(Name of plat or addition)

..... (If within city or town, give name) County of .....

3. Construction Work was begun on Oct 1947 (Date); was completed on March 1947 (Date)

and the ground water claimed was first used for the purposes set out below on May 1947 (Date);

since which time the water has been used Continuously through out the summer
(Continuously or intermittently)

from May 1947 (Date) to Present (Date)

4. Quantity of water claimed and used is 145 gallons per minute; ..... acre feet per year.

5. Purpose or Purposes for which water is used Irrigation
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth 76 feet. Type Drilled
(Dug or drilled)

diameter 6 inches. Elevation of ground at well site 150 (As near as known) feet, mean sea level.

Depth to water table ~~Surf~~ feet. Flowing Well

7. Capacity of Well: 145 g.p.m. with 64 feet drawdown.

..... g.p.m. with ..... feet drawdown.

Date of test May

If Flowing Well: Measured discharge 3 in. discharge pipe g.p.m. on (Date)

Shut-in pressure at ground surface — lbs. per sq. in. on (Date)

Water is controlled by Control Valve - uncontrolled.
(Cap, valve, etc.)

IDENTIFY VALIDITY of THIS RIGHT AS NEW RESERVOIR OVERLAYS THIS AREA

8. **Casing:** (Give diameter, commercial specifications and depth below ground surface of each casing size.)

12 inch diameter Diameter of Well from Ground to to 90' feet

6 inch diameter Column from Column length 72' feet

____ inch diameter ____ from ____ to ____ feet

____ inch diameter ____ from ____ to ____ feet

Describe and show depth of shoe, plug, adapter, liner or other details:

Suction Pipe 6" length 5' Strainer 6" Cone type

9. **Perforated Casings or Screens:**

____ from ____ to ____
(Number per foot and size of perforations, or describe screen)

____ from ____ to ____

____ from ____ to ____

____ from ____ to ____

10. **Log of Well:** (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Unknown		

1339

If log of well is not available, give name and address of driller. .....

Norman Service- Rt.2, Woodburn, Oregon

11. **Infiltration Trench:** Covered or open .....

Dimensions: Length ..... ft. Minimum depth ..... ft. Maximum depth ..... ft.

Bottom width ..... ft. Discharge ..... g.p.m. Date of test .....

12. **Tunnel:** Type of lining .....

Dimensions: ..... (Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel .....

.....

Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

13. **Pumping Equipment:**

(a) Pump Peerless Turbine 7 L A - 8 Stg Capacity 145 g.p.m.
(Make, type and size)

(b) Motor General Electric 7.5 H.P.
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated	Date of Reclamation
5S	1W	24	SW¼SE¼	8.5	May 1947
5S	1W	24	SE¼SW¼	5.3	" "
5S	1W	24	NW¼SW¼	1.2	" "
5S	1W	24	NW¼SE¼	2.4	" "
				17.4	" "

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

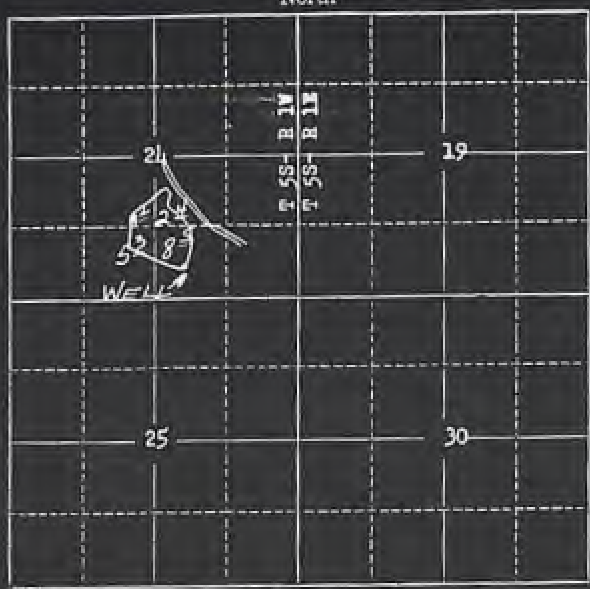
.....

.....

1339

Township 5S 5S Range 1E 1W, W.M.

North



Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON
County of Marion } ss.

I, ..., being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

Ross Iverson
(Signature of Registrant)

Subscribed and sworn to before me this 8th day of April, 19 58.

My commission expires 12th June 1961 Wm. S. Bartholomew
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON
County of Marion } ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 8th day of April, 19 58, at 10 00 o'clock A. M. and has been duly recorded in said office in Book No. 6 of Registration Statements on page GR- 1339

[illegible]

[illegible]

Witness my hand this 20th day of October, 19 58.

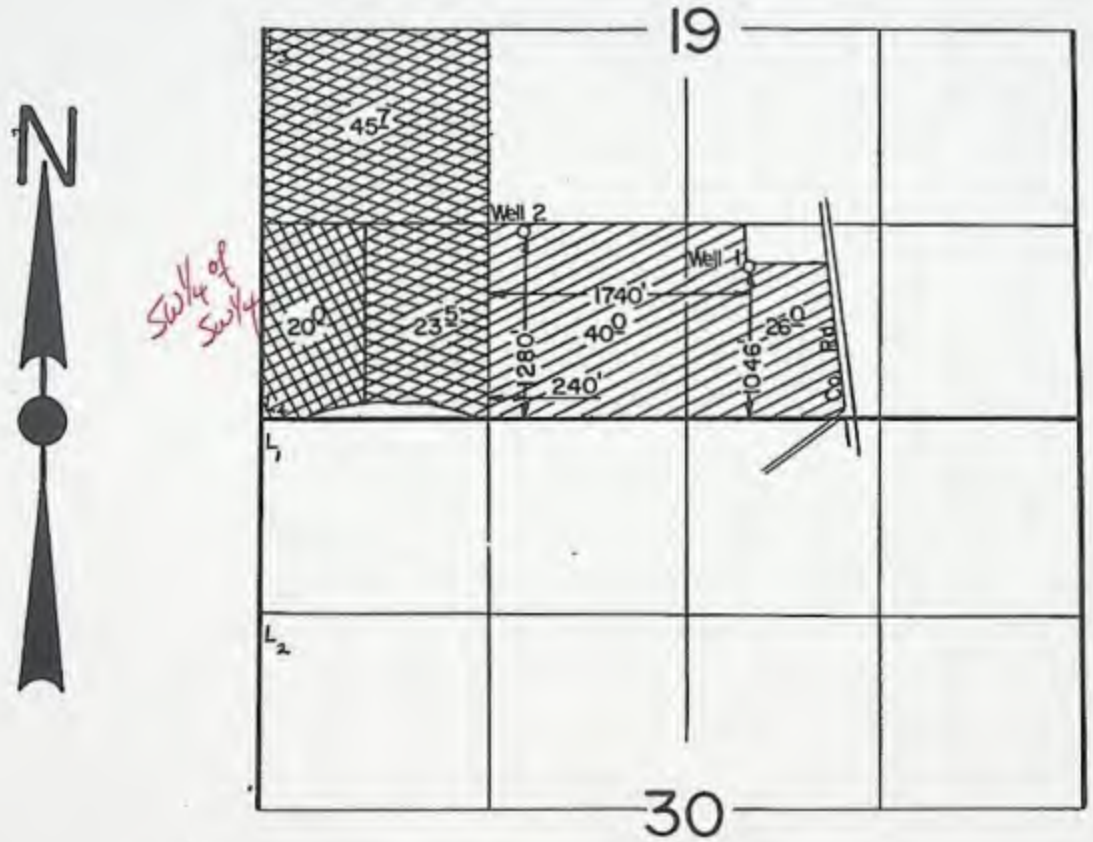
Lewis A. Stanley
(State Engineer)

#150

By ....
(Deputy)

GR- 1339

T.5S., R.1E., W.M.



Scale: 1"= 1320'

FINAL PROOF SURVEY

UNDER

Primary

Supplemental

Work Map

G- 7830 G- 7272

Application No. G-8882. Permit No. G-8280....

IN NAME OF

RAYMOND GRIESENAUER

Surveyed May 22. 1980., by S.C. Brown.....
& June 13 1985, by T. Warren

DFK-2LL-24

TMW

WITNESS the signature of the Water Resources Director affixed

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RAYMOND GRIESENAUER
11754 MT. ANGEL-GERVAIS ROAD
MT. ANGEL, OREGON 97362

confirms the right to use the waters of 2 WELLS in the BUTTE CREEK BASIN for the purpose of IRRIGATION OF 69.2 ACRES FROM WELL 1 AND SUPPLEMENTAL IRRIGATION OF 155.2 ACRES FROM WELL 2.

This right has been perfected under Permit G-8280. The date of priority is JULY 5, 1978. This right is limited to 1.60 CUBIC FEET PER SECOND being 0.54 cfs from well 1 and 1.06 cfs from well 2 or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SW 1/4 SE 1/4, SE 1/4 SW 1/4, SECTION 19, T 5 S, R 1 E, W.M.; WELL 1 - 1046 FEET NORTH AND 1740 FEET EAST; WELL 2 - 1280 FEET NORTH AND 240 FEET EAST; BOTH FROM THE SW CORNER OF SE 1/4 SW 1/4, SECTION 19.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

	.54 well 1 PRIMARY	1.06 well 2 SUPPLEMENTAL
LOT 3 (NW 1/4 SW 1/4)	45.7 ACRES	45.7 ACRES -45.7
LOT 4 (SW 1/4 SW 1/4)	23.5 ACRES	43.5 ACRES -23.5 -20
SE 1/4 SW 1/4		40.0 ACRES
SW 1/4 SE 1/4		26.0 ACRES
SECTION 19		
TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.		155.2
	69.2	

$\frac{1.06}{155.2} = \frac{0.61}{89.2} = \frac{0.45}{66.0}$

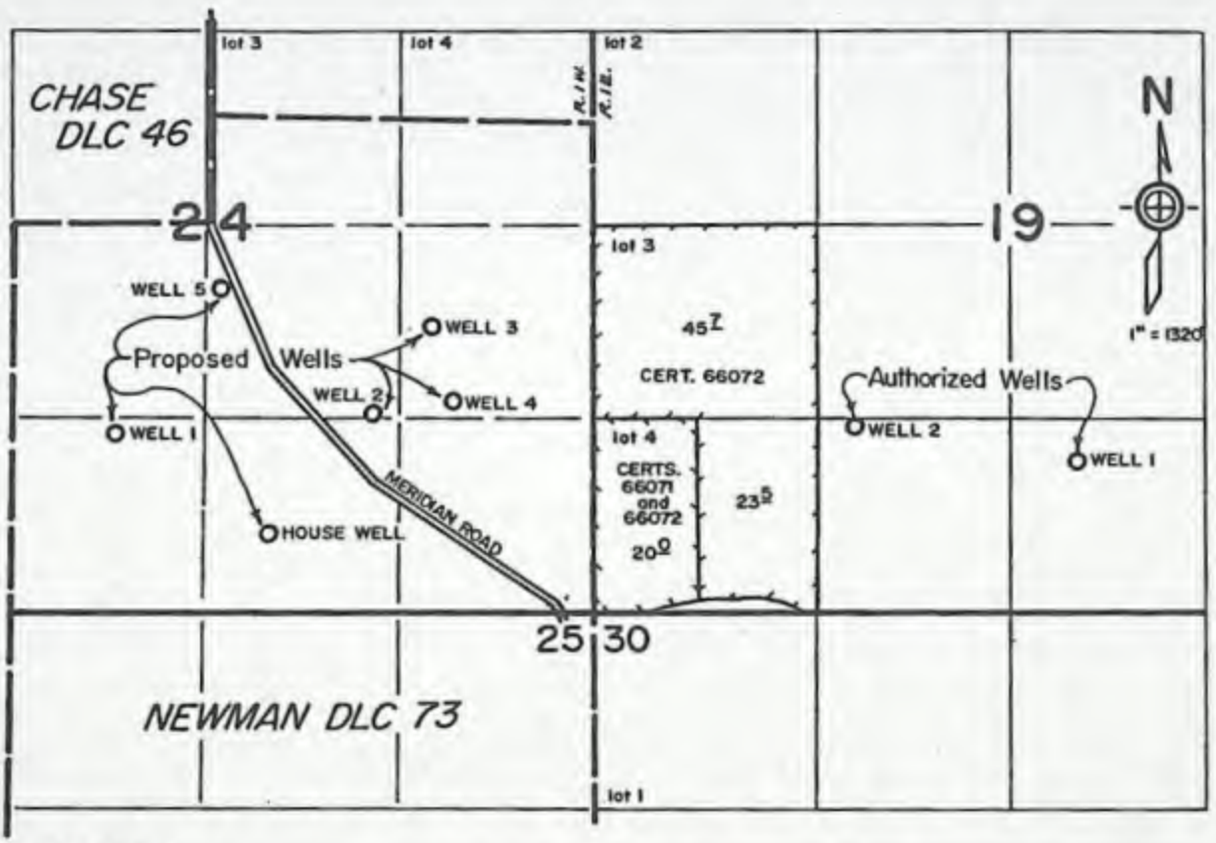
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JUNE 21, 1991.

/s/ WILLIAM H. YOUNG
William H. Young

Township 5 South, Ranges 1 West & 1 East, W.M.

Portions of Sections 24 & 25 in Range 1 West & Sections 19 & 30 in Range 1 East



WELLS LOCATED:

AUTHORIZED WELLS–

No. 1, 1046' N. and 1740' E. Both from the SW cor. SE 1/4 SW 1/4, Sec. 19
No. 2, 1280' N. and 240' E.

PROPOSED WELLS–

No. 1, 1400' S. and 600' W.
No. 2, 1280' S. and 1140' E.
No. 3, 690' S. and 1530' E.
No. 4, 1190' S. and 1670' E.
No. 5, 440' S. and 110' E.
House Well, 2080' S. and 440' E.
All from the E'ly SE cor. Chase DLC 46

Map to Accompany
Transfer Application
in the name of
ROSS IVERSON

STATE OF OREGON
Nov 19, 1987
Donald K. Buell
Certified Water Right Examiner
#026 WRE

Trans. No. 6603

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.

8-5-91

No. 1125—MEMORANDUM OF LAND-SALE CONTRACT. COPYRIGHT 1988 STEVENS-NESS LAW PUB. CO. PORTLAND, OR. 97204

ON

RECEIVED
SEP 13 1991
WATER RESOURCES DEPT.
SALEM, OREGON

MEMORANDUM OF LAND-SALE CONTRACT

KNOW ALL MEN BY THESE PRESENTS, that on ..... Catherine Beyer, Personal Representative of John Beyer Estate ..... *vendor(s) and* ROSS IVERSON and DOROTHY IVERSON as equal tenants in common ..... *as vendee(s) made and entered into a certain land-sale contract wherein said vendor(s) agreed to sell to said vendee(s) and the latter agreed to purchase from said vendor(s) the fee-simple title in and to the following described real property in* Clackamas *County, State of Oregon, to-wit:*

See Exhibit "A" attached hereto and incorporated herein by reference.

The true and actual consideration for the transfer, set forth in said contract, is $376,092.75 *payable* $125,364.25 *down on the signing of said contract and the balance payable in* ☐ *monthly,* ☐ *quarterly,* ☐ *semi-annual,* ☒ *annual installments (indicate which) of not less than* $66,141.55 *each; all deferred payments bear interest at the rate of* 10 *% per annum from the date of said contract until paid.*

In Witness Whereof the said vendor(s) has executed this memorandum on June 27, 19 91. *If the vendor is a corporation it has caused its name to be signed and its seal affixed by an officer duly authorized thereto by order of its board of directors.*

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

NOTE: The foregoing memorandum "shall be recorded by the conveyor not later than 15 days after the 'land-sale contract' is executed and the parties are bound thereby." ORS 93.635.

ESTATE OF JOHN BEYER

Catherine Beyer

Catherine Beyer
Personal Representative

(If the signer of the above is a corporation, use the form of acknowledgment opposite and affix corporate seal.)

STATE OF OREGON, } *ss.*
County of Marion }

This instrument was acknowledged before me on ~~May~~ June 27 19 91, *by* Catherine Beyer, as Personal Representative for John Beyer Estate, to be her voluntary act and deed

Patricia A. Wallace
Notary Public for Oregon

(SEAL)

My commission expires: 2-19-92

STATE OF OREGON, } *ss.*
County of .....

This instrument was acknowledged before me on ....., *19*....., *by* .....
as .....
of .....

Notary Public for Oregon

My commission expires: *(SEAL)*

Estate of John Beyer.

VENDOR'S NAME AND ADDRESS

Ross Iverson & Dorothy Iverson

VENDEE'S NAME AND ADDRESS

After recording return to:
James D. Fournier
Attorney At Law
P.O. Box 680
Mt. Angel, OR 97362
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.
Ross Iverson & Dorothy Iverson
33739 S. Meridian Rd.
Woodburn, OR 97071
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } *ss.*
County of .....

I certify that the within instrument was received for record on the ..... *day of* ....., *19*....., *at* ..... *o'clock* ..... *M., and recorded in book/reel/volume No.* ..... *on page* ..... *or as fee/file/instrument/microfilm/reception No.* ....., *Record of Deeds of said county.*

Witness my hand and seal of County affixed.

NAME TITLE

By ..... *Deputy*

RECEIVED
SEP 13 1991
WATER RESOURCES DEPT
SALEM, OREGON

LEGAL DESCRIPTION

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

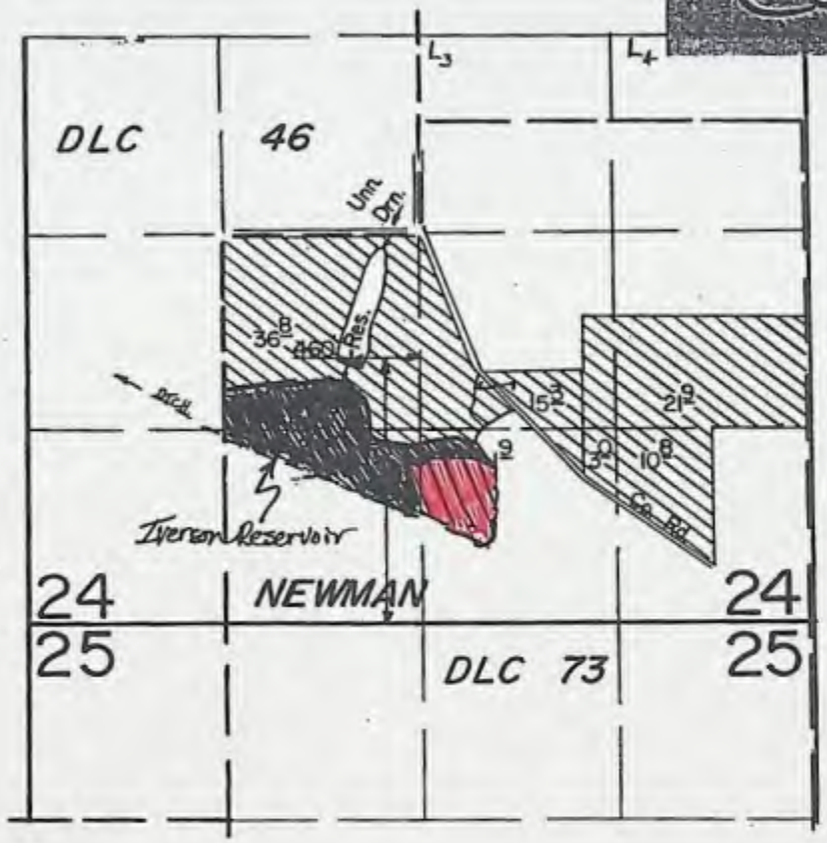
The west one-half of the southwest one-quarter of Section 19, Township 5 South, Range 1 East, W.M., in the County of Clackamas and State of Oregon.

ALSO part of Section 19, Township 5 South, Range 1 East, W.M., in Clackamas County, Oregon, more particularly described as being at the one-quarter corner on the west line of Section 19; thence North on said west line to a point in the south line of the Hart Robbins County Road; thence East on said south line 20 feet; thence South parallel with the west line of Section 19, to a point in the one-quarter section line running East and West through Section 19; thence West 20 feet to the point of beginning.

ALSO part of Section 25, Township 5 South, Range 1 West and Section 30, Township 5 South, Range 1 East, W.M., in Clackamas County, Oregon, more particularly described as beginning at the southwest corner of Section 19, Township 5 South, Range 1 East; thence South on the section line between said Sections 25 and 30, a distance of 1.25 chains to the southeast corner of a tract of land described in deed to George H. Wolfe and wife, recorded June 17, 1936, in Book 232, page 349, Deed Records; thence West on the south line of said Wolfe tract to a point in the center line of the County Road; thence Southerly tracing said center line 110.0 feet; thence Northeasterly in a straight line to a point 50.0 feet due east of the aforementioned southeast corner of said Wolfe tract; thence Northeasterly in a straight line to a point in the north line of Section 30 which is 100.0 feet East of the place of beginning; thence West on said south line 100.0 feet to the place of beginning. **********

EXHIBIT A
PAGE 1 OF 1 PAGES

T.5S., R.1W., W.M



Scale: 1" = 1320'

FINAL PROOF SURVEY

UNDER

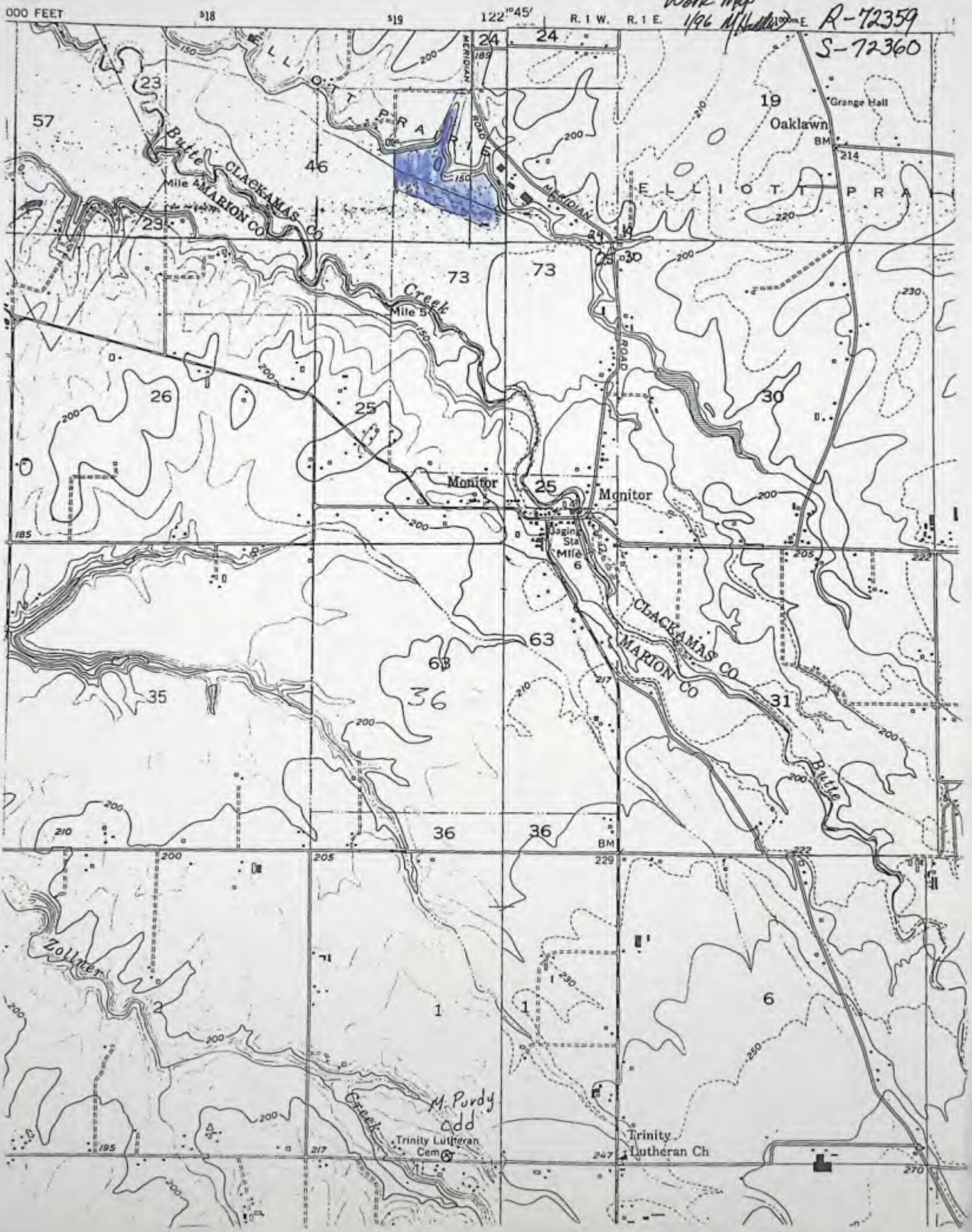
R-55485 R-6573

Application No. 55486 Permit No. 41509

IN NAME OF

VAN VEEN NURSERIES, INC.

Surveyed JULY 16, 1985, by T. Warren


Work Map
1/96
R-72359
S-72360
000 FEET
T18
T19
122°45'
R. 1 W.
R. 1 E.
ELLIOTT PRAIRIE
Butte Creek
CLACKAMAS CO
MARION CO
Mile 4
Mile 5
Mile 6
Monitor
Oaklawn
Grange Hall
BM 214
Jaging Sta
Zoller
M. Purdy Add
Trinity Lutheran Cem
Trinity Lutheran Ch
MERIDIAN
ROAD

Oregon

WATER
RESOURCES
DEPARTMENT

NOVEMBER 22, 1995

IR Public Notice Date Dec. 12 1995

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OREGON 97071

Reference: File S-72360

Dear Applicant:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT NEXT PHASE OF PROCESS

This letter is to inform you of the status of your application for water use. Based on the information you have supplied, the Water Resources Department has reached the following conclusions:

Initial Review Determinations:

1. Your application is complete and not defective.

2. The proposed use is not prohibited by law or rule.

3. The use of stored water only for NURSERY OPERATIONS INCLUDING SUPPLEMENTAL IRRIGATION MARCH 1 THROUGH OCTOBER 31 AND AGRICULTURAL USE YEAR ROUND ON 524.4 ACRES **is allowed** under OAR 502, the Willamette Basin Program.

Summary of Initial Determinations

The use of 185.6 af of stored water only from Iverson Reservoir for Nursery Operations including supplemental irrigation March 1 through October 31 and agricultural use year round on 524.0 acres is allowed.

Because of these favorable determinations to your application the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

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

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period, will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a $50 processing charge per application.) To accomplish this you must notify the Department in writing by **DECEMBER 6, 1995.** For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. You may be required to measure the amount of water used and report that use annually.

2. You will be required to comply with state and federal water quality standards.

3. The priority date for this application is April 28, 1992 for 488.4 acres and November 20, 1995 for 75.6 acres.

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

If you have any questions:

Feel free to call me at (503) 378-8455 ext. 227 or 1 (800) 624-3199 if you have any questions. Please have your application number available if you call.

Sincerely,

Cindy Smith

Cindy Smith
Initial Reviewer

cc: Regional Manager, Watermaster, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

wab 2-01041110
pou 2-01041110 & 01041100

COPY CHECK-OFF SHEET FOR PROPOSED FINAL ORDERS

CC: FILE # S-72360

WATERMASTER # 16

REGIONAL MANAGER: TOM PAUL

ODF&W - Marion County: MARION COUNTY

CWRE (if agent): DONALD R. BUELL #26

DEQ

OTHER STATE AGENCY IF NECESSARY: WILLIAM L. PARKS, DIVISION OF STATE LANDS, 775 SUMMER ST. NE, SALEM, OR 97310

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

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):
FRANK SPIES, 5090 S. ELLIOT PRAIRIE, WOODBURN, OR 97071
MRS. RAYMOND MONNIER, 17614 MONNIER RD. NE, HUBBARD, OR 97071
STEVE SCHNEIDER, 33085 S. MERIDIAN RD., WOODBURN, OR 97071
ROY THAYER, 33502 S. MERIDIAN RD., WOODBURN, OR 97071
VAN VEEN NURSERY, 33814 S. MERIDIAN RD., WOODBURN, OR 97071
CLACKAMAS CO. PUBLIC WORKS, 168 WANER-MILNE RD., OREGON CITY, OR 97045

CASEWORKER : RMH

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-72360

Final Order

Application History

On April 28, 1992, ROSS IVERSON submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 20, 1996. The protest period closed April 5, 1996, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to remove conditions relating to fish passage; these conditions have been added to the proposed permit conditions for application R-72359.

Order

Upon payment of outstanding permit recording fees, Application S-72360 shall be approved as modified above and as conditioned in the attached draft permit.

Permit recording fees are required in the amount of $ 1,228.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees or submit the point of diversion location within 60 days from the date of this Final Order will result in the proposed rejection of Application S-72360.

DATED April 26, 1996

for Martha O. Pagel
Director

STATE OF OREGON

COUNTY OF CLACKAMAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OREGON 97071

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

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, PERMIT _____, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 38.8 ACRES, SUPPLEMENTAL IRRIGATION OF 485.2 ACRES, AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 524.0 ACRES

VOLUME/AMOUNT: 185.6 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: April 28, 1992

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 24, T 5S, R1W, W.M.; 3840 FEET SOUTH AND 5720 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	PRIMARY	SUPPLEMENTAL
NW 1/4 SW 1/4		45.7 ACRES
SW 1/4 SW 1/4		43.5 ACRES
	SECTION 19	
	TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.	
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4		3.0 ACRES
	SECTION 13	
NE 1/4 NE 1/4		12.6 ACRES
SE 1/4 NE 1/4		19.6 ACRES
	SECTION 23	
NE 1/4 NE 1/4	9.4 ACRES	
NW 1/4 NE 1/4	8.2 ACRES	28.1 ACRES
SW 1/4 NE 1/4	13.3 ACRES	11.5 ACRES
SE 1/4 NE 1/4	4.8 ACRES	15.3 ACRES
	SECTION 24	
	TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.	

	PRIMARY	SUPPLEMENTAL
NE 1/4NW 1/4		22.1 ACRES
NW 1/4NW 1/4		26.8 ACRES
SW 1/4NW 1/4		37.4 ACRES
SE 1/4NW 1/4		39.0 ACRES
NE 1/4SW 1/4		28.6 ACRES
SE 1/4SW 1/4		0.9 ACRE
NE 1/4SE 1/4		39.6 ACRES
NW 1/4SE 1/4		34.1 ACRES
SW 1/4SE 1/4	3.1 ACRES	10.9 ACRES
SE 1/4SE 1/4		26.5 ACRES

SECTION 24
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

STANDARD CONDITIONS

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

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

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

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

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

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

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

{DATE}

DRAFT

_____

Martha O. Pagel, Director
Water Resources Department

Oregon

WATER
RESOURCES
DEPARTMENT

December 13, 1994

Not Sent

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OR 97071

Reference: File S 72360

Dear Applicant:

The Water Resources Department has finished the first step of its analysis of your application. Enclosed is a copy of this first report, which is called the Report of Technical Review.

The technical review is the Department's legal and scientific analysis of the application, including a calculation of the expected availability of water for your proposed use, an analysis of whether the use would conflict with other existing water rights, and if the use is compatible with the Department's river basin programs and local land use plans. Step two, is the 60-day public review period.

In the case of your application, the Technical Review was satisfactory, and it concluded that water would be available for this use for the time period described in the permit conditions of the attached Report. The Report also includes other conditions which may be placed in the water right permit to protect other water users, the public or fish and wildlife resources.

The Report of Technical Review is only the first step of the review process and does not authorize you to construct a water system or to use the public waters. The Report does not represent any commitment by the Department ultimately to approve your application. Before a permit may be granted, the Department must complete a public interest review.

In this second step of the review process, state regulations require that other water users and the general public be given an opportunity to object to your proposed water use. You also may object to any of the Department's findings or proposed permit conditions contained in the technical report. If you wish to object, you must file your objection with the Department in writing by **5 p.m. on or before February 28, 1995.** Interested parties must also submit their objections before the same deadline.

Please review the enclosed informational sheet which describes the appeals process and the steps that must be taken by any party objecting to your Report of Technical Review or by parties wishing to protest issuance of the permit.

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

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

Sincerely,

Jake Szramek
Water Rights Section

Enclosures

Report Date: December 13, 1994

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, 158 12th ST N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: February 28, 1995

1. APPLICATION FILE NUMBER -S 72360

2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OR 97071
COUNTY OF CLACKAMAS

Date application received for filing and/or tentative date of priority: 4/28/1992

SOURCE: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, A TRIBUTARY OF BUTTE CREEK

Purpose and/or use: NURSERY OPERATIONS INCLUDING SUPPLEMENTAL IRRIGATION ON 488.4 ACRES.

Flow: 185.6 ACRE-FEET OF STORED WATER ONLY

Point of Diversion Location:
NE 1/4 SW 1/4, SECTION 24, T 5 S, R 1 W, W.M.;

Place of use:

NW 1/4 SW 1/4 45.7 ACRES
SW 1/4 SW 1/4 43.5 ACRES
SECTION 19
TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.

SW 1/4 SE 1/4 40.0 ACRES
SE 1/4 SE 1/4 3.0 ACRES
SECTION 13
NE 1/4 NE 1/4 12.6 ACRES
SE 1/4 NE 1/4 19.6 ACRES
SECTION 23

NE 1/4	NE 1/4	0.1	ACRES
NW 1/4	NE 1/4	28.1	ACRES
SW 1/4	NE 1/4	11.5	ACRES
SE 1/4	NE 1/4	15.3	ACRES
NE 1/4	NW 1/4	22.1	ACRES
NW 1/4	NW 1/4	26.8	ACRES
SW 1/4	NW 1/4	37.4	ACRES
SE 1/4	NW 1/4	39.0	ACRES
NE 1/4	SW 1/4	28.6	ACRES
NE 1/4	SE 1/4	39.6	ACRES
NW 1/4	SE 1/4	34.1	ACRES
SW 1/4	SE 1/4	14.0	ACRES
SE 1/4	SE 1/4	26.5	ACRES

SE SW 0.9 ACRES MISSING

SECTION 24

TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

487.5

CONFLICTS WITH OTHER WATER RIGHTS:

There are existing rights from this point of diversion. See proposed permit conditions.

There are existing water rights appurtenant to the lands described in the application. See proposed permit conditions.

SURFACE WATER AVAILABILITY

Water is likely available in excess of needs for all existing rights and scenic waterway needs 50% of the time during each monthly period proposed by the technical review.

Water availability tables are available in the application file and may be reviewed in the office of the Water Resources Department in Salem.

REPORT CONCLUSIONS:

WHERE DID THIS # COME FROM

Based on the Department's review of water availability and Oregon Administrative Rules, water in the amount of 185.6 acre feet is likely available for 12 months NURSERY & 8 MONTHS IRRIGATION USE.

The evaluation of your application takes into consideration water quality concerns that have been identified by the Oregon Department of Environmental Quality (DEQ). The Pudding River basin has been identified as water quality limited by the DEQ. The analysis of water quality in this basin indicates that during the months of May through October of each year, water quality problems exist. Due to water quality problems during low flows, water is not available for appropriation from May 1 through October 31 of each year. However, this application is limited to stored water only.

DID NOT ASK FOR LIVE FLOW

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: S 72360

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: 12 months for N & H-O wr

3. Rate of use: 185.6 acre-feet

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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

   B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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. In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

10. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

12. Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

13 1/80 & 2 1/2 ← ALready in #11

(14) Ground Water

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSS IVERSON
33739 S. MERIDIAN RD. PHONE: (503) 634-2331
WOODBURN, OREGON 97071

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

APPLICATION FILE NUMBER: R-72359

SOURCE OF WATER: SURFACE RUNOFF AND BUTTE CREEK, TRIBUTARIES OF PUDDING RIVER

STORAGE FACILITY: IVERSON RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED AND MAINTAINED UNDER APPLICATION S-72360, PERMIT 52392, FOR AGRICULTURAL USE, PRIMARY IRRIGATION, AND SUPPLEMENTAL IRRIGATION FOR NURSERY OPERATIONS AND WILDLIFE USE

VOLUME OF USE: 185.6 ACRE-FEET EACH YEAR

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM NOVEMBER 1 TO APRIL 30 OF EACH YEAR.

DATE OF PRIORITY: APRIL 28, 1992

THE AREA SUBMERGED BY THE RESERVOIR, WHEN FULL, WILL BE 12.6 ACRES AND THE MAXIMUM DEPTH OF WATER WILL BE 20.0 FEET. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 15.0 FEET.

DAM LOCATION: NE 1/4 SW 1/4, SE 1/4 SW 1/4, AND SW 1/4 SE 1/4, SECTION 24, T5S, R1W, W.M.; 3840 FEET SOUTH & 4640 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

POINT OF DIVERSION: NE 1/4 NW 1/4, SECTION 25, T5S, R1W, W.M.; 6060 FEET SOUTH AND 4540 FEET EAST FROM THE NW CORNER OF CHASE DLC 46

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED WITHIN:

NE 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 24
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided. The applicant is hereby directed to contact an ODFW Fish Passage Program coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

The outlet gate shall be cycled at least once each year and shall be fully operational at all times.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to control weeds and brush, repair slumps and areas of erosion, and/or replace defective equipment.

No water shall be stored until this department receives written certification from the engineer of record that construction was performed under the supervision of a professional engineer licensed in Oregon, and has been completed in accordance with the approved plans and specifications. If construction deviates from the approved design, a set of as built drawings must accompany the engineer's written certification of completion.

The earthen dam and resultant reservoir shall be constructed, operated, and maintained according to the approved plans and specifications dated December 23, 1992, on file with the Water Resources Dam Safety Program.

The completed structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resource Department or the Director's authorized representatives.

STANDARD CONDITIONS

The storage of water allowed herein is subject to the installation and maintenance of an fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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

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

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

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

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

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

Issued June 12, 1996

for Martha O. Pagel, Director
Water Resources Department

Application No. 72360

RECEIVED
APR 20 1992
WATER RESOURCES DEP
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Surface Water

Applicant(s) Ross Iverson
(Please print or type - use dark ink)

Mailing Address: 33739 S. Meridian Road
Woodburn (City) OR (State) 97071 (Zip) 634-2331 (Daytime Phone No.)

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

1. ***SOURCE OF WATER*** *for the proposed use:* Iverson Reservoir, *a tributary of* Butte Creek.

2. ***TOTAL AMOUNT OF WATER*** *to be applied to beneficial use:* — *cubic feet per second,* ***OR*** — *gallons per minute. If water is to be used from more than one source, give the quantity of water from each:* 250 A.F. Stored water only

3. ***INTENDED USE(s) OF WATER:*** Supplemental irrigation

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;*

11-20-95 DAB

Irrigation 524.0 ~~488.4~~ AC Nursery operations including supplemental 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).*

A 75 hp SUBMERSIBLE PUMP WILL DELIVER WATER FROM THE RESERVOIR TO 6" MAINLINES.

A COMBINATION OF 3" AND 4" LATERALS IN THE FORM OF WHEEL LINES, HAND LINES AND SOLID SET SYSTEMS ARE USED WITH RAINBIRD TYPE SPRINKLERS TO DISTRIBUTE THE WATER

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

Proposed date construction work will begin 11-1-93

Proposed date construction work will be completed 11-1-94

Proposed date water use will be completed 11-1-95

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):

_____ *Applicant* __x__ *CWRE* _____ *Other (Identify in REMARKS section)*

7. *Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership?* NO *. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.*

REMARKS: SEE APPLICATION 71380 FOR LIST OF OWNERS AND LEGAL DESCRIPTIONS.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use [illegible] with statewide land-use goals and any local acknow-

OWNERSHIP/EASEMENT FORM

72360

RECEIVED
FEB - 1 1996
WATER RESOURCES DEPT.
SALEM, OREGON

1. Do you own all property related to this application?

YES / (NO)
(circle your answer)

If you answered "NO," please submit the names and addresses of the legal owners of all property related to this application that you do not own.

2. If you answered "NO" to question #1 above, do you have written authorization or an easement permitting access to the lands you do not own?

(YES) / NO / NOT APPLICABLE (I answered "YES" to #1.)
(circle your answer)

I understand that if I do not own all property associated with this application, I may be required to submit a copy of my written authorization or easement for access before a permit can be issued.

SIGNATURE: [signature] TITLE: Owner DATE: 1-29-1996

REMARKS: SEE APPLICATION 71380 FOR LIST OF OWNERS AND LEGAL DESCRIPTIONS.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use [illegible] with statewide land-use goals and any local acknow-

I/We certify that the information I have provided in application # 72360 is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

Name	Title	Date
IVERSON ROSS	OWNER	1-29-1996

RECEIVED
FEB - 1 1996
WATER RESOURCES DEPT.
SALEM, OREGON

REMARKS: SEE APPLICATION 71380 FOR LIST OF OWNERS AND LEGAL DESCRIPTIONS.

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.

X [signature] — 4-28-92

Signature of Applicant — *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 28th day of APRIL, 19 92, at 1:45 o'clock, P M.

APPLICATION NO: _____ PERMIT NO: _____

A:APPFORM 9/89

RECEIVED
JAN 25 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon

DEPARTMENT OF ENVIRONMENTAL QUALITY

January 11, 1996

Dwight French, Manager
Water Rights Division
Water Resources Department
158 12th Street, Northeast
Salem, Oregon 97310

Re: Response to Technical Evaluation of Water Rights Application for the Pudding River

File: R72359 Iverson
Source: Butte Creek
Flow: 250.0 AF
Use: irrigation, nursery, wildlife

File: R72360 Iverson
Source: Butte Creek
Flow: 250.0 AF
Use: irrigation, nursery

Dear Mr. French:

The Department has completed its review of the above referenced Technical Review of water rights application. The drainage basin in which this application is located has been identified as water quality limited by the Department. As a result of extensive analysis, Total Maximum Daily Loads (TMDLs) have been set for this basin. The estimated low flow normally occurs during the summer period of May 1st to October 31st of each year. The Department's analysis of water quality indicates that during periods of low flow, water quality problems exist. On August 5, 1993, the Department submitted application for instream water rights to provide pollution abatement flows in the above referenced basin.

These applications propose additional out of stream use of water which if granted would reduce available instream flows during the seasonal low flow period, thus increasing the identified water quality problems in this drainage basin. The Department recommends limiting the pond or reservoir water rights to high flow if it is available, and requests that this be verified with a meter when 2.0 acre feet or more are impounded. Large reservoirs covering 5 acres or more are required to obtain a DEQ stormwater permit to control runoff during construction.

811 SW Sixth Avenue
Portland, OR 97204-1390
(503) 229-5696
TDD (503) 229-6993

RECEIVED
JAN 25 1996
WATER RES
SALEM, OREGON

The Department requests that for pollution prevention a farm management plan be developed to address water quality issues, including: 1) possible herbicide and pesticide use in the vicinity of the proposed pond or reservoir; 2) an erosion (sediment) plan with buffer strips; 3) a nutrient plan to prevent nitrate runoff into surface and groundwater; 4) potential flooding of the pond or reservoir if located in the 100 year floodplain with subsequent contamination release; 5) riparian restoration and 6) a plan to keep stock out of the stream.

If the pond, reservoir or diversion is designed for stock watering, operators are encouraged to establish off channel watering sites. The standard .005 Cfs or 3.62 AF per head is to be applied in requesting water. Metering for stock water is not needed. Any systems established in freeze zones or other situations where water may have to be left running should provide a closed loop return system, which would allow any overflow water to return to the stream. A NPS control management plan needs to be developed or the area fenced and the riparian zone replanted. In this case with these stipulations the Department would support WRD permits for year round flow in a TMDL basin.

If you have questions or wish to discuss this issue further, please feel free to contact Barbara Priest (503-229-5945) of my staff.

Sincerely,

Michael Downs

Michael Downs
Administrator
Water Quality Division

MD:bjp:crw
SA\WC13\WC13913.doc
cc: Frederick Gelderman, NRCS
Kimberly Priestly, Waterwatch

FO CHECKLIST

524 AC

PFO TO FO CONVERSION

FILE # S 72360

REVIEW DATE: 04 /10 /1996

WEEK # _WEEK 30_

INITIALS : _LLS___

In preparing the FO, you should check the following:

1. (Y) / N Were comments or protests received in response to the PFO? ODFW, DEQ Deq comments predate PFO
2. ___/ List names and addresses of **ALL** commentors (regardless of comment date) on the PFO CC list.
3. 1228.00 Verify payment of recording fees (circle the appropriate option)
   (1) Issue FO w/permit if fees are paid Prepare refund request for excess fees
   (2) Issue FO w/o permit if fees are lacking
   (3)
   200 EXAM 2X514 100 10 AC 1028 900 AC 100 1 CFS
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? 1428.00
6. Y / (N) Is water use prohibited for one or more months of the normal use period?
7. Y / N If #6 = "Y", is short season letter on file?
8. ___/ Assign permit numbers to files with oath, fees, and no protests or other unresolved issues

Delete "ODFW DAM" & "FISH" Conditions

Route to: (circle one)

DENIAL LARRY | FO w/o PERMIT CORY | FO & PERMIT JERRY | COMMENTS DOUG

fees

Modify FO as needed to: INITIALS : CB

9. ___/ Respond to significant comments, issues, or disputes related to the proposed use of water
10. ___/ Include or exclude permit conditions and management codes
11. ___/ Notify applicant of additional information or fees required prior to permit issuance (Use standard wording from M:\T\FO\TOOLS if possible)
12. ___/ Correct PFO errors (such as POD or POU location (verify from map), Permit format)
13. (Y) / N Is further processing possible? If not state reason: _____

Once FO document is completed:

14. ___/ Save WordPerfect document in M:\T\FO\WEEKXX & delete duplicates
15. ___/ Print final draft of document and submit to team leader for review
16. (Y) / N Team leader review completed

FIX

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director Water Resources Department

In the matter of	)	PROPOSED
Surface Water Application	)	FINAL
S-72360 submitted by	)	ORDER
ROSS IVERSON		

FINDINGS OF FACT

Water Use Request

1. ROSS IVERSON requested use of 250.0 ACRE-FEET OF STORED water from IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, A TRIBUTARY OF BUTTE CREEK for NURSERY OPERATIONS INCLUDING SUPPLEMENTAL IRRIGATION ON 488.4 ACRES within the Willamette Basin. Application amended by CWRE November 20, 1995, increasing acreage to 524 acres and decreased volume of stored water to 185.6 acre-feet.

2. The area of proposed use is in Marion County within SECTIONS 19 TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M. AND SECTIONS 13, 23, 24 TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

3. The water delivery system is described by the applicant as the use of a 75 HP submersible pump to deliver water from the reservoir to 6 inch mainlines. From the mainlines, a combination of 3 inch and 4 inch laterals in the form of wheel lines, hand lines and solid set systems are used with rainbird type sprinklers, to distribute water.

4. The request was made in Application S-72360 which was received by the Water Resources Department on April 28, 1992.

Affected Waters

1. IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, A TRIBUTARY OF BUTTE CREEK is not within or above a State Scenic Waterway.

2. ODFW has advised that one or more species of game fish are present at the described dam location and/or point of diversion and requires applicant to provide fish screening pursuant to ORS 498.248.

3. There are senior water rights on IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, A TRIBUTARY OF BUTTE CREEK or on downstream waters.

Department Actions

1. The application was determined to be complete and not defective.

2. An Initial Review of the application was completed and a report of the results of that review was mailed to the applicant on NOVEMBER 22, 1995.

3. The Initial Review determined:
   a. The use is not prohibited by law or rule.
   b. The use of stored water only for NURSERY OPERATIONS INCLUDING SUPPLEMENTAL IRRIGATION MARCH 1 THROUGH OCTOBER 31 AND AGRICULTURAL USE YEAR ROUND ON 524.4 ACRES is allowed under OAR 502, the Willamette Basin Program.
   c. The use of 185.6 acre feet of stored water only from Iverson Reservoir for Nursery Operations including supplemental irrigation
   March 1 through October 31 and agricultural use year round on 524 acres is allowed.
   d. The priority date for this application is April 28, 1992 for 488.4 acres and November 20, 1995 for 75.6 acres.

4. The report of Initial Review listed these determinations and disclosed a number of conditions and restrictions that would likely be included in the permit if issued. These conditions and restrictions are listed in the attached draft permit.

5. The applicant did not notify the Department to stop processing this application within 14 days after the report was mailed as provided in ORS 537.150(5).

6. The Department proceeded with processing the application and on DECEMBER 12, 1995 published notice of the application in its weekly Public Notice of Water Rights.

7. At the close of the 30 day comment period provided in ORS 537.150(7), the Department had not received comments on the application.

Assessment

1. In proceeding with evaluation of Application S-72360, the following criteria were found to be relevant by the Department.

   a. The Willamette Basin Program (OAR Chapter 690, Division 502-040 General Provisions);
   b. The Clackamas County Comprehensive Plan and Zoning Ordinance;
   c. The amount of water available in IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, A TRIBUTARY OF BUTTE CREEK;
   d. The established rate and duty for the proposed use;
   e. Water is available for further appropriation (at a 50 percent exceedance probability) for the period **November 1 through May 30**;
   f. Pending, senior applications and existing water rights of record;
   g. Comments received.

CONCLUSIONS OF LAW

1. Based upon continued evaluation, the Department finds the determinations of the Initial Review require modification as not all the applicants lands have a primary water rights and the amended application only totals 35.7 acres.

2. Based on comments, analysis, and data received, the Department has determined that the amended application on November 20, 1995 included 35.7 acres which has no primary water right. The Department has further determined that, to protect the resource, an additional condition on the proposed water use is necessary. The condition, as further described on the attached draft permit, would require fish screens.

3. The period of allowed use is MARCH 1 THROUGH OCTOBER 31.

4. The Department finds that no more than 185.6 ACRE-FEET would be necessary for the proposed use. The amount of water requested, 185.6 ACRE-FEET OF STORED WATER, is allowable.

5. Clackamas 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 Marion 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. 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.

9. 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 upon payment of $1228 owed, Application S-72360 in the name of ROSS IVERSON be approved for PRIMARY AND SUPPLEMENTAL IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 524.0 ACRES as provided in the attached draft permit.

DATED February 20, 1996

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 April 5, 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 CLACKAMAS

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO.

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN, OREGON 97071

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

APPLICATION FILE NUMBER: S-72360

SOURCE OF WATER: IVERSON RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72359, A TRIBUTARY OF BUTTE CREEK

PURPOSE OR USE: PRIMARY AND SUPPLEMENTAL IRRIGATION AND AGRICULTURAL USE (NURSERY OPERATIONS) ON 524.0 ACRES

VOLUME/AMOUNT: 185.6 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE – Stored water only

DATE OF PRIORITY: April 28, 1992

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 24, T 5S, R1W, W.M.;

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	PRIMARY	SUPPLEMENTAL
NW 1/4 SW 1/4		45.7 ACRES
SW 1/4 SW 1/4		43.5 ACRES
	SECTION 19	
	TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.	
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4		3.0 ACRES
	SECTION 13	
NE 1/4 NE 1/4		12.6 ACRES
SE 1/4 NE 1/4		19.6 ACRES
	SECTION 23	
NE 1/4 NE 1/4	9.4 ACRES	0.1 ACRES
NW 1/4 NE 1/4	8.2 ACRES	28.1 ACRES
SW 1/4 NE 1/4	13.3 ACRES	11.5 ACRES
SE 1/4 NE 1/4	4.8 ACRES	15.3 ACRES
	SECTION 24	
	TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.	

	PRIMARY	SUPPLEMENTAL
NE 1/4 NW 1/4		22.1 ACRES
NW 1/4 NW 1/4		26.8 ACRES
SW 1/4 NW 1/4		37.4 ACRES
SE 1/4 NW 1/4		39.0 ACRES
NE 1/4 SW 1/4		28.6 ACRES
SE 1/4 SW 1/4		0.9 ACRES
NE 1/4 SE 1/4		39.6 ACRES
NW 1/4 SE 1/4		34.1 ACRES
SW 1/4 SE 1/4	3.1 ACRES	9.9 ACRES
SE 1/4 SE 1/4		26.5 ACRES

SECTION 24
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided. The applicant is hereby directed to contact a ODFW Fish Passage Program coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

STANDARD CONDITIONS

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

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

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

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

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

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

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

Issued _____, 199_

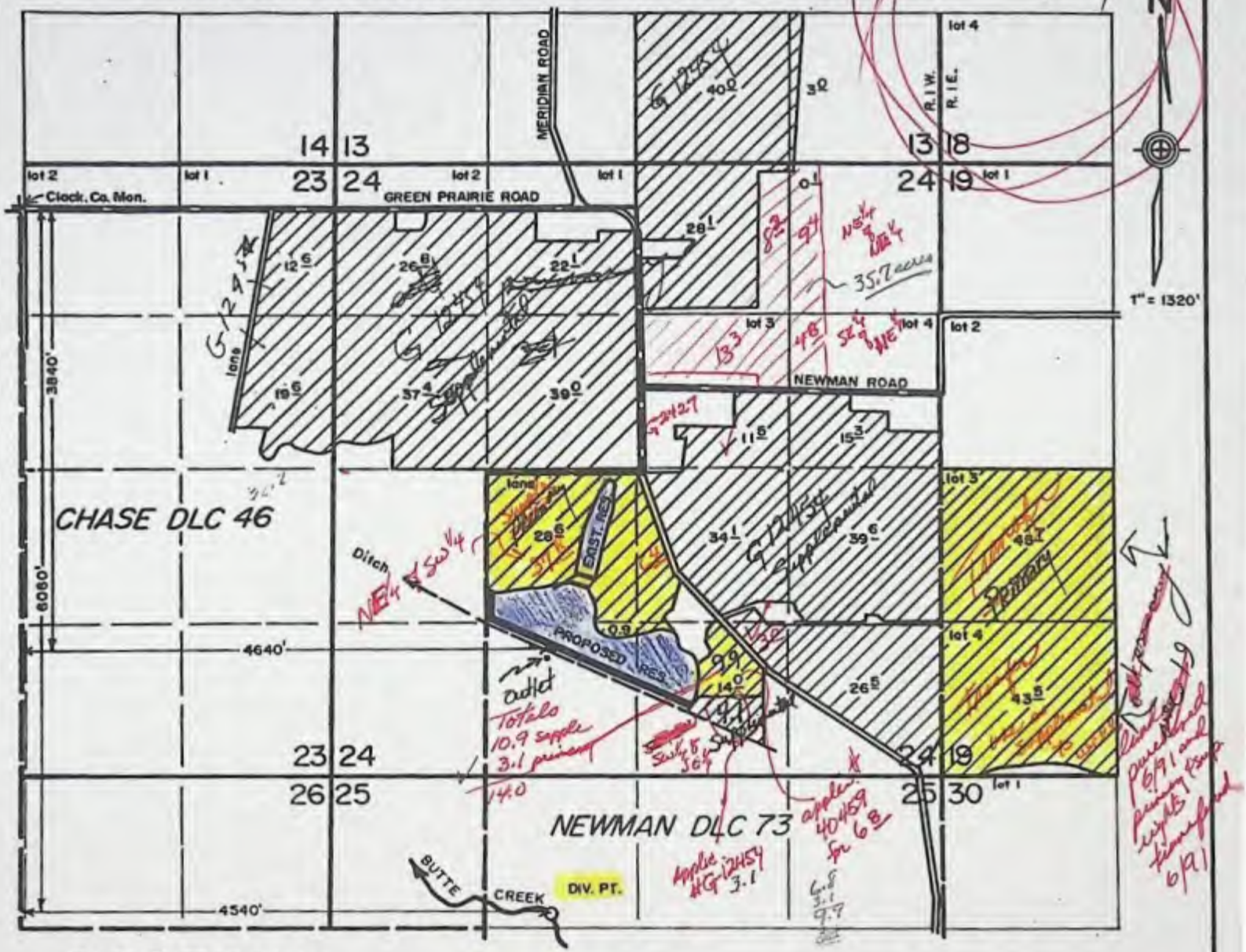
DRAFT

_____
Water Resources Department
Director

Township 5 South, Ranges 1 West & 1 East, W.M.

Work Sheet 1/11/96

Section 24 and Portions of Sections 13, 14, 23, 25 and 26 in Range 1 West & Portions of Sections 19 and 30 in Range 1 East



RECEIVED
APR 28 '92
WATER RESOURCES DEPT
SALEM, OREGON

= Primary Irrigation remaining acreage Included under G 12454 See map

Appl. No. R-72359
Per. No. _____

Earlier Application

Has been with Irr. S-71380
per applicant request 11/20/95 G 12454

G-7760
55486 – R55485
40459

Application Map for

ROSS IVERSON

Certified Water Right Examiner
#026 WRE
Donald R. Buell
Donald R. Buell
Nov 19, 1987
STATE OF OREGON

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.

4-20-92

RECEIVED
MAR 22 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Oregon
DEPARTMENT OF
FISH AND
WILDLIFE
SALEM DISTRICT
OFFICE

March 20, 1996

Water Rights Section
Water Resources Department
158 12th Street NE
Salem, OR 97310

Re: Applications #R-72359 & S-72360; Proposed Final Orders
Iverson, Ross
Clackamas County
Butte Cr. and Iverson Reservoir; 185.6 acre-ft

Application R-72359 requests appropriation of water from Butte Cr. and surface runoff for storage in Iverson Reservoir. ODFW has previously stated that any withdrawal of water from Butte Cr. must be screened to prevent fish from entering the diversion. Since the reservoir is to be constructed off-channel, fish passage facilities will not be required on that dam. Any diversion structure placed in Butte Creek will require that fish passage be provided.

Application S-72360 requests appropriation of water stored in the reservoir for irrigation. Since fish will already have been screened out of the reservoir, additional fish screens on the irrigation pumps will not be necessary.

Thank you for the opportunity to review the PFOs.

Sincerely,

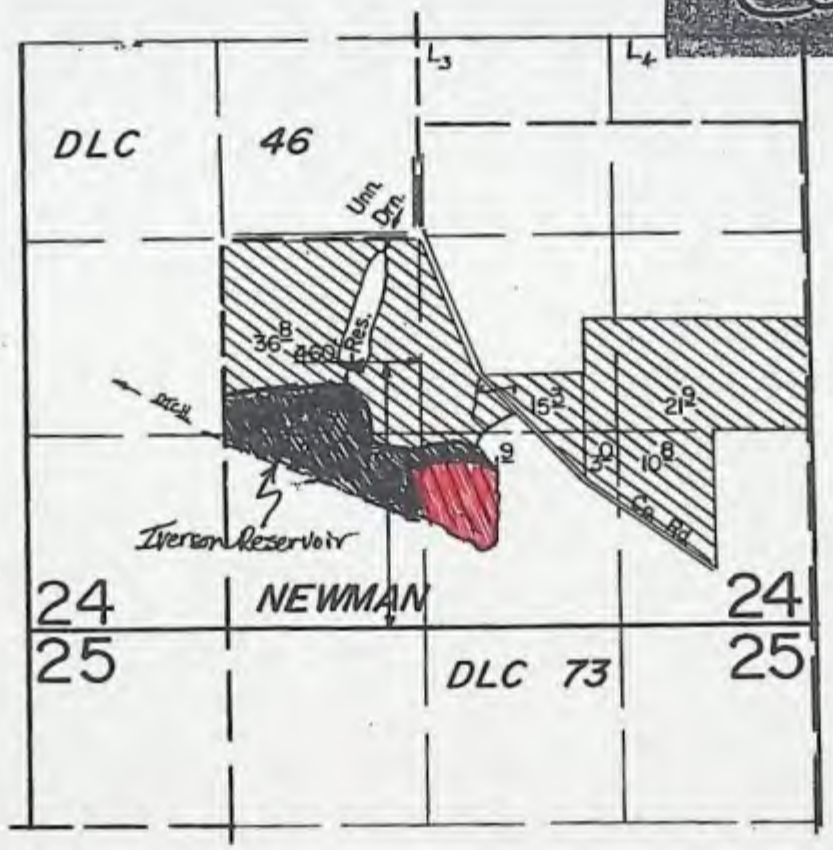
Wayne L. Hunt

Wayne L. Hunt
Ass't District Fish Biologist

c: Liverman, HCD
Ross Iverson

4412 Silverton Road NE
Salem, OR 97305
(503) 378-6925
FAX (503) 378-6233

T.5S., R.1W., W.M



Scale: 1" = 1320'

FINAL PROOF SURVEY

UNDER

R-55485 R-6573

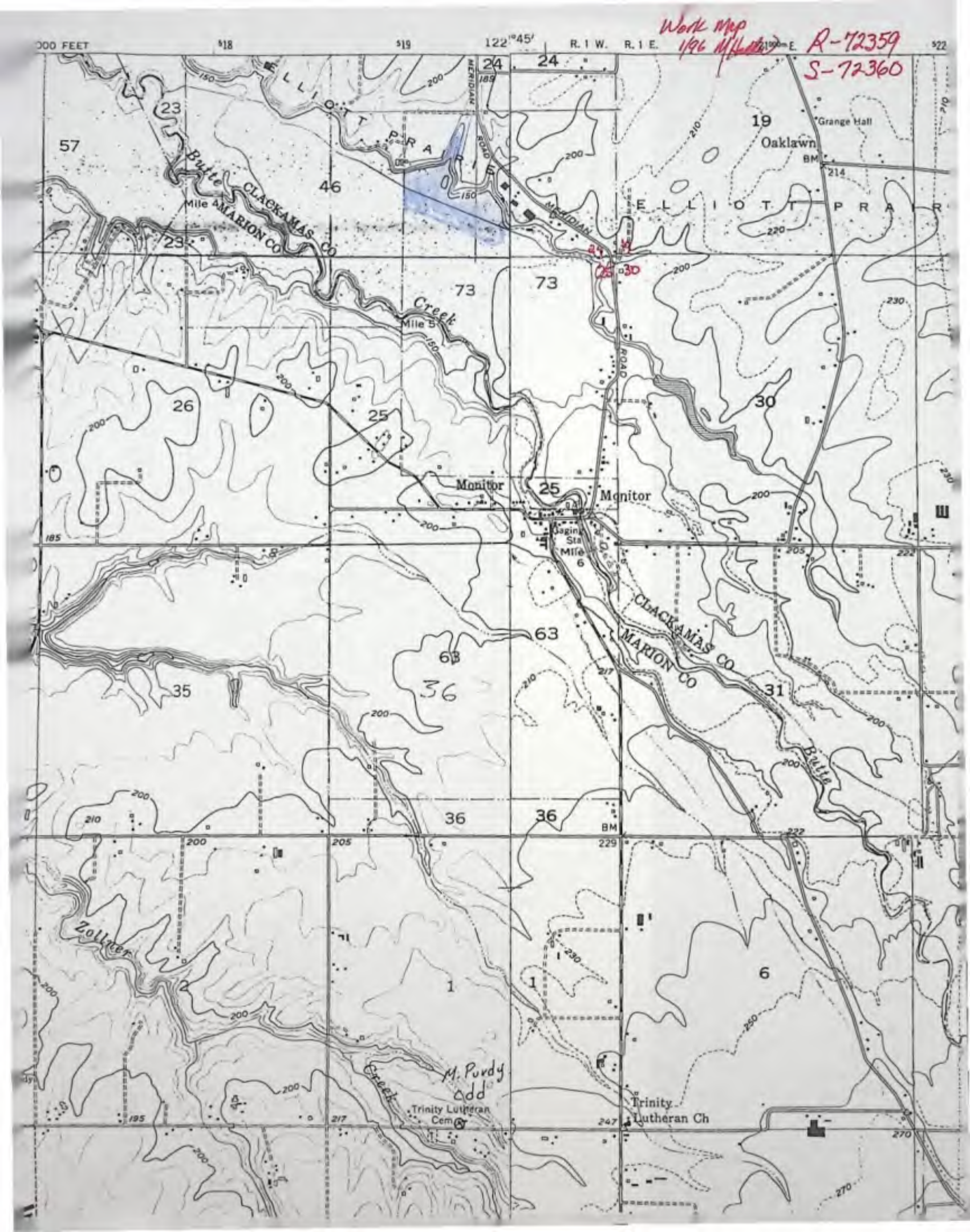
Application No. 55486 Permit No. 41509

IN NAME OF

VAN VEEN NURSERIES, INC.

Surveyed JULY 16, 1985, by T. Warren

BFK-2LL-24
41005-278-139 D
BFK-SLL-172
TMW


Work Map
1/96
R-72359
S-72360
000 FEET
518
519
122°45'
R. 1 W.
R. 1 E.
522
ELLIOTT PRAIRIE
Butte
CLACKAMAS CO
MARION CO
Mile 4
Mile 5
Mile 6
Creek
ROAD
MERIDIAN
Grange Hall
Oaklawn
BM
214
Monitor
Jagins Sta
Zollner
M. Purdy
Odd
Trinity Lutheran Cem
Trinity Lutheran Ch
57
46
23
73
26
25
30
63
36
35
31
1
6
19

R-72359
.72360

WATER AVAILABILITY TABLE

Basin: Willamette
Water Availability Subbasin: 0104111000000000 (and Nested Subbasins)
Exceedance Level: 50
Time: 15:19 Date: 12/12/1994

Item #	W.A. Subbasin	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
1	0100000000000000	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
2	0104000000000000	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES	YES
3	0104100000000000	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES	YES
4	0104110000000000	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	YES	YES
5	0104111000000000	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	YES	YES

STREAM NAMES

Basin: Willamette
Water Availability Subbasin: 0104111000000000 (and Nested Subbasins)
Time: 15:19 Date: 12/12/1994

WAB #	Stream Name	Tributary to
0100000000000000	WILLAMETTE R	COLUMBIA R
0104000000000000	MOLALLA R	WILLAMETTE R
0104100000000000	PUDDING R	MOLALLA R
0104110000000000	PUDDING R	MOLALLA R
0104111000000000	BUTTE CR	PUDDING R

LIMITING WATER AVAILABILITY SUBBASINS

Water Availability Subbasin: 0104111000000000
Basin: Willamette
Exceedance Level: 50
Time: 15:19 Date: 12/12/1994

Month	Limiting Subbasin	Stream Name	Water Available?	Net Water Available
1	0104111000000000	BUTTE CR	YES	269.0
2	0104111000000000	BUTTE CR	YES	255.0
3	0104111000000000	BUTTE CR	YES	198.0
4	0104111000000000	BUTTE CR	YES	152.0
5	0104111000000000	BUTTE CR	YES	67.9
6	0104111000000000	BUTTE CR	NO	-16.2
7	0104000000000000	MOLALLA R	NO	-39.1
8	0104000000000000	MOLALLA R	NO	-38.5
9	0104000000000000	MOLALLA R	NO	-14.9
10	0104000000000000	MOLALLA R	NO	-155.0
11	0104111000000000	BUTTE CR	YES	103.0
12	0104111000000000	BUTTE CR	YES	279.0
Stor	0104111000000000	BUTTE CR	YES	79400.0

DETAILED REPORT OF ISWRs

Basin: Willamette
Stream: BUTTE CR > PUDDING R
Water Availability Subbasin: 01041110000000000
Time: 15:19 Date: 12/12/1994

	ISWRs				
APP # :	69799A	0	0	0	RESULTANT
STATUS:	Cert.				
1	75.0	0.0	0.0	0.0	75.0 C
2	75.0	0.0	0.0	0.0	75.0 C
3	75.0	0.0	0.0	0.0	75.0 C
4	75.0	0.0	0.0	0.0	75.0 C
5	75.0	0.0	0.0	0.0	75.0 C
6	75.0	0.0	0.0	0.0	75.0 C
7	25.0	0.0	0.0	0.0	25.0 C
8	12.0	0.0	0.0	0.0	12.0 C
9	20.0	0.0	0.0	0.0	20.0 C
10	75.0	0.0	0.0	0.0	75.0 C
11	75.0	0.0	0.0	0.0	75.0 C
12	75.0	0.0	0.0	0.0	75.0 C

DETAILED REPORT OF CONSUMPTIVE AND STORAGE AFTER 01/01/1993

Basin: Willamette
Stream: BUTTE CR > PUDDING R
Water Availability Subbasin: 0104111000000000
Time: 15:19 Date: 12/12/1994

Month	Consumptive Use			Storage		
	Apps.	Permits	Certs.	Apps.	Permits	Certs.
1	0.44	0.00	0.00	0.16	0.00	0.00
2	0.44	0.00	0.00	0.17	0.00	0.00
3	0.47	0.00	0.00	0.12	0.00	0.00
4	0.58	0.00	0.00	0.09	0.00	0.00
5	1.07	0.00	0.00	0.04	0.00	0.00
6	0.00	0.00	0.00	0.00	0.00	0.00
7	0.00	0.00	0.00	0.00	0.00	0.00
8	0.00	0.00	0.00	0.00	0.00	0.00
9	0.00	0.00	0.00	0.00	0.00	0.00
10	0.00	0.00	0.00	0.00	0.00	0.00
11	0.44	0.00	0.00	0.06	0.00	0.00
12	0.44	0.00	0.00	0.17	0.00	0.00

DETAILED REPORT ON WATER AVAILABILITY

Basin: Willamette
Stream: BUTTE CR > PUDDING R
Water Availability Subbasin: 0104111000000000
Exceedance Level: 50
Time: 15:19 Date: 12/12/1994

Month	Natural Stream Flow	CU + Stor Prior to 1/1/93	Water Available 1/1/93	CU + Stor After 1/1/93	Net Minimum Flow	Instream Water Rights	Net Water Available
1	346.00	1.00	345.00	0.61	344.00	75.00	269.00
2	332.00	1.00	331.00	0.62	330.00	75.00	255.00
3	274.00	0.00	274.00	0.59	273.00	75.00	198.00
4	229.00	1.00	228.00	0.68	227.00	75.00	152.00
5	148.00	4.00	144.00	1.11	143.00	75.00	67.90
6	67.80	9.00	58.80	0.00	58.80	75.00	-16.20
7	27.00	15.70	11.30	0.00	11.30	25.00	-13.70
8	14.70	12.50	2.18	0.00	2.18	12.00	-9.82
9	16.80	6.20	10.60	0.00	10.60	20.00	-9.40
10	27.00	0.50	26.50	0.00	26.50	75.00	-48.50
11	179.00	0.00	179.00	0.51	178.00	75.00	103.00
12	356.00	1.00	355.00	0.61	354.00	75.00	279.00
Stor	121000	3110	118000	283	123000	43800	79400

TECHNICAL REVIEW CHECKLIST

11/4/94

1. Application: 72360

2. Review Date: 12/13/94

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

SUMMARY

S — Land Use

NA/yes/no — Substantial SW interference w/GW (if yes, see results of surface water availability analysis)

U — Conflicts

S — Water Availability (0104 1110 Butte Creek)
(Water Availability Sub-basin#)

U — The application, map and supporting data are complete and free of defects. oath, fees, legal assessment

yes/NA — A TMDL letter has been received for this source or tributary. If yes, the period of use has been adjusted. Stored water only

3. DKP 2/9/95 MH — 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. An oath is required before a permit is issued regardless of the application's priority date.

5. U — Application fees:

Nursery operations
Supp for 488.4

Examination fee:	$200
Recording fee:	$1158
TOTAL REQUIRED	$1358
TOTAL SUBMITTED	$200
AMOUNT DUE prior to issuance of permit	$1158
AMOUNT OVERPAID refund due applicant	$

Application amended 11/95; increased acreage to 514 ac

280' Exm 489 acres
$180
1088 IRR ($100) First 10
100/Acre $2 x 479 = (958)
514 = 1028

paid 428 (-200) = $1228

Mark Hunter 2/96

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

7. S — A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3). (A CWRE map is not required for applications filed before November 9, 1987.) Don Buell #26

8. U — A written copy of the legal description of the property on which the water is to be used.

9. u — A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

10. S — No statement of ownership was required for applications filed before August, 1990.

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 — One or more of the use(s) are allowed under the basin program; OAR 690 - _____. _____ Initials

Uses applied for: _____

Discussion: Battle Creek _____

_____

_____

_____.

Water Quality Check

14. NA — DEQ has provided notice to the WRD concerning limitations of appropriation from surface water sources designated as TMDL streams. This application does not propose to appropriate water from a source that has been identified by the DEQ as a TMDL stream.

Limited to Storage water only

15. S — This application proposes to appropriate water from a source that has been identified by the DEQ as a TMDL stream and has been limited to months when water quality will not be impaired.

Land Use Compatibility: As expressed by the Planning Department of CLACKAMAS County

15. 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 401).

16. NA — The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

17. NA — 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 reservoir applications:

18. NA — Plans, specifications and supporting information for the dam and impoundment area must be approved by dam safety before a technical review is issued. Plans and specifications are not required for dams less than 10 feet in height and store less than 9.2 acre-feet. (OAR 690, Div 20)

TECHNICAL REVIEW CHECKLIST

Application: 72360

Review Date: _____

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

SUMMARY

____	Completeness
S	Land Use
____	GW Interference (if potential interference with surface water, see results of water availability analysis)
U	Conflicts ALSO NEED TO IDENTIFY RESERVOIR IN SEC. 24 / TR INPUT OUT ON 71380 TO RES. @ 7EVE → W/ MANY, ON 71380 TO GR3
____	Water Availability

NA 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.

S No oath is required because application was filed before June 5, 1992.

U Application fees:

Examination fee:	$ 200
Recording fee:	$ 1058
TOTAL REQUIRED	$ 1258
TOTAL SUBMITTED	$ 200
AMOUNT DUE prior to issuance of permit	$ 1058
AMOUNT OVERPAID refund due applicant	$ _____

100 1st 10 ACRS
$2 per ACRE ENHANCEMENT @ 10
488.4 $958 IRR
489 100 AG
-10 1058
479
2
$958

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

S A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3).

NA A CWRE map is not required for applications filed before November 9, 1987.

U — A written copy of the legal description of the property on which the water is to be used.

S — A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

____ No statement of ownership was required for applications filed before August, 1990.

____ The report from watermaster has been received.

____ The proposed use is not restricted or prohibited by statute.

____ 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.

____ _____ use(s) is/are classified uses(s) under the _____ Basin Program, OAR 690 -_____.

____ The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

As expressed by the Planning Department of Clackamas County.

____ 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 401). allowed outright.

NA The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

NA 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:

NA A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

NA The report from groundwater section has been received.

For reservoir applications:

S Plans, specifications and supporting information for the dam and impoundment area.

See R 72359

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # 72360

WATERWATCH —

ODF&W - County: CLACKAMAS

WATERMASTER #: 16

REGIONAL MANAGER: NW

CWRE: Don Buell #26

DEQ —

OREGON ASSOCIATION OF NURSERYMEN INC. —

KEN STAHR —

DIVISION 33 LIST: ___ ODFW - Portland Office; COLUMBIA RIVER INTERTRIBAL FISH COMMISSION; NORTHWEST POWER PLANNING COUNCIL; U.S. FISH & WILDLIFE SERVICE; AND NATIONAL MARINE FISHERIES

OTHER ADDRESSES: See Attached List

CASEWORKER (initials/date) JP 12/13/94 ORIGINAL TO APPLICANT 12/6/94

Oregon

WATER
RESOURCES
DEPARTMENT

January 8, 1996

ROSS IVERSON
33739 S MERIDIAN RD
WOODBURN OREGON 97071

RE: Application File # S-72360 and R-72359

Dear Mr Iverson,

The Water Resources Department is currently reviewing your application for water use. Preliminary review indicates the following items were not included with your application:

- An oath that the information in the application is true and accurate. Please sign and return the enclosed oath.
- Your application indicates you may not own all lands crossed by your proposed water works. Please complete and return the enclosed OWNERSHIP/EASEMENT FORM.

In order to expedite the processing of your application, we request that you submit these items by **JANUARY 31, 1996**. I have enclosed a stamped envelope for your use.

Should you have any questions regarding your application or the required materials listed above, please call me personally at 1-800-624-3199 extension 458.

Sincerely,

Jerry Gainey
Completeness Team

Enclosures

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

REMARKS: FRANK SPIES
5090 S. ELLIOT PRAIRIE
WOODBURN OR 97071

VAN VEEN NURSERY
33814 S. MERIDIAN RD
WOODBURN, OR 97071

MRS. RAYMOND MONNIER
17614 MONNIER RD NE
HUBBARD, OR

CLACKAMAS CO. PUBLIC WORKS
168 Warner-Milne Rd
Oregon City OR 97045

STEVE SCHNEIDER
33085 S. MERIDIAN RD
WOODBURN, OR 97071

ROY THAYER
33502 S. MERIDIAN RD
WOODBURN, OR 97071

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.

x [signature] 3-16-91
Signature of Applicant *Date*

Signature of Co-Applicant, if any *Date*

COMPLETENESS DETERMINATION CHECKLIST

Completed 2/96 JB

Application #	Review Date	Reviewer
S-72360	9/12/95	Jerry G

A checkmark (✓) indicates that the item is incomplete or defective.

1. Examination fees (and recording fees, if for PFO/FO). 1,158 - due
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. lease agreement
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.

8/16/95

INITIAL REVIEW CHECKLIST

APPLICATION # S 72360
BASIN 2
WAB # 01641100 01L
POU-WAB 01041100+01041100

1. ✓ ITEMS NOTED AS MISSING BY COMPLETENESS TEAM ARE NOW IN FILE
2. ✓ GW - A, B, OR C (IF B OR C THEN 3b,d;4;5;6;8 DO **NOT** APPLY)

3. DETERMINATION OF WHETHER USE IS OR IS NOT ALLOWED BY...
   a ✓ BASIN PLAN
   b ____ LEGISLATIVE WITHDRAWAL (ORS 538)
   c ✓ RULES
   d ✓ SCENIC WATERWAY (OTHER THAN WA ORS 390.826)
   e ✓ OTHER _____

4. N/A WATER AVAILABILITY(WA) CFS_____AF MONTHS_____
   50 % BEFORE JULY 17, 1992; 80 % LIVE FLOW 50 % STORAGE AFTER JULY 17, 1992

5. ✓ INSTREAM WATER RIGHT EXEMPTIONS ARE DOCUMENTED ON WATER AVAILABILITY SHEETS

6. ✓ USE IS NOT FROM A BOR PROJECT OR A SIGNED CONTRACT IS IN THE FILE

7. ✓ GROUND WATER REVIEW HAS BEEN EVALUATED (USE WA DATABASE IF GW A)
   REQUIRED CONDITIONS (GENERIC 7B)_____
   _____

8. DIVISION 33 HAS BEEN ADDRESSED...
   a ✓ SEASON FOR DIRECT FLOW (ABOVE BONN ONLY)_____
   b ✓ WATER QUALITY PARAGRAPH
   c ✓ EFFICIENCY DESCRIPTION (BELOW BONN AND MORE THAN 1 CFS)

9. ✓ PLAT CARDS HAVE BEEN CHECKED AND A COPY OF THE MAP IS ATTACHED SHOWING THE CONFLICT WITH_____
   STORAGE

10. ____ IRRIGATION SEASON Mar 1 - Oct. 31 (DECREE, BASIN PLAN, PERMIT, GENERIC)

11. ✓ RATE & DUTY 2.5 (DECREE, BASIN PLAN, PERMIT, GENERIC)
    GROUND WATER ALWAYS GENERIC FOR RATE AND DUTY
    # OF ACRES PRI_____SUPP 524.9 NOT SURE_____

12. ✓ ALL DOCUMENTS USED IN EVALUATION ARE ATTACHED AND HIGHLIGHTED AND PACKET IS STAPLED TOGETHER

13. ✓ ISSUES HINDERING PROCESS_____

14. 16 WATERMASTER #

15. ✓ REGNL MANGER - SEND COPY(SW,SC,E) DO NOT SEND COPY TO (NW) NC)

16. ____ BASIN # AND WAB # ARE ADDED & SPELL ✓ HAS BEEN COMPLETED

17. ✓ LETTER WAS SAVED FROM M:\T\IR\WORK TO M:\T\IR\SENT

NAME Cindy Smith DATE 11/21/95

Application No. 72360
Permit No.

Land Use Information For Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: ROSS IVERSON
Address: 33739 S. MERIDIAN RD.
City: WOODBURN *State:* OR *Zip:* 97071 *Day Phone:* 634-2331

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use , or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
55-1W-13-2500	EFU-20			X
55-1W-23-100	EFU-20			X
55-1W-24-400, 401, 403, 300, 500, 600, 700, 800, 1000	EFU-20	X	X	X
55-1E-19-1600	EFU-20			X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. CLACKAMAS
The following section must be completed by a planning official from ***each*** *county and city listed* ***unless*** *your project will be located* ***entirely within city limits.*** *In this case, only the city planning agency must complete this form. Please request extra forms as needed.*

For Local Government Use Only

Local 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):* 401 *. 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: CLACKAMAS COUNTY
Staff Contact: MIKE McCALLISTER *Phone:* _____
Signature: Mike McCallister *Date of Information Request:* 4/28/92

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: MIKE McCallister
Title: PLANNER II
Signature: Mike McCallister

Date: 4/28/92
Phone: 658-3521

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:

EFU-20 zoning district allows irrigation and fish utility, & uses customary

Oregon Water Resources Department
3850 Portland Rd. NE
Salem, OR 97310
378 - 3671

Planning Official Initials: MTM

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: ROSS IVERSON
Address: 33739 S. MERIDIAN RD
WOODBURN, OR 97071

Phone: 634-2331

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

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): ROW CROPS - NURSERY
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.) _____
- ☒ Fish and Wildlife (pond, hatchery, etc.) FARM POND
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. _____ Gallons per minute. 250 Acre-Feet
☒ Reservoir or pond	
☐ Ground Water	

Water Resources Department, 3850 Portland Rd. NE, Salem, OR 97310
Phone: 378-3671

add to file
72360
Deer Butte Creek

RECEIVED
JUL 18 1994
WATER RESOURCES DEPT.
SALEM, OREGON

Date: 5-13-94

I am aware of Ross Iversons application #G12454 for permit to use water for irrigation of our lands from his wells and have no objection to this.

Roy Thorpe
Landowner

RECEIVED
JUL 18 1994
WATER
SALEM, OREGON

Date: 5-13-94

I am aware of Ross Iversons application #G12454 for permit to use water for irrigation of our lands from his wells and have no objection to this.

Sharon L. Schneider

Landowner

RECEIVED
JUL 18 1994
WATER
SALEM, OREGON

Date: 5-20-94

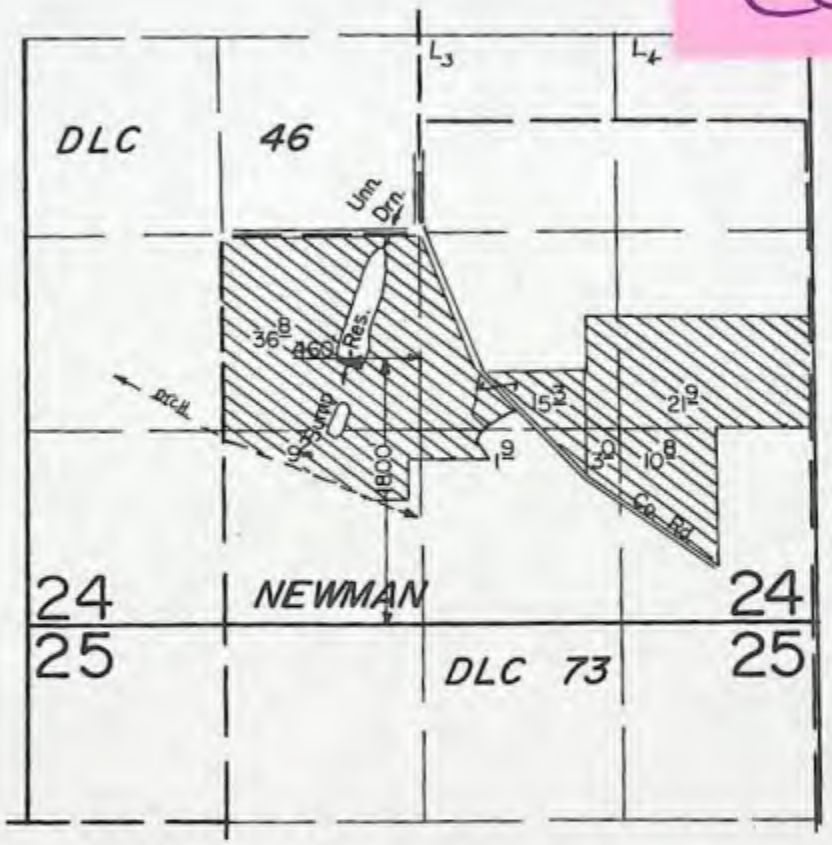
I am aware of Ross Iversons application #G12454 for permit to use water for irrigation of our lands from his wells and have no objection to this.

Arlene M. Morrison
Landowner

90684

PART of THIS RIGHT WILL BE UNDER PROPOSED RESERVOIR FILE - R-72359 CONFLICT

T.5S., R.1W., W.M



Scale: 1" = 1320'

FINAL PROOF SURVEY

UNDER

R-55485 R-6573

Application No. 55486 Permit No. 41509

IN NAME OF

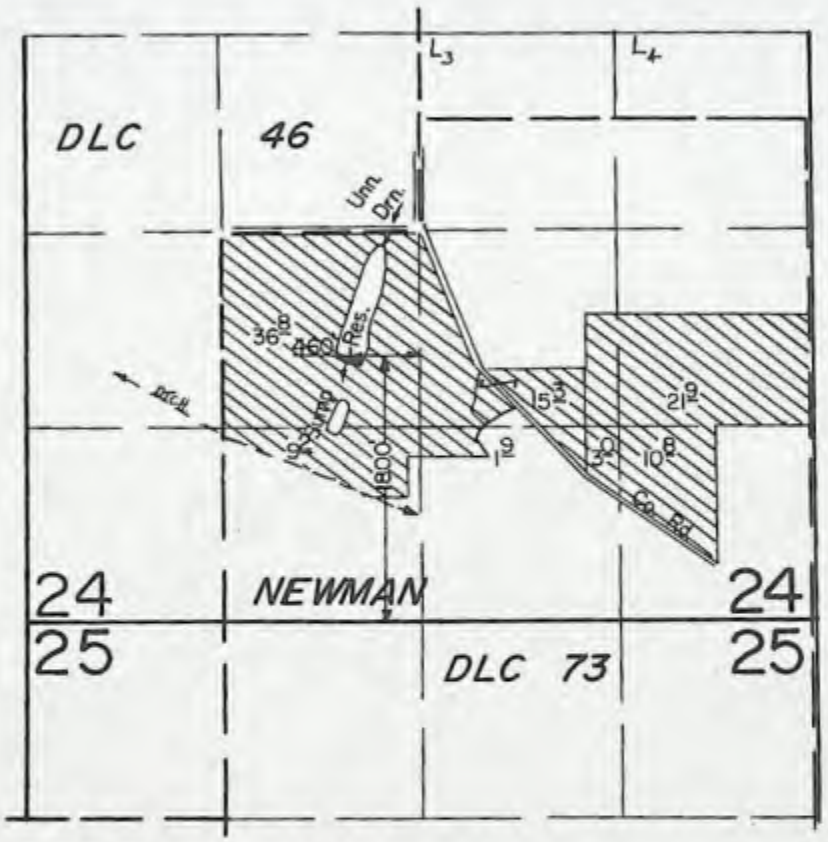
VAN VEEN NURSERIES, INC.

Surveyed JULY 16, 1985, by T. Warren

OFR-244-24
41005-278-139 D
OFR-SLL-172
TDW

90684

T.5S., R.1W., W.M.



Scale: 1" = 1320'

FINAL PROOF SURVEY

UNDER

R-55485 R-6573

Application No. 55486 Permit No. 41509

IN NAME OF

VAN VEEN NURSERIES, INC.

Surveyed JULY 16, 1985, by T. Warren

OFK-2LL-24
41005-270-139 D
OFM-32L-112
TMW

RECEIVED
NOV 2 0 1995
WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12TH STREET NE
SALEM, OR. 97310-0210

REF: FILE 71380

PLEASE WITHDRAW MY APPLICATION 71380 AND PROCEED WITH PROCESSING APPLICATIONS G-12454, R-72359 AND 72360.

I WILL TRANSFER THE EXISTING RIGHTS FROM THE PROPOSED RESERVOIR SITE TO OTHER LANDS OWNED BY ME.

11-20-95
Don Larson

WATER AVAILABILITY REPORT-SURFACE WATER APPLICATION

Name of Applicant Iverson Application Number R-72359 72360

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

Yes X No ____

If yes, please explain. Butte Cr. get regulated during most years

2. Has the stream or basin that is the source for this application ever been regulated for minimum streamflows?

Yes ____ No X

If yes, please explain.

3. Do you observe this stream system during regular field work?

Yes X No ____

If yes, what are your observations for the stream. Use of other exceeds flow during late Summer.

4. Based on your observations, would there be water available in the quantity and at time needed to supply the development proposed by this application.

Yes X No ____ Don't Know ____ , for storage of winter flows

What would you recommend for conditions on a permit, that may be issued approving this application?

5. Any other recommendations you would like to make?

Signature [signature] WM District # 16 Date 5/12/2

Oregon

WATER
RESOURCES
DEPARTMENT

May 1, 1992

ROSS IVERSON

33739 S MERIDIAN RD
WOODBURN, OR 97071

REFERENCE: File(s) R-72359, S-72360

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

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

APPLICATION PROCESS OUTLINE

APPLICATION FILE # ~~72360~~
PRIORITY DATE _____

DATE	INITIALS	MINIMUM REQUIREMENTS TO FILE
____	_____	Name and mailing address
____	_____	Source of water
____	_____	Quantity of water
____	_____	Location of project
____	_____	Use of water
____	_____	Signature of applicant
____	_____	Allowable use by policy
____	_____	State Engineer withdrawal
____	_____	Legislative withdrawal
____	_____	Land use approved _____ pending _____

FIELD OPERATIONS

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

SUPPORT SERVICES

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

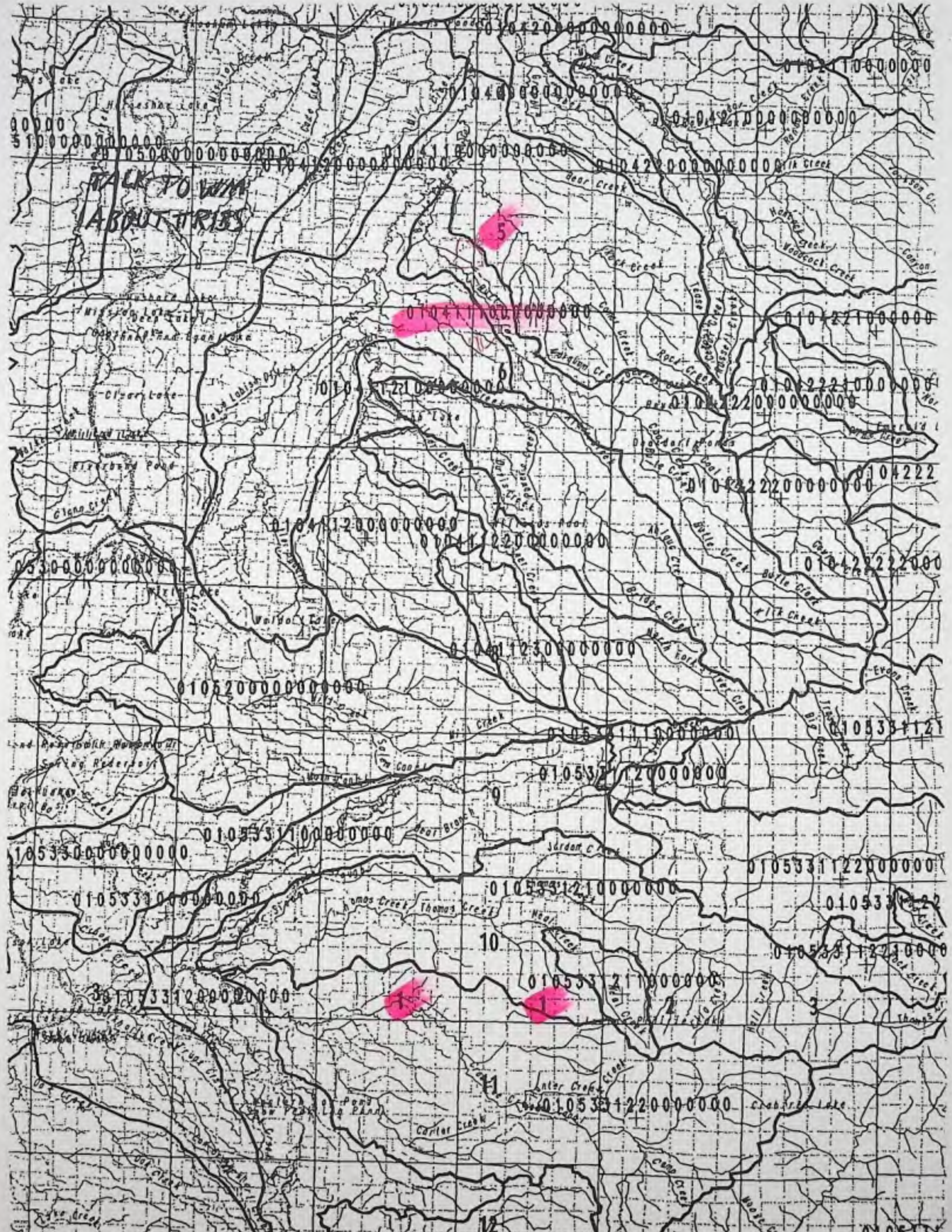
FIELD OPERATIONS

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

EXAMINATION FEE: _____
RECORDING FEE: _____
_____
_____
TOTAL: _____
REFUND: _____
DEFICIENT: _____

REMARKS: _____

0639W/10-10-91


TALK TO WIM
ABOUT THIS

WaterWatch
OF OREGON

RECEIVED
MAY 1 1992
WATER RESOURCES DEPT
SALEM, OREGON

May 8, 1992

Stephen C. Brown
Water Resources Department
3850 Portland Rd. N. E.
Salem, OR 97310

RE: Application for Permit #R72359, 72360, Ross Iverson
Butte Cr. Basin, Marion Co., 250 af, Various

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? What exceedence level will the Department use when determining water availability?

What effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation, and a healthy aquatic system?

This water source may suffer from water quality problems. Has the Department consulted with the Department of Environmental Quality to determine the effect this proposed withdrawal will have on water quality?

If this water source provides habitat to native fish during any phase of their life cycle, we request that the Department include conditions requiring the installation and maintenance of fish screening and bypass devices prior to any diversion of water.

Given the importance of surface water sources, 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 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 of the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR690-410-060(1). Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. OAR 690-410-060(2)(a). 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 a copy of the draft permit and consideration of and response to these questions.

Sincerely,

Jim Myron

bc:

Application No. 71380

Permit No.

MAR 2

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That DON O. IVERSON and SYLVIA M. IVERSON, husband and wife, in consideration of Ten and no/100 Dollars, to them paid by ROSS N. IVERSON and DOROTHY R. IVERSON, husband and wife, do hereby remise, release and forever QUITCLAIM unto the said ROSS N. IVERSON and DOROTHY R. IVERSON, husband and wife, and unto their heirs and assigns, all their right, title and interest in and to the following described real property, with the tenements, hereditaments and appurtenances, situated in the County of Clackamas State of Oregon, bounded and described as follows, to-wit:

[redacted] my hand and affixed my official

Beginning at the most Westerly Northwest corner of the John W. Newman D.L.C. No. 73 in Sections 24 and 25, T. 5 S. R. 1 W., W.M., in Clackamas County, State of Oregon; thence East along the North line of said claim 20.20 chains to an angle in said claim; thence South 21° 19' East along the center line of the County Road 8.195 chains; thence South 43° 52' East still along the center line of said County Road 16.35 chains to an iron pipe; thence South 23' East 52.45 chains to the center line of Butte Creek; thence following down the center of said Creek to the point of intersection of said center line of said creek with the West line of said Newman D.L.C.; thence North along the West line of the said Newman D.L.C. 59.50 chains to the place of beginning, containing 224.6 acres of land, more or less, together with and including all water rights and permits pertinent to or issued for the use and benefit of said premises, and also that certain irrigation system and works located and in use on said above described premises, including all the equipment, pumps, pipe lines and appliances, specifically named and itemized by separate inventory, marked "exhibit A", attached to that certain contract of sale dated January 15, 1951, covering said premises, by and between Earl E. Troeh and Barbara E. Troeh, his wife, as First Parties, and Don O. Iverson and Sylvia M. Iverson, his wife, and Ross N. Iverson and Dorothy R. Iverson, his wife, as Second Parties.

EXCEPT, HOWEVER, from the above described premises, that one certain machine shed and fixtures and installed hop-picking machine housed therein on said premises, and reserving the right to enter said premises for purpose of using and operating said hop-picking machine at the will of the First Parties to said contract, Earl E. Troeh and Barbara E. Troeh.

ALSO, all that part of that certain 26 acre tract of land located in Sections 24 and 25, T. 5 S. R. 1 W., W.M., Clackamas County, Oregon, lying and being West of the County Road, said 26 acre tract being more particularly described in a certain deed given by Wilbur H. Marvin and Lynn E. Marvin, his wife, to Hans T. Jensen, recorded in Clackamas County, Oregon, Deed Records, Volume 76, Page 251, on June 3, 1901, said part of said 26 acre tract lying West of said County Road, and being included in said contract, comprising less than one acre of land.

To Have and to Hold the same unto the said Ross N. Iverson and Dorothy R. Iverson, husband and wife, their heirs and assigns forever.

Witness their hands and seals this 25th day of February, 1957.

Lot 1000 55 1W Sec 24

Application No. 71380

Permit No.

KNOW ALL MEN BY THESE PRESENTS, That Ralph Martino, a single person, grantor, in consideration of Ten and no/100---------- Dollars, to him paid by Raymond Bonnier, a single person, grantee, does hereby grant, bargain, sell and convey unto the said grantee, his heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Clackamas and State of Oregon, bounded and described as follows, to-wit:

Part of sections 13 and 24, in T.5.S.R.1.W. of W.M., described as:

Beginning at a point in the quarter section line of section 13, 14.00 chains south of the south line of the N. Elliott D.L.C. in said section 13; thence south on quarter section line and the quarter section line of section 24, a distance of 39.00 chains; thence east 15.50 chains; thence north 18.00 chains to an oak tree 30 inches in diameter in the year 1888; thence east 5.00 chains, more or less, to the southwest corner of a tract of land conveyed to Rasmus Peterson by deed recorded in book 117, page 622, deed records of Clackamas County, Oregon; thence north 3 degrees 29' East along the west line of said Peterson land 21.09 chains to the northwest corner thereof; thence west 21.75 chains, more or less, to the place of beginning, containing 74 acres, more or less.

Subject to the rights of the public in and to public roads.

To Have and to Hold the above described and granted premises unto the said grantee, his heirs and assigns forever.

And the grantor do covenant that he is lawfully seized in fee simple of the above granted premises free from all encumbrances, and that he will and his heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

Witness his hand and seal this 16th day of July, 19 64.

Ralph Martino (SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF OREGON, County of Marion } ss.

On this 16th day of July, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Ralph Martino who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

James [illegible]
Notary Public for Oregon.
My commission expires May 13, 1967

WARRANTY DEED

Martino

TO

Bonnier

AFTER RECORDING RETURN TO

Mr. [illegible]

STATE OF OREGON, County of Clackamas } ss.

I hereby certify that the within instrument was received for record on the 21st day of July, 1964 at 1-45 o'clock P.M., and recorded in book M64 on page 6403 or as fee/file/instrument/microfilm/reception No. 64-21405, Record of Deeds of said County.

Witness my hand and seal of said County affixed.

COUNTY CLERK

By [illegible] Deputy

Fee $3.00

Application
Permit 71380

EXHIBIT "A"

No. 84-41

091-001 5IW 24 00400

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

A tract of land in the Thomas J. Chase D. L. C. No. 46, in Section 24, Township 5 South, Range 1 West, of the W. M., described as follows:

Beginning at the northeast corner of said Thomas J. Chase D. L. C.; thence West along the north line of said D. L. C. 2062.5 feet to the northwest corner of the tract described in deed to Carole Schneider, recorded December 26, 1973, as Recorder's Fee No. 73 39504, Film Records; thence South along the west line of said Schneider tract, 1200.14 feet to the southwest corner thereof and the true place of beginning of the tract herein to be described; thence South along the west line of the tract described in deed to Alice F. Schneider, recorded June 8, 1951, in Book 445, page 277, Deed Records, 1030 feet to the northwest corner of the tract described in deed to Sarah Etta Watts, recorded February 7, 1923, in Book 169, page 387, Deed Records; thence East along the north line of said Watts tract 423.06 feet to the northeast corner thereof and the northwest corner of tract described in deed to Joseph L. Stanton, recorded February 7, 1973, in Book 169, page 388, Deed Records; thence East along the north line of the two parcels as described in said Stanton deed, 1754.28 feet to the east line of the Thomas J. Chase D. L. C.; thence Northerly along the east line of said Chase D. L. C. 1030 feet, more or less, to the southeast corner of tract described in deed to Steven Schneider, recorded December 26, 1973, as Recorder's Fee No. 73 38503, Film Records; thence West along the south line of the said Steven Schneider tract and the said Carole Schneider tract 2170 feet, more or less, to the true place of beginning.

RECEIVED

MAR 21 1991

2

The description has been prepared by Ticor Title Insurance Company, but the company assumes no responsibility for its accuracy, until a complete examination of the title has been made.

STATE OF OREGON
County of Clackamas

I, Juanita N. Orr, County Clerk, Ex-Officio Recorder of Conveyances of the State of Oregon, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said County at

1984 SEP 14 AM 11:59

Witness my hand and seal affixed.

JUANITA N. ORR
County Clerk

Recording Certificate 84 32392

CCP-R4

Application No. 71380
Permit No.

REAL PROPERTY LEASE

This Lease is made and entered into this 19th day of April, 1988, between PAUL IVERSON (hereinafter called "Lessor"), and VAN VEEN NURSERIES, INC. (hereinafter called "Lessee").

In consideration of the covenants and promises herein contained to be kept and performed by Lessee, Lessor hereby leases unto Lessee for the term hereinafter specified those certain farm premises consisting of approximately 14 acres of tillable land currently being used to grow Rhododendrons which is a portion of the property described as follows:

> Beginning at a point twenty (20) feet West of the Southeast corner of Section twenty-four (24), Township Five (5) South, Range One (1) West of the Willamette Meridian, in the County of Clackamas, State of Oregon, thence North 19.75 chains parallel to the East boundary of said Section twenty-four (24); thence West 9.33 chains; thence South 14.02 chains to the center of the County Road; thence South 57 degrees 30' East 9.13 chains; thence South 10 degrees 25' West 2.05 chains; thence South 87 degrees 45' East 2.00 chains; thence North 1.25 chains to the place of beginning.
>
> ALSO beginning at a point on the Willamette Meridian 3080 links South of the Northeast corner of John W. Newman D.L.C.; thence South 2093 links; thence West 30.3 links (20 feet); thence North 2093 links; thence East 30.3 links to the place of beginning being a part of the John W. Newman D.L.C. in Township Five (5), S.R. 1 West of the Willamette Meridian.
>
> EXCEPTING THEREFROM any portion of the above premises which may lie within Tax Lot 100 as now established and disclosed by the Clackamas County Assessors map dated June 5, 1968.

1. Term. The original term of this Lease shall be 20 years commencing with the date above written. Lessee shall occupy the premises continuously during the term of the Lease provided, however, that the Lessee shall have the option to cancel the Lease annually. Notice of intent to cancel shall be provided to the Lessor within 30 days of the anniversary date of the signing of this Lease and shall be effective on such anniversary date in any year in which the Lessee desires to cancel. If no notice of intent to cancel is given, this Lease shall continue as provided herein.

2. Rent. The rent on the property shall be One Hundred and no/100 Dollars ($100.00) per acre payable annually with the

4 cc

Application No. 71380
Permit No.

166-648

WARRANTY DEED

WILLIAM GLENN HALL and MAURINE HALL, husband and wife, Grantors, convey and warrant to ROSS N. IVERSON and DOROTHY R. IVERSON, husband and wife, as tenants in common, Grantees, the following described real property in Clackamas County, Oregon, free of encumbrances except as specifically set forth herein:

Part of Section 24, T. 5 S., R. 1 W., of the W. M., described as follows: Commencing at the Northeast corner of the D. L. C. of John W. Newman and wife in T. 5 S., R. 1 W., of the W. M.; running thence West along North boundary of said D. L. C. 22.73 chains; thence South 16.71 chains; thence East 22.73 chains; thence North 16.71 chains to the place of beginning.

ALSO, beginning in the East boundary of the John W. Newman D. L. C. No. 73, T. 5 S., R. 1 W., of the W. M. 16.71 chains South of an iron pipe driven at the Northeast corner of said claim; running thence West 22.73 chains to an iron pin driven in the ground; thence South 2.64 chains to a stake; thence East 22.73 chains to a stake driven in East boundary of the John W. Newman D. L. C. aforementioned; thence North tracing the East boundary of said claim 2.64 chains to the place of beginning.

SUBJECT TO: Rights of the public in and to that portion lying within streets, roads and highways.

ALSO SUBJECT TO: A lease, including the terms and provisions thereof, executed by and between William Glenn Hall, also known as William G. Hall, and Maurine Hall, also known as Stella Maurine Hall, husband and wife, lessor and TransOcean Oil, Inc., lessee, dated July 24, 1979, recorded January 21, 1980, Fee No. 80 2149.

ALSO SUBJECT TO: All liens and encumbrances placed upon the property or permitted by Grantees.

The true and actual consideration for this conveyance is $215,000.00.

Until a change is requested, all tax statements are to be sent to the following address: Ross N. and Dorothy R. Iverson, 33739 S. Meridian Rd., Woodburn, Oregon 97071.

DATED this 23 day of October, 1981.

William Glenn Hall

Maurine Hall

Recorded by Pioneer National Title Insurance Company

MAR 21 1991
WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON)
) ss.
County of Marion)

On October 23, 1981, personally appeared before me the above-named WILLIAM GLENN HALL and MAURINE HALL, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

VIN C Bute

Application No. 71380
Permit No.

21

FORM No. 713—BARGAIN AND SALE DEED (Individual or Corporate). STEVENS-NESS LAW PUBLISHING CO., PORTLAND, ORE.

1-1-74

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That ANNA M. SPIES, a widow *hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto* FRANCIS J. SPIES, a single person *hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of* Clackamas *, State of Oregon, described as follows, to-wit:*

All of my undivided interest in the following described real property:

Part of the Thomas J. Chase D. L. C. in T. 5 S., R. 1 W., of the W. M. described as:
Beginning 33.42 chains North 89° 17' East from the northwest corner of the Thomas J. Chase D. L. C. in T. 5 S., R. 1 W., of the W. M.: thence South 10° 22' West 28.40 chains to an iron rod; thence South 79° 8' East 4.197 chains to an iron rod; thence south 10 degrees 22' West 9.19 Chains to an iron pin; thence south 78° East 7 links; thence South 22° 13' West 26.00 chains to the center of Butte Creek; thence following up the center of said creek to a point 10 chains west and 1.03 chains north of the South east corner of section 23; thence south 27' east 8.25 chains to a buggy axel; thence north 88° 56' East 9.936 chains; thence north 8° 43' East 48.16 chains to an iron bolt; thence North 33.79 chains to an iron pin in the north line of said claim; thence South 89° 17' West along said North line 15.77 chains to the point of beginning in the County of Clackamasand the State of Oregon

5 1W 23 100

91-01

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ -0- *©However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which).© (The sentence between the symbols©, if not applicable, should be deleted. See ORS 93.030.)*

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 14 *day of* March *, 19* 75 *; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.*

Anna M. Spies

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Marion } ss.
March 14, 19 75

Personally appeared the above named Anna M. Spies and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Grace K. Andrews
(OFFICIAL SEAL) Notary Public for Oregon
My commission expires 5-25-1975

STATE OF OREGON, County of) ss.
, 19

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of , a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires:

Anna M Spies
Mt. Angel, Oregon
GRANTOR'S NAME AND ADDRESS

Francis J. Spies
Box 543
Mt. Angel, Oregon 97362
GRANTEE'S NAME AND ADDRESS

After recording return to:
James D. Fournier
195 Main Street
Mt. Angel, Oregon 97362
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address
Francis J. Spies
Box 543
Mt. Angel, Oregon 97362
NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
County of Clackamas }

I, George D. Popham, County Clerk, Ex-Officio Recorder of Conveyances and Ex-Officio Clerk of the Circuit Court of the State of Oregon, for the County of Clackamas, do hereby certify that the within instrument of writing was received for and recorded in my office in said county at 1975 MAY 14 AM 10 o'clock A.M., and duly recorded in Book M75 Page 12013

DEED

STATE OF OREGON,
Mar 2
Witness my hand and seal affixed.
GEORGE D. POPHAM
County Clerk
By Dorothy Swilley Deputy.
Recording Certificate 25

...VANCE CO

Application No. 1380

INSURED Permit No.

--ROY THAYER and LEONA THAYER--

The fee simple title to said land is, at the date hereof, vested in

--H. W. SCHRODER and ANNA SCHRODER, who took title as H. W. Schroeder and Anna Schroeder, as tenants by the entirety--

The land referred to in this policy is described as:

Part of the John W. Newman and wife D.L.C. #73 in Section 24, T.5.S.R.1.W., of the W.M., in the County of Clackamas and State of Oregon, described as:

Beginning at a point on the North line of the John W. Newman and wife D.L.C. #73 in T.5.S.R.1.W., of the W.M., 22.73 chains, more or less, west of the east line of Section 24 at the Northeast corner of a tract of land conveyed to Hans T. Jensen by deed recorded June 3, 1901 in Deed Book 76, Page 251; thence South 24.97 chains, more or less, to the southeast corner of a tract of land conveyed to H. T. Jensen and Maggie Jensen, his wife, by deed recorded November 6, 1919 in Deed Book 155, Page 279; thence North 89°02' West 10.60 chains, more or less, to the center line of the John S. Owings County Road; thence Northerly along said road to a re-entrant corner of said D.L.C.; thence North in said road and on the West line of said D.L.C. 11.43 chains, more or less, to an angular corner of said D.L.C.; thence East on North line of said D.L.C. 16.04 chains, more or less, to the place of beginning.

RECEIVED

MAR 21 1991

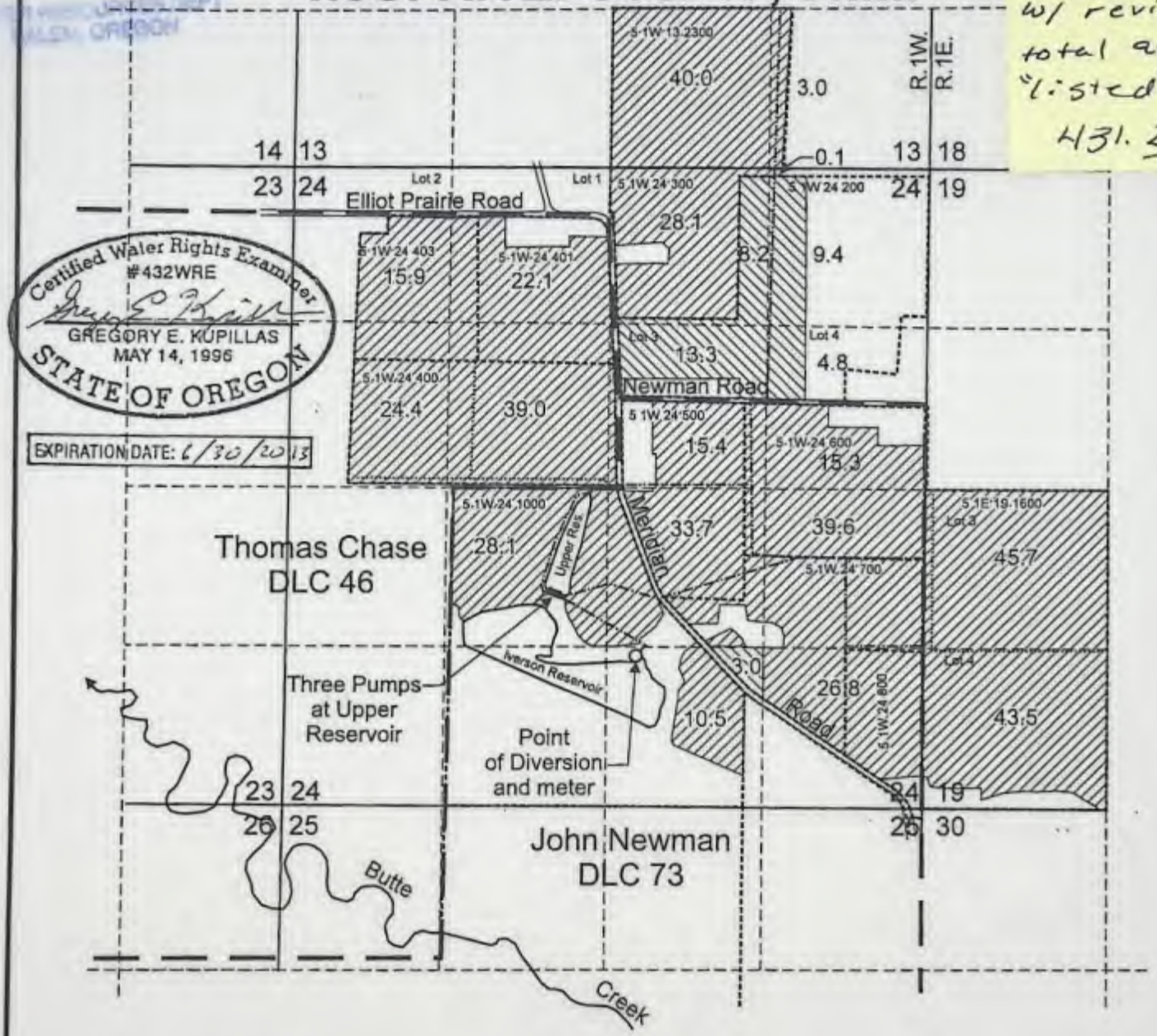
...RESOURCES D...

OTI-63

Superseded

5-18-16
Greg K. to send in map w/ revised total acres "listed."
431.2

T.5S. R.1W. Sec. 13 & 24
T.5S. R.1E. Sec. 19, W.M.



Certified Water Rights Examiner
#432WRE
GREGORY E. KUPILLAS
MAY 14, 1996
STATE OF OREGON

EXPIRATION DATE: 6/30/2013

Point of Diversion is located 1,220 feet north and 2,880 feet east from the SW corner, Section 24.

Area covered by Primary Irrigation and Agricultural Use (Nursery Operations) (38.7 Acres).

Area covered by Supplemental Irrigation and Agricultural Use (Nursery Operations) (431.1 Acres).

Tax lot boundary

Irrigation mainline burried

Donation Land Claim boundary

Irrigation mainline above ground

Scale: 1" = 1,320'

0 1,320 Feet

N

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.

IversonR72359COBU.cdr

Pacific Hydro-Geology Inc.

Claim of Beneficial Use Map
Application R-72359; Permit R-11827 & Application S-72360; Permit S-52392

Iverson Family Farms, Inc.

04/2013 T.5S. R.1W. Sec. 13 & 24; T.5S. R.1E. Sec. 19, W.M.