

SP-70900-119

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

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

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

Application No. G-11704

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, ISELI NURSERY, INC, the holder of Permit No. G-11025

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 24 day of SEPT, 1993.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 23 day of SEPT, 1993.

Greg Hill VP/Owner, ISELI Nursery, Inc.
(Signature of Applicant)

30590 SE Kelso Rd. Boring Oregon 97009
(Address)

Application No. G-11704

NOTICE OF COMPLETION OF CONSTRUCTION

I, ISELI NURSERY, INC, the holder of Permit No. G-11025
to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 16 day of AUGUST, 1993.

Remarks: well, pump, buried mainline, portable field line & traveling guns used to apply water
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of SEPT, 1993.

Greg Hill VP/Owner, ISELI Nursery, Inc.
(Signature of Applicant)

30590 SE Kelso Rd. Boring OR 97009
(Address)

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

7/17/91
James was in
& this fill was new
owner.
This should be redone as
a 'pre C'. New owner
needs to revamp this operation
JAKE

Form C (690-9-77)

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

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

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

Application No. 6-11704

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, DUANE SHERWOOD, the holder of Permit No. 6-11025

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1ST day of AUGUST, 1987

Remarks:

MAIL ADDR: P.O. Box 26
BORING, OR 97009

IN WITNESS WHEREOF, I have hereunto set my hand this 14 day of AUGUST, 1990

Duane Sherwood
(Signature of Applicant)

12820 S.E. LANI LANE
BORING OR 97009
(Address)

Form B (690-9-77)

Application No. 6-11704

NOTICE OF COMPLETION OF CONSTRUCTION

I, DUANE SHERWOOD, the holder of Permit No. 6-11025

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 27 day of JULY, 1987

Remarks:

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

AUG 17 1990

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

WATER RESOURCES DEPT.
SALEM, OREGON

IN WITNESS WHEREOF, I have hereunto set my hand this 14 day of AUGUST, 1990

Duane Sherwood
(Signature of Applicant)

12820 S.E. LANI LANE
P.O. Box 26
BORING OR 97009
(Address)

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

7/17/91
James was in
a this fill has new
owner.
This should be redone as
a 'pre C'. New owner
needs to revamp this operation
Take

Mailing List for Final Certificate

Application: G-11704

Permit: G-11025

Certificate: 96085

Permit/Certificate Holder:

ANDRE ISELI
14917 SE 142ND AVE
CLACKAMAS OR 97015

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **NO – both tax lots now owned by Strata Land Holdings, LLC**

Copies of Final Certificate to be sent to:

1. Watermaster District #: 20
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

New owners Tax Lots 24E05 04200 and 24E05 04201:

Strata Land Holdings, LLC
800 Taylor St, #200
Durham, NC 27701

GSI Water Solutions
Zach Pike-Urlacher
1600 SW Western Blvd, Ste 240
Corvallis, OR 97333

Copies Mailed	
by: <u>NR</u>	(STAFF)
on: <u>1/13/2023</u>	(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

DATE MAILED: January 13th, 2023

NOTICE OF CERTIFICATE ISSUANCE

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

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

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

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

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

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANDRE ISELI
14917 SE 142ND AVE
CLACKAMAS OR 97015

confirms the right to the use of water perfected under the terms of Permit G-11025. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-11704

SOURCE OF WATER: ONE WELL IN THE NORTH FORK DEEP CREEK BASIN

PURPOSE or USE: NURSERY OPERATIONS ON 20.0 ACRES

MAXIMUM RATE: 0.56 CUBIC FOOT PER SECOND

DATE OF PRIORITY: SEPTEMBER 30, 1987

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	4 E	WM	5	SE SE	1120 FEET NORTH AND 75 FEET WEST FROM SE CORNER, SECTION 5

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 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 any time of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	4 E	WM	5	SE SE	20.0

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.

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

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

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

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

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

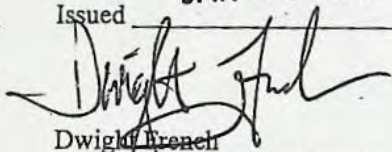
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

JAN 13 2023

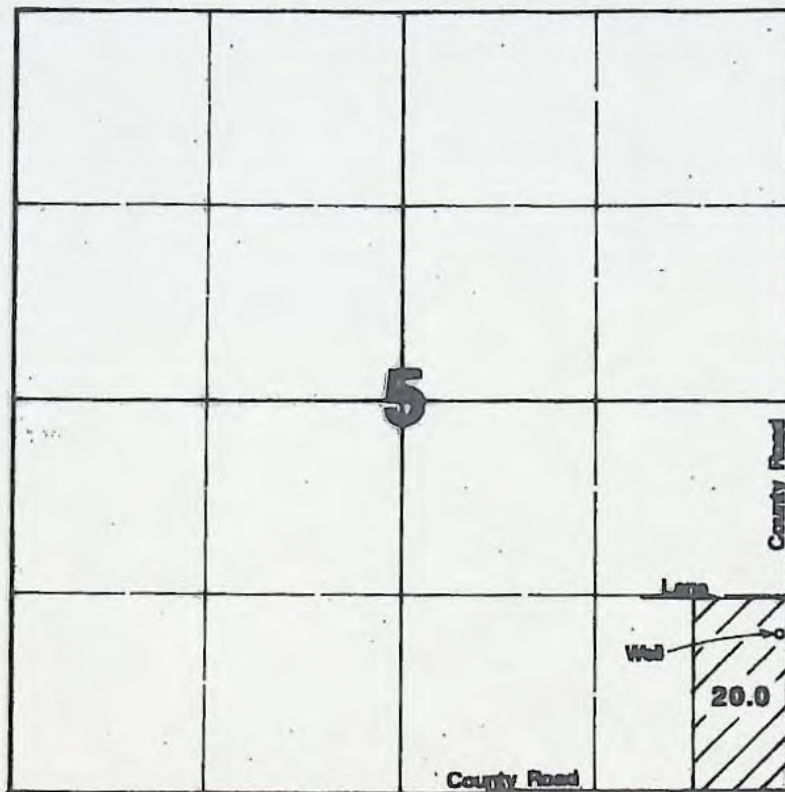
Issued _____



Dwight French

Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

T.2S., R.4E., W.M.



1" = 1320'

Area Irrigated

Well located 1120'N & 75'W from SE corner of Section 5.

Final Proof Survey

Application #: G-11704 Permit #: G-11025

In Name Of

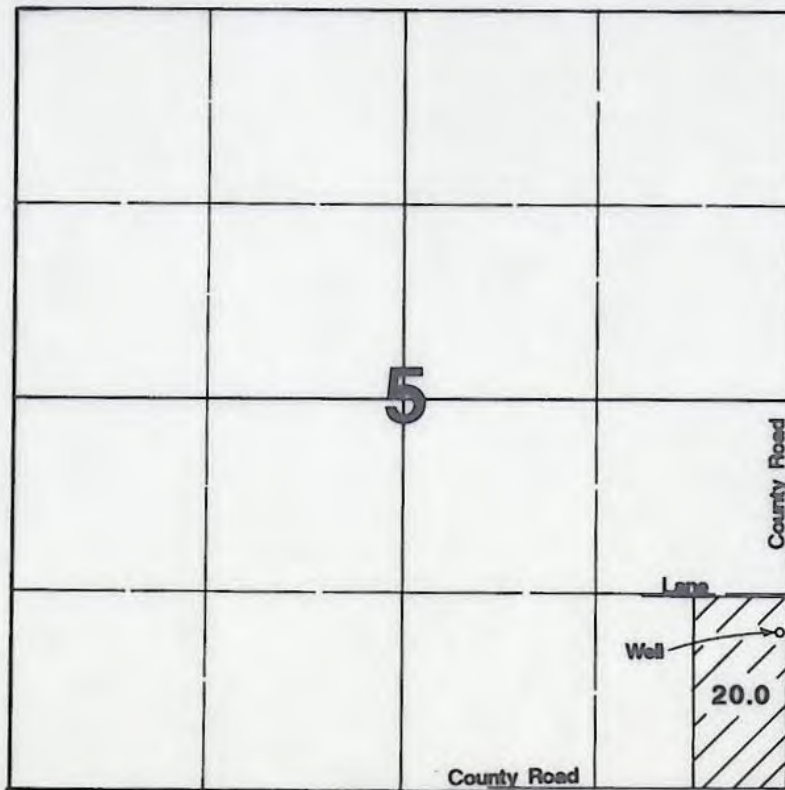
Iseli Nursery

Surveyed on October 26, 1993 by JM Schuette



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

T.2S., R.4E., W.M.



Well located 1120'N & 75'W from SE corner of Section 5.

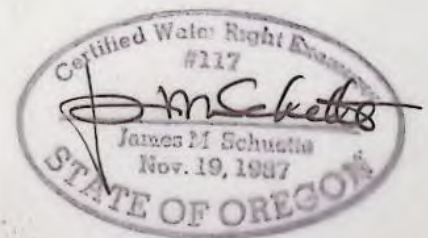
Final Proof Survey

Application #: G-11704 Permit #: G-11025

In Name Of

Iseli Nursery

Surveyed on October 26, 1993 by JM Schuette



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

PERMIT

MEMO –Proof to Satisfaction

Application # G-11704	Permit # G-11025	Permit Amendment (T-FILE)#
WRD Reviewer (CW) Larry Nunn/Gerry Clark	Date 4/2008	
WRD Peer Reviewer (PR) Gerry Clark	Date 11/2021	
Related Files:		

CW	PR	RESEARCH
☒	☒	Organize: file in chronological Order; Pull following items from paper file:
		☒ CBU Report/Map ☒ App (Permit) Map ☒ Assignment ☐ Extension
		☐ Fish Screen Doc ☐ Pump Test ☐ SWL (paper) ☐ Water Use Charts
		☐ Permit Amendment
		Electronic Application Folder:
☒	☒	☒ Create CBU folder ☒ Create Work Packet folder
☒	☒	Scan: Above documents into "CBU Folder"
☒	☒	Save other docs electronically: save these in the Work Packet folder per naming conventions
		☒ Permit ☐ Transfer Order ☒ POU Report (conflict) ☐ Water Use Report
		☐ SWL (GW) ☒ OrMap Tax Lot Map ☒ Ownership Report ☒ BLM Map
		☐ PT Approve/Deny ☐ Dam Safety ☐ Mitigation ☐ Others
☐	☐	Search :
☒	☒	☒ Interactive Mapper ☒ AOI None ☒ Map and TaxLot 24E05 04200 24E05 04201
		New Owner & Address: Strata Land Holdings, LLC 800 Taylor St, #200 Durham, NC 27701

REVIEW OF CLAIM: Comments on Second Page

Required By Permit/Order	Complied Y/N	CONDITIONS	NOTES:
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Fish Condition	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Meter/Measuring Device	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Water Use Reporting	
☒ Yes ☐ No ☐ n/a	☒ Y ☐ N	Pump Test	Priority date of permit pre-dates the Pump Test Program. Nothing in the file indicates that the GW Section specified that a Pump Test be required. Per Dwight, condition included in permit in error.
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	SWL (Month)	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Dam Safety	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Well Id	
☐ Yes ☐ No ☒ n/a	☐ Y ☐ N	Other:	
☒ Yes ☐ No ☐ n/a	☒ Y ☐ N	C-date 10/1/1993	Ext C-date

REVIEW OF MAP: ☐ Yes ☒ No is a REVISED Map required?

CW	PR	Notes:
☒	☒	Verify POA/POD Location
☒	☒	Verify POU
☒	☒	POU clearly identified use type
☒	☒	DLC/GOV'T LOT
		OK

RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA PERMIT	POD/POA CLAIM	PERMITTED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
Well	Well	0.56 cfs	0.56 cfs	0.51 cfs - 0.60 cfs	Depending on the pumping level, the pump appears to have the capacity for the full rate of the permit. In addition, the sprinklers used

					are reported at a rate of 0.68 cfs.

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
☐	☐	LETTER FOR CLARIFICATION	
☐	☐	DRAFT (PLEASE EXPLAIN)	
☐	☐	PROPOSED	
☒	☒	FINAL	Full rate and acres
☐	☐	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
☒	☒	DATA REVIEW	
		☒ POA/POD/DAM TABLES/DESCRIPTIONS	☒ PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
☒	☒	SPELL CHECKED DOC	
☒		CERT NUMBER ISSUED	CERT # 96085

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW COMMENTS	
☒	☒	SPELL CHECKED DOC BEFORE FINAL CERTIFICATE PRINTED	

CASEWORKER REVIEW COMMENTS:**PEER REVIEWER COMMENTS:**

11/17/2021 (GC) - Adam Sussman contacted my by e-mail and indicated that the new owner would most likely be filing an Assignment. He thought it might take a few weeks to get this accomplished. I have highlighted the portions of the certificate document and mailing list that will need to updated if/when an Assignment is submitted.



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

November 1, 2008

ANDRE ISELI
14917 SE 142ND AVE
CLACKAMAS, OR 97015

Subject: Water Right Permit Number G- 11025

Dear Permit holder,

Oregon Administrative Rule 690-217-0020(1) requires that ground water permit holders with a priority date after December 20, 1988, submit the results of a pump test before the Water Resources Department can issue a water right certificate. A copy of your permit is enclosed. The purpose of this letter is to remind you of the pump test requirement.

Pump tests are intended to provide aquifer and well information for ground water resource characterization and to help solve well problems. There is no penalty for not submitting a pump test.

If there is a reason why a pump test cannot be performed on a well, the owner may request from the Director an exemption from the pump test requirement. Requests shall be in writing and include the reason why a pump test cannot be performed. Exemptions, or conditioned exemptions, shall be granted if the reasons are found to be valid and eliminating the problem would place an unreasonable burden on the well owner. Exemptions shall be granted for public water supply wells if pump testing will cause interruption of service to customers.

Pump tests shall not be required of wells with diameters greater than 36 inches and depths less than 30 feet. Pump tests shall not be required of collector-type wells or infiltration galleries. If your well meets one of these two requirements please let us know.

If you are interested in conducting the pump test yourself, you should first review the requirements at http://arcweb.sos.state.or.us/rules/OARS_600/OAR_690/690_217.html or ask that a copy of the rules be sent to you.

A copy of the pump test form has been included. If you have questions, if you are not the owner of a ground water permit or if you have moved, please call the Department at 503-986-0900.

Sincerely,

Diana Durbin
Water Rights Certificate Staff

C: Permit File



690-217-0050

Qualifications for Conducting Pump Tests

Only pump tests conducted by the well owner, a full-time employee of the well owner who routinely works with and is familiar with wells and pumps, or a qualified individual authorized by the well owner shall be accepted by the Director. Individuals in the following groups will be considered qualified and authorized provided they have significant experience conducting pump tests:

- (1) Oregon licensed water well constructors.
- (2) Oregon registered professional geologists or certified engineering geologists.
- (3) Certified water rights examiners.
- (4) Oregon registered professional engineers.
- (5) Individuals whose primary occupation involves, wholly or in significant part, pump installation, service or testing.

STATE OF OREGON
COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DUANE SHERWOOD
PO BOX 26
BORING, OREGON 97009

503-663-5267

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 20.0 ACRES.

This Permit is issued approving Application G-11704. The date of priority is SEPTEMBER 30, 1987. The use is limited to not more than 0.56 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 SE 1/4, SECTION 5, T 2 S, R 4 E, W.M.; 1120 FEET NORTH AND 75 FEET WEST FROM SE CORNER, SECTION 5.

The amount of water used for Nursery Operations (OAR 690-11-010(14)) 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 at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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

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

E 1/2 SE 1/4 SE 1/4
SECTION 5
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

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

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

Application G-11704 Water Resources Department

PERMIT G-11025

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

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

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

Issued this date, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director



Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: _____
Address: _____
County: _____
City: _____ State: _____ Zip: _____
Original owner (from well log): _____

Well Location:

Township: _____ (N/S) Range: _____ (E/W)
Section: _____ $\frac{1}{4}$: _____ $\frac{1}{16}$: _____ $\frac{1}{64}$: _____
Well depth: _____ Date drilled: _____
Owners well no. (if any): _____
POD ID: _____

Water Right Information:

Application: _____ Permit: _____ Certificate: _____
Is this well listed on more than one water right? ☐ Yes If yes, list additional water rights below:
Application: _____ Permit: _____ Certificate: _____
Application: _____ Permit: _____ Certificate: _____

Pump Test:

Test Conducted by: _____ Well Owner? ☐ Yes
Company: _____
Address: _____ Date of Test: _____
City: _____ State: _____ Zip: _____
Daytime phone: _____

Method of discharge measurement (see our brochure for acceptable methods): _____
Method of water-level measurement (pick one or enter other method used): _____
Length of air line (if used): _____

Pump type (pick one or enter other method used): _____

Was the pump test conducted during normal use of the well? ☐ Yes Note: _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? ☐ Yes Note: _____
If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____

Is there a lake, stream or other surface water body within $\frac{1}{4}$ mile of the tested well? ☐ Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is _____ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) _____

Measuring point distance _____ land surface _____ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Time pump turned on: Date _____ Time _____
Time pump turned off: Date _____ Time _____
Total pumping time: _____ hours _____ minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us>

OWRD 2/9/2000

Required Signature: _____



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, Ise/i Nursery Inc
(Name of Applicant / Permit / Transfer Holder)

OR

(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;

Application # G-11704, Permit # G-11025; Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

RECEIVED

as filed in the office of the Water Resources Director, to:

APR 22 2008

Andre Ise/i & [REDACTED]
(Name of New Owner)

WATER RESOURCES DEPT
SALEM OREGON

14917 SE 142nd AVE Clackamas OR 97015
(Mailing address) (City) (State) (Zip) (Phone #)

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 14 day of April, 2008.

Applicant/Permit holder [Signature] PRES/Gen Mgr ISE/i Nursery Inc

Applicant/Permit holder _____

O.K. ASSIGN
4/22/2008
[Signature]

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 # 72218
For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.



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

April 23, 2008

Andre Iseli
14917 SE 142 Avenue
Clackamas, Oregon 97015

Reference: Application G-11704, Permit G-11025

The assignment from Iseli Nursery, Inc., to Andre Iseli, 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 92218 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 92218

cc: Watermaster 20
Iseli Nursery, Inc.
Data Center, OWRD (Complete Copy of Assignment Request)
File

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **92218**

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

INVOICE # _____

RECEIVED FROM: ANDRE ISELI

BY: _____

APPLICATION	<u>611704</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# 2218 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 50.00

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) <u>Assignment</u>	\$ <u>50.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

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

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
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: **92218**

DATED: 4/22/08 BY: [Signature]



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

April 2, 2008

Andre Iseli
14917 SE 142nd Ave
Clackamas, OR 97015

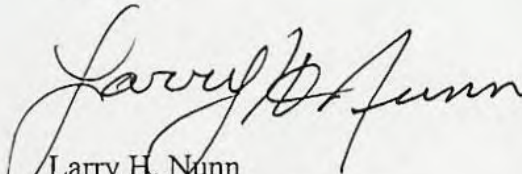
REFERENCE: File G-11704, Permit G-11025

Dear Mr. Iseli,

Enclosed is a partially completed assignment form. Please have one of the officers of Iseli Nursery sign the form, including their title. Then return the form to us, along with the \$50 recording fee.

If you have questions about the assignment, please call Jerry Sauter at 503-986-0817. If you have any other questions, please call me, between 9:00 am and 2:00 pm, at 503-986-0809.

Sincerely,


Larry H. Nunn
Natural Resource Specialist

*Thank you very
much for your
help!
Meb*

RECEIVED

APR 22 2008

WATER RESOURCES DEPT
SALEM OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

April 2, 2008

Andre Iseli
14917 SE 142nd Ave
Clackamas, OR 97015

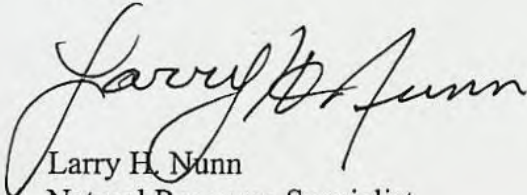
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If you have questions about the assignment, please call Jerry Sauter at 503-986-0817. If you have any other questions, please call me, between 9:00 am and 2:00 pm, at 503-986-0809.

Sincerely,



Larry H. Nunn
Natural Resource Specialist



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, Ise/i Nursery Inc
(Name of Applicant / Permit / Transfer Holder)

OR

(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;

Application # G-11704, Permit # G-11025; Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

Andre Ise/i
(Name of New Owner)

14917 SE 142nd AVE Clackamas OR 97015
(Mailing address) (City) (State) (Zip) (Phone #)

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.

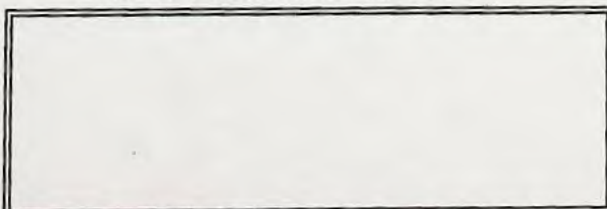
I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this _____ day of _____, 20____.

Applicant/Permit holder _____

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.



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

February 21, 2008

Iseli Nursery, Inc
30590 SE Kelso Rd
Boring, OR 97009

Reference: File G-11704, Permit G-11025

*This property
now owned
By*

The Department is ready to issue a proposed certificate for your water use permit G-11025. This permit allows use of a well for nursery operations. This is the permit you obtained from Duane Sherwood.

The permit contains a condition that requires an approved pump test before the certificate may be issued. The file does not indicate that the pump test has been received or approved. Please have a pump test conducted and submit it for approval. Since I believe you have other wells in the area, you may want to consider requesting a multiple well exemption for this permit. For questions about the pump test or multiple well exempting, please contact Mike Zwart at 503-986-0844.

For other question, please call me, between 9:00 am and 2:00 pm, at 503-986-0809.

Sincerely,

Larry H. Nunn
Natural Resource Specialist

cc: Jim Schuette, CWRE

*Andie W. Iseli
Joanne Iseli*

RECEIVED

FEB 22 2008
WATER RESOURCES DEPT.
SALEM, OREGON

*No interest
by Iseli Nursery
Inc.*

I will try to forward.



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

February 21, 2008

Iseli Nursery, Inc
30590 SE Kelso Rd
Boring, OR 97009

Reference: File G-11704, Permit G-11025

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For other question, please call me, between 9:00 am and 2:00 pm, at 503-986-0809.

Sincerely,

Larry H. Nunn
Natural Resource Specialist

cc: Jim Schuette, CWRE

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY INC.
30590 SE KELSO ROAD
BORING OREGON 97009

confirms the right to use the waters of ONE WELL, in the North Fork Deep Creek Basin, for NURSERY OPERATIONS ON 20.0 ACRES.

This right was perfected under Permit G-11025. The date of priority is SEPTEMBER 30, 1987. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.56 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
2 S	4 E	WM	5	SE SE			1120 FEET NORTH AND 75 FEET WEST FROM SE CORNER, SECTION 5

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

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

NURSERY OPERATIONS							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	4 E	WM	5	SE SE			20.0

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

DRAFT
Go Final
Needs QA

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

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

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

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

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

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

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

Issued _____.

Phillip C. Ward, Director
Water Resources Department

Mailing List for Certificate

Scheduled Mailing Date:

Application: G-11704

Permit: G-11025

Certificate: *****

Permit/Certificate Holder:

ISELI NURSERY INC.
30590 SE KELSO ROAD
BORING OREGON 97009

Copies Mailed

by: _____
(STAFF)

on: _____
(DATE)

Copies of Final Certificate to be sent to:

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

Other persons to receive copies: (include map):

James M Schuette, CWRE

Larry Nunn

From: Mike Zwart
Sent: Wednesday, September 03, 2008 9:36 AM
To: Larry Nunn
Subject: RE: Pump Test File G11704, Permit G-11025

Larry,

There is no evidence that they submitted a pump test.

Mike

Michael Zwart
Oregon Water Resources Department
503-986-0844

From: Larry Nunn
Sent: Tuesday, September 02, 2008 9:22 AM
To: Mike Zwart
Subject: Pump Test File G11704, Permit G-11025

Mike,

I am ready to issue a certificate for this permit, except for the pump test. Have we received and approved a pump test?

Thanks,

Larry

Gerry -

What now?

Let it fall into the "No Pump Test Block Hole"?

L

Add to spreadsheet - I indicate letter
mailed requesting test on Feb 21, 2008,
then re-file.

9/3/2008

Completion Checklist for Claims of Beneficial Use

Application # G-11704

Permit # G-11025

Transfer # _____



PRE
7/1/04

Date 2/15/08

Reviewer LHN

Map Review:

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

Report Review:

- ☒ Application & permit #; or transfer #
- ☒ CWRE stamp and signature
- ☒ Permittee's signature
- ☐ Time limits *C-73*
- ☒ Date of survey
- ☒ Type of use *Irr - maybe nursery*
- ☒ Extent of use
- ☒ Source(s) of water
- ☒ Rate and Duty
- ☒ Diversion rate for each use
- ☒ Description of conveyances system (from POD to POU)
- ☒ Diversion works description (pump make, serial model, capacity, and description)
- ☒ System capacity
- ☒ Calculated capacity of system
- ☐ OR
- ☐ Measured amount of use
- ☐ Permit conditions
- ☐ Fish screening
- ☐ Meter/measuring device
- ☐ Water use reporting
- ☐ Other conditions

No pump test - ok due to priority data, not required
NOTE: Pump Test letter
SC 2/15/08

Certificate Issuance Processing Checklist

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

Can certificate be processed further?

- ☐ Yes
- ☐ No

If "No" why? _____

If "Yes":

- ☐ Proposed
- ☐ Final Certificate # _____

Mailing list:

Proposed:

Final:

Site Report and Claim of Beneficial Use
Application G-11704 Permit #G-11025

Iseli Nursery
30590 SE Kelso Road
Boring, Oregon 97009
Tele #663-3822

SOURCE: Irrigation water is obtained from one well (8" dia x 400' deep) located 1120'N & 75'W from SE corner of Section 54. (ties obtained from field measurements).

Well pump is a 25HP submersible turbine. Pump piping is equipped with a pressure gage. An access port is available to measure static and pumping water levels. No flow meter or other flow measuring device is present. Well head is approximately 12" above pumphouse floor.

PIPE: Irrigation water is transported by 4", 5" & 6" buried main line with irrigation water be applied thru 30 (11/64" nozzles @ 50 PSI). Based on the above data, water useage is computed to be as follows:

50 heads(11/64") @ 50 psi = 50 x 6.1 GPM = 305.0 GPM

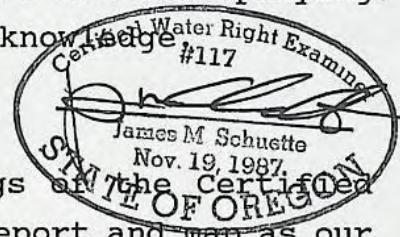
Water Useage Rate = 0.68 CFS

(Water used to full permitted duty of 0.56 CFS)

LIFT: Topography of the area being irrigated is basically flat. Measured from the top of casing (which is approx. 12" above the ground), static water level is approximately 165'; pumping level is approximately 220'. (as per well log)

USERS: At the time of my site visit, the area had been prepared for winter with a planting of rye grain and grass cover crop. In 1994 a rotational nursery stock planting will be initiated, along with soil building cover crops (as per owner).

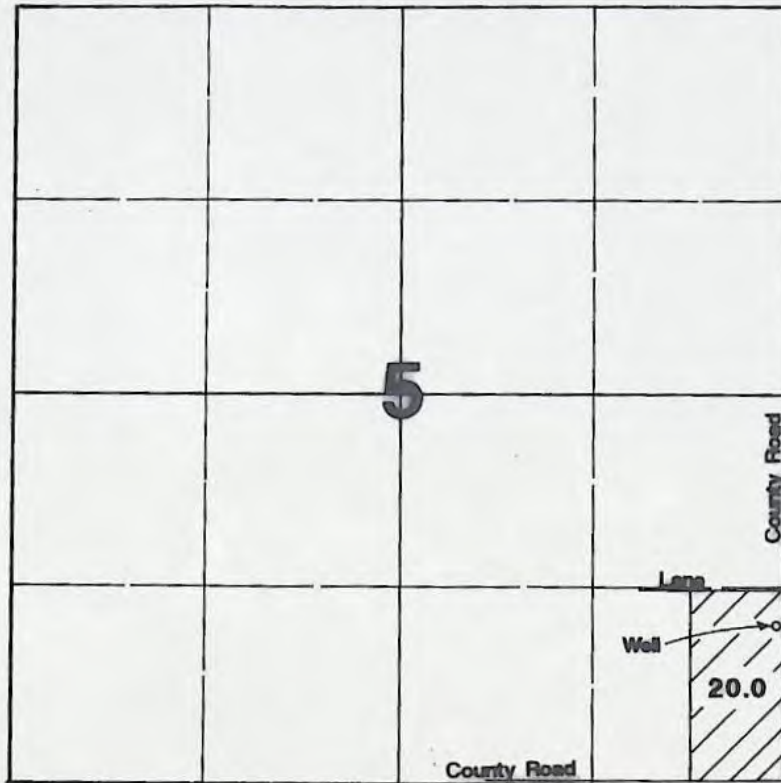
The final proof survey and inspection of use was found to be completed under the terms and conditions of Permit #G-11025. This final proof survey and inspection was completed by me on October 26, 1993 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



We, being Iseli Nursery, agree to the findings of the Certified Water Rights Examiner and do submit this site report and map as our Claim of beneficial Use of the water as provided under the terms and conditions of Permit #G-11025.

A handwritten signature, likely of James M. Schuette, is written over a horizontal dashed line.

T.2S., R.4E., W.M.



Well located 1120'N & 75'W from SE corner of Section 5.

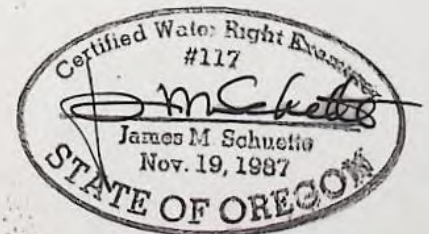
Final Proof Survey

Application #: G-11704 Permit #: G-11025

In Name Of

Iseli Nursery

Surveyed on October 26, 1993 by JM Schuette



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

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 2 South Range: 4 East Section: 5 Records per Page: 100 Search

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	Unknwn QQ
<u>Select</u> Claim:GR 1612 * Additional Info: MARGARET VENABLE Claim: GR1612		11/30/1950	IRRIGATION																		9	20		NCR
<u>Select</u> Claim:GR 3097 * Additional Info: GLEN J TUTTLE Claim: GR3097		9/28/1951	IRRIGATION					40				20												
<u>Select</u> Cert:28403 OR * Additional Info: H C/JULIA M COMPTON App: S30282 Permit: S23726 Cert: 28403		9/9/1955	IRRIGATION																	15				
<u>Select</u> Cert:29300 OR * Additional Info: KATSUMI MISHIMA App: G1097 Permit: G1036 Cert: 29300		7/28/1958	IRRIGATION													17.6								
<u>Select</u> Cert:52851 OR * Additional Info: ARNOLD MOORE App: G8961 Permit: G8440 Cert: 52851		10/6/1978	IRRIGATION													30.4	11.3							
<u>Select</u> Cert:64992 OR * Additional Info: ARNOLD MOORE App: G11356 Permit: G10484 Cert: 64992			IRRIGATION													8.1	7.1							
<u>Select</u> Cert:68524 OR * Additional Info: MARILYN HANSEN App: G11836 Permit: G11124 Cert: 68524		7/26/1988	IRRIGATION															8.48						
<u>Select</u> App:P 78258 * Additional Info: THOMAS RUSSELL BATEMAN App: P78258		12/16/1994	LIVESTOCK																					*

2 of 2

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

ISELI NURSERY
30590 SE KELSO RD
BORING OR 97009

4a. Article Number

P 56229

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

8/20/99

5. Signature (Addressee)

G-11704 jh

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

Liborah Stephenson

UNITED STATES POSTAL SERVICE

Official Business

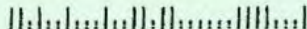


PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

WATER RESOURCES DEPT
COMMERCE BUILDING
158 12TH STREET NE
SALEM, OR 97310



Site Report and Claim of Beneficial Use
Application G-11704 Permit #G-11025

Iseli Nursery
30590 SE Kelso Road
Boring, Oregon 97009
Tele #663-3822

RECEIVED

JAN 12 1984

WATER RESOURCES DIV
SALEM, OREGON

SOURCE: Irrigation water is obtained from one well (8" dia x400' deep) located 1120'N & 75'W from SE corner of Section 54. (ties obtained from field measurements).

Well pump is a 25HP submersible turbine. Pump piping is equipped with a pressure gage. An access port is available to measure static and pumping water levels. No flow meter or other flow measuring device is present. Well head is approximately 12" above pumphouse floor.

PIPE: Irrigation water is transported by 4", 5" & 6" buried main line with irrigation water be applied thru 30 (11/64" nozzles @ 50 PSI). Based on the above data, water useage is computed to be as follows:

50 heads(11/64") @ 50 psi = 50 x 6.1 GPM =305.0 GPM

Water Useage Rate = 0.68 CFS

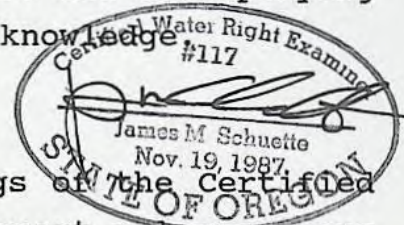
(Water used to full permitted duty of 0.56 CFS)

LIFT: Topography of the area being irrigated is basically flat. Measured from the top of casing (which is approx. 12" above the ground), static water level is approximately 165'; pumping level is approximately 220'. (as per well log)

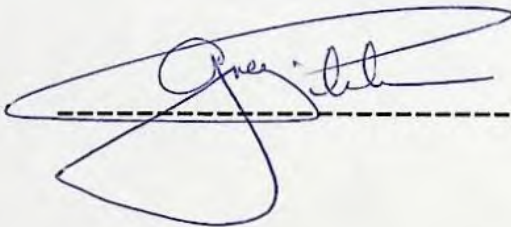
JAN 18 1987
WATER RESOURCES
DIVISION

USERS: At the time of my site visit, the area had been prepared for winter with a planting of rye grain and grass cover crop. In 1994 a rotational nursery stock planting will be initiated, along with soil building cover crops (as per owner).

The final proof survey and inspection of use was found to be completed under the terms and conditions of Permit #G-11025. This final proof survey and inspection was completed by me on October 26, 1993 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



We, being Iseli Nursery, agree to the findings of the Certified Water Rights Examiner and do submit this site report and map as our Claim of beneficial Use of the water as provided under the terms and conditions of Permit #G-11025.



STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DUANE SHERWOOD
PO BOX 26
BORING, OREGON 97009

503-663-5267

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 20.0 ACRES.

This Permit is issued approving Application G-11704. The date of priority is SEPTEMBER 30, 1987. The use is limited to not more than 0.56 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 SE 1/4, SECTION 5, T 2 S, R 4 E, W.M.; 1120 FEET NORTH AND 75 FEET WEST FROM SE CORNER, SECTION 5.

The amount of water used for Nursery Operations (OAR 690-11-010(14)) 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 at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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

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

E 1/2 SE 1/4 SE 1/4
SECTION 5
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

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

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

Application G-11704 Water Resources Department PERMIT G-11025

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

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

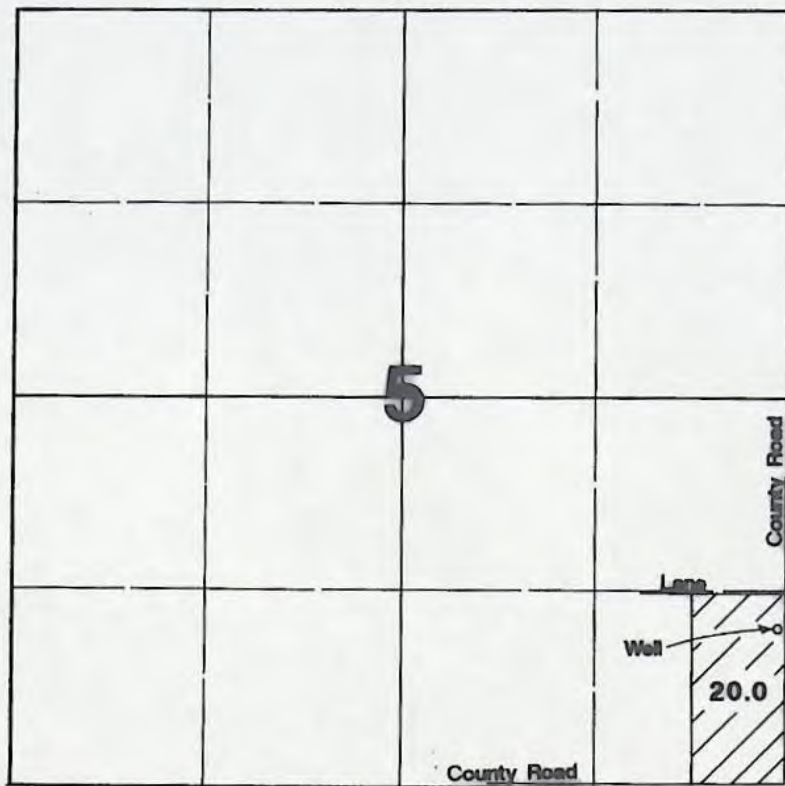
The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

T.2S., R.4E., W.M.



Well located 1120'N & 75'W from SE corner of Section 5.

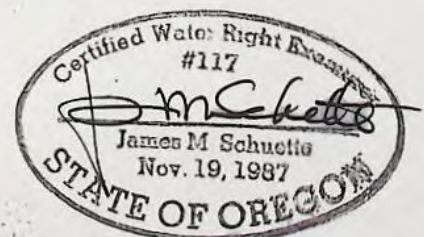
Final Proof Survey

Application #: G-11704 Permit #: G-11025

In Name Of

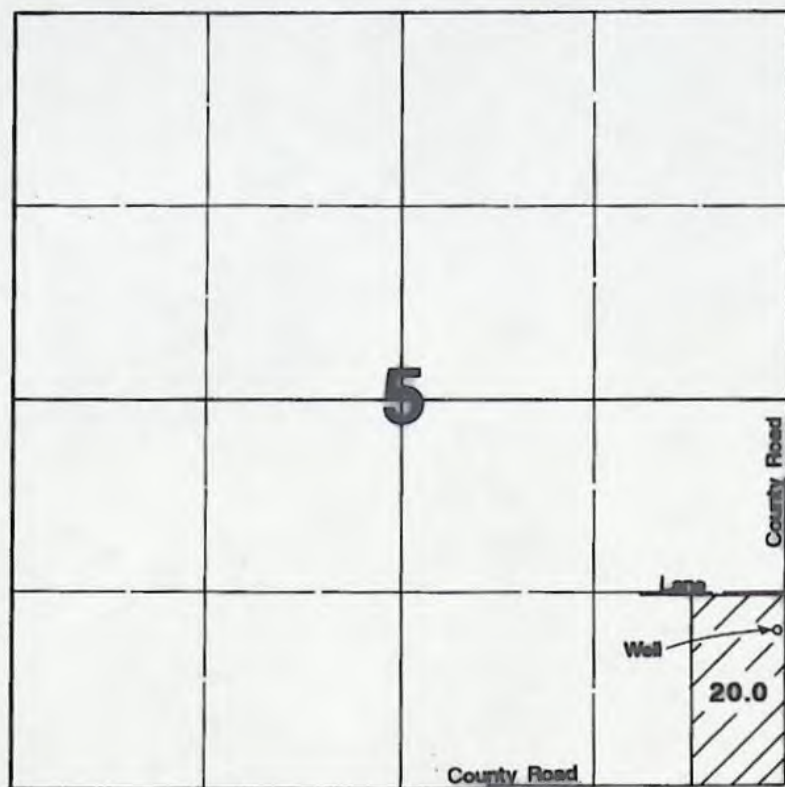
Iseli Nursery

Surveyed on October 26, 1993 by JM Schuette



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

T.2S., R.4E., W.M.



Well located 1120'N & 75'W from SE corner of Section 5.

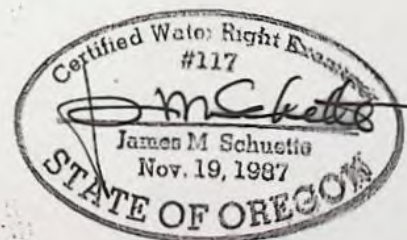
Final Proof Survey

Application #: G-11704 Permit #: G-11025

In Name Of

Iseli Nursery

Surveyed on October 26, 1993 by JM Schuette



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

August 15, 1994

ISELI NURSERY INC
30590 SE KELSO RD
BORING OR 97009

REFERENCE: File G-11704 & G-11840

This letter is in regard to your water use Permit G-11025 and G-11135. As we pointed out to you in our letter of November 9, 1993, your claim of beneficial use must be received in this office by October 1, 1994.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Right Examiner. A request from the permittee for issuance of a certificate of water right must accompany the claim.

You are hereby notified that unless your claim is received on or before October 1, 1994, your permit will be cancelled without further notice.

If you have questions, please contact Tom Shook, Water Resources Department, at 1-800-624-3199 or 1-503-378-3739.

Sincerely,

A. REED MARBUT
Water Rights/Adjudication Division

ARM/jh

cc: Watermaster
CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



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

January 13, 1994

JAMES SCHUETTE, CWRE
JMS ENGINEERING
1810 LANA AVE NE #1
SALEM, OR 97303

REFERENCE: File G-11704

We received the Claim of Beneficial Use and map you submitted for Permit G-11025 in the name of ISELI NURSERY INC.

A brief follow-up inspection may be conducted in the next few months.

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

DSM:tcb

cc: Iseli Nursery, Inc.
30590 SE Kelso Road
Boring, OR 97009



November 9, 1993

I SELI NURSERY INC
30590 SE KELSO RD
BORING OR 97009

REFERENCE: File G-11704 & G-11840

We have received your notice that complete application of water has been made under Permit G-11025 and G-11135.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before October 1, 1994. A list of certified examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

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

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

TES:jh

enclosure



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

October 18, 1993

ISELI NURSERY INC
30590 SE KELSO ROAD
BORING OR 97009

REFERENCE: File G11704

The date for the complete application of water to a beneficial use for your water use Permit G11025 was October 1, 1993. To date we have not received notice that your project was completed.

If the project was completed, you should promptly submit the notice of complete application of water (Form C, attached). If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. Forms will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before October 1, 1994. A list of certified water right examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the permit.

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

KDM

enclosure



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

NUMBER 86656

Check 1000 MO Cash

 Surface Application

 Reservoir Application

 Ground Water Application

 Transfer Application

 Power Claim

 Hydroelectric Examination

 Hydroelectric License

 Copying

~~X~~ Assignment

 Extension of Time

 Other

 P-6

 Quadrangle

 Basin

 Protest

 Constructors Examination

 Constructors License

 Adjudication

To:
Tom
Shook

ISELI NURSERY INC.

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

DELUXE FORM NWVO-3 V-3

DATE	INVOICE NO.	DESCRIPTION	AMOUNT	DEDUCTIONS		NET AMOUNT
				PARTICULARS	AMOUNT	
		recording fee for assignment of water right Application No. G11704, permit G 11025 8120				10.00

RECEIVED

SEP - 9 1991

WATER RESOURCES DEPT.
SALEM, OREGON

September 10, 1991

Iseli Nursery, Inc.
30590 S.E. Kelso Road
Boring OR 97009

REFERENCE: File G-11704

The assignment of Permit G-11025 from Duane Sherwood to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 78475 covering the recording fee of \$10 you submitted.

Under the terms of the permit, an adequate water system for nursery operations is to be on hand by October 1, 1992 and water used to the fullest extent intended on or before October 1, 1993. Forms for reporting are enclosed.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete. A list of certified water right examiners is enclosed for your information.

Sincerely,

THOMAS E. SHOOK
Water Rights Specialist

TES:jh

Enclosure

cc: Duane Sherwood



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

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

9/9/91
\$10⁰⁰
78475

August 21, 1991

GREG PILCHER
% ISELI NURSERY
30590 SE KELSO RD
BORING, OR 97009

REFERENCE FILE: G-11704

Jim Schuette, Certified Water Right Examiner, called me about our letter dated August 13, 1991.

Based on your letter of August 12, 1991 and Jim's telephone comments, we are considering the information submitted by Duane Sherwood as premature.

I have enclosed forms B and C to allow you the opportunity to advise us when you have an adequate water system for your nursery operation and have used water to the fullest extent intended.

Also enclosed is an assignment form. Include the name and address to be shown on our records and have Duane Sherwood sign the form in the space provided. A \$10 assignment recording fee is also needed.

Sincerely,

THOMAS E. SHOOK
Water Right Specialist



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

August 13, 1991

Iseli Nursery
Greg Pilcher
30590 S.E. Kelso Road
Boring OR 97009

Reference File: G-11704

Enclosed is an application for requesting an extension of the time limits imposed on Permit G-11025.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. therefore, please complete this application in detail describing what has been accomplished.

The application must be received in this office with the statutory filing fee of \$100 for each permit.

If you have any questions, please contact the Water Rights Section.

Enclosure

cc: Duane Sherwood



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



30590 S.E. Kelso Road
Boring, Oregon 97009
(503) 663-3822

RECEIVED

AUG 13 1991

WATER RESOURCES DEPT.
SALEM, OREGON

August 12, 1991

Water Resources Dept.
3850 Portland Rd. NE
Salem, OR 97310

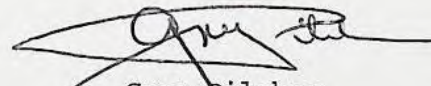
Dear Sirs:

We request an extension of beneficial use for applications G-11704, permit # G-11025 to October 1, 1993.

Reason: Property has been purchased from Mr. Sherwood since he filed form C. When we purchased the property, construction actually was not completed. In fact Iseli Nursery intends to revise the irrigation system considerably and intends to have applied the water to beneficial use by October 1, 1993 as Mr. Sherwood had indicated in his original application for this property.

Please acknowledge that this request will be granted as the deadline for final proof submitted is August 17, 1991.

Thank you,



Greg Pilcher
Iseli Nursery

GP/jh

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Duane Sherwood
P.O. Box 97009
Boring OR 97009

4. Article Number

P 56331

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

5-20-91

8. Addressee's Address (ONLY if requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

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

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



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



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

WATER RESOURCES DEPT.

3850 PORTLAND ROAD N.E.

SALEM, OREGON 97310

May 17, 1991

Duane Sherwood
P.O. Box 26
Boring OR 97009

REFERENCE: File G-11704

This letter is in regard to your water use Permit G-11025. As we pointed out to you in our letter of August 21, 1990, your claim of beneficial use must be received in this office by August 17, 1991.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before August 17, 1991, your permit will be cancelled without further notice.

If you have any questions, please contact the Water Rights Section.

JMS:jh

cc: Clayton Gardner, Watermaster, District #1

CERTIFIED - RETURN RECEIPT REQUESTED



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



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

August 21, 1990

Duane Sherwood
12820 SE Lani Lane
Boring, Oregon 97009

Reference File: G-11704

We have received your notice that complete application of water has been made under permit G-11025.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before August 17, 1991. A list of certified examiners is enclosed for your information.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

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

If you have any questions, please contact the Survey/Mapping Section at 378-3739.

0024.cr

INDIVIDUAL ACKNOWLEDGEMENT

RECEIVED

AUG 17 1990

WATER RESOURCES DEPT.
SALEM, OREGON

State of Oregon _____

County of Multnomah

Personally appeared the above-named Duane Sherwood
and acknowledged the foregoing instrument to be his
voluntary act.

Signed and sealed before me this 14th day of August, 1990.

SEAL :

Kim Gault
Notary Public of Oregon
My Commission Expires: 10-5-90

INDIVIDUAL ACKNOWLEDGEMENT

RECEIVED

State of Oregon _____

AUG 17 1990

County of Multnomah

WATER RESOURCES DEPT.
SALEM, OREGON

Personally appeared the above-named Duane Sherwood
and acknowledged the foregoing instrument to be his
voluntary act.

Singed and sealed before me this 14th day of August, 1990.

SEAL :

Kenneth Spauld
Notary Public of Oregon
My Commission Expires: 10-5-90



Water Resources Department

3850 PORTLAND ROAD NE SALEM, OR 97310

PHONE 378-3739

July 21, 1989

DUANE SHERWOOD
P.O. BOX 26
BORING, OR 97009

File: G-11704

You are receiving this notice because you have a water the Water Resources Department. Your proposed water within or upstream from a state scenic waterway. decision (Diack) requires the Water Resources Comm about applications in these locations.

The Commission has directed the Department to p applications in these locations until the streamflow fish and wildlife uses within the scenic waterway. working with the State Parks Division and the Dep. Environmental Quality to make these determinations as

We expect the scenic waterway flows will be determined

Even though your application is within or above a scenic waterway, we will process your application in the normal manner if it fits any one of the criteria listed below:

- A. You propose to use groundwater that is not hydraulically connected to the stream located within or tributary to the state scenic waterway. Usually this means that your well would need to be at least one mile away from the nearest stream.
- B. Your proposed use of water is nonconsumptive. It would pass through your project and return in equal amounts at a location upstream from the scenic waterway.
- C. You propose to contract for stored water as either your primary or supplemental source of supply and the owner of the stored water is willing to give you a contract.
- D. You propose to transfer an existing water right certificate by moving either the point of diversion or the place of use. You believe that such a move will not change the amount of water in the stream from your current practices.

above scenic water way but never measure Hydro connection in field

Post-It™ telephone message pad 7660

To WAYNE JAKE
Date 5/18 Time 1115

WHILE YOU WERE OUT

M John Spooner
of _____

Phone No. 255-1962

TELEPHONED	PLEASE CALL
WAS IN TO SEE YOU	WILL CALL BACK
WANTS TO SEE YOU	URGENT
RETURNED YOUR CALL	

Message _____
G-11704
we to Mrs Buckingham
in Coos Bay - she
is deceased
Operator Tom



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

July 21, 1989

DUANE SHERWOOD
P.O. BOX 26
BORING, OR 97009

File: G-11704

You are receiving this notice because you have a water right application pending with the Water Resources Department. Your proposed water development project is located within or upstream from a state scenic waterway. A recent Oregon Supreme Court decision (Diack) requires the Water Resources Commission to make certain findings about applications in these locations.

The Commission has directed the Department to postpone further processing of applications in these locations until the streamflows necessary for recreation and fish and wildlife uses within the scenic waterway have been determined. We are working with the State Parks Division and the Departments of Fish & Wildlife and Environmental Quality to make these determinations as quickly as possible.

We expect the scenic waterway flows will be determined by December 1990 for your area.

Even though your application is within or above a scenic waterway, we will process your application in the normal manner if it fits any one of the criteria listed below:

- A. You propose to use groundwater that is not hydraulically connected to the stream located within or tributary to the state scenic waterway. Usually this means that your well would need to be at least one mile away from the nearest stream.
- B. Your proposed use of water is nonconsumptive. It would pass through your project and return in equal amounts at a location upstream from the scenic waterway.
- C. You propose to contract for stored water as either your primary or supplemental source of supply and the owner of the stored water is willing to give you a contract.
- D. You propose to transfer an existing water right certificate by moving either the point of diversion or the place of use. You believe that such a move will not change the amount of water in the stream from your current practices.

If your project does not fit into one of the above categories (A-D), you may want to modify your application so that it does. Submit those modifications to us.

If you can not modify your application to fit one of the above categories, you may want to consider one of the options below:

1. Leave your current application pending with us to hold your tentative priority date. After the flows are quantified, we will resume processing your application. If it turns out that not enough water is available to meet the recreational demands for the scenic waterway, we may have to deny your request. The examination fees will not be refunded, but any recording fees you submitted will be refunded.
2. Withdraw your application. The examination fee is non-refundable, but any recording fees which were submitted will be refunded. If after flows needed for the scenic waterway are quantified you believe that there is enough water left for your proposed use, file a new application with the appropriate fees to establish a new priority date. Your new application will then be processed using more definite information regarding the availability of water for your proposed use.
3. Conduct sufficient flow studies of your own using methods approved by the Parks Division and Fish & Wildlife. Then, submit information demonstrating that your proposed use of water will not impair the flows needed for the scenic waterway.

We advise you to avoid committing any resources toward your project on the assumption that your permit will be issued. Use of water cannot legally be made without the permit, and the outcome of the scenic waterway study is not predictable at this time. Some streams are likely to have no water available except during high flow periods. It is possible that there will not be enough water left for your proposal after the studies are done.

If you want to wait for the results of the flow studies, you do not need to contact us. We will assume that you want to leave your application pending (alternative #1, above).

If your choice is either alternative #2 or #3, please return this letter with your comments.

If you have any questions not answered by this letter, please contact the Applications and Permits Section at 378-3739.

Sincerely,

William H. Young by John E. Borden

William H. Young
Director



Notice Sent To: Alma Buckingham

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 503-378-3066

NOTICE OF FILING APPLICATION FOR A PERMIT TO APPROPRIATE WATER

FILE No. G-11704

NAME Duane Sherwood

ADDRESS PO Box 26, Boring, OR 97009

WATER SOURCE one well

USE commercial nursery operation including greenhouse, containers & related nursery

POINT OF DIVERSION SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 2 South, Range 4 East, W.M., Clackamas Co.

AMOUNT OF WATER 250.0 gallons per minute

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp	Rng	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
2S	4E	5																20.0

The above described application will NOT be considered for approval for at least thirty days from the date of this notice to allow opportunity for any interested person to seek intervention in the processing of the application.

Any person desiring to protest approval of the application shall file a written protest in the office of the Water Resources Department, Salem, Oregon 97310, together with proof of service of a copy of the protest on the application and payment of the \$25 protest filing fee. Protest and proof of service forms and a copy of the administrative rules pertaining to the filing of a protest will be supplied free upon request.

Dated at Salem, Oregon, this 26th day of April, 19 89.

William H. Young
Water Resources Director *WY*



STATE OF OREGON

INTEROFFICE MEMO

TO: File G-11704

DATE: 4/12/89

FROM: Donn Miller

SUBJECT: Extent of Hydraulic Connection with Surface Water

- 1) This is my spin on the Grondin memo to file of 4/6/89
- 2) Per Division 9 rules: The aquifer is confined and the potential for substantial interference is low, I recommend standard permit conditions.
- 3) Per Scenic Waterway issue: The aquifer appears to supply "tributary" ground water to Tickle Creek / Deep Creek. Both are Clackamas R. tributaries above the Scenic Waterway. The impact on the Scenic Waterway could be calculated within large tolerances but never measured in the field.

TO: Donn Miller ^{G-11704}
FR: JERRY GRONDIN ^{js}
RE: APPLICATION G-11704

6 APRIL 1989

The Sherwood irrigation well is completed in a deeper water bearing zone in the Troutdale Formation. This well appears to share the same water bearing zone with the Moore Dairy well, Iseli Nursery irrigation wells, and several neighboring residential wells.

The water bearing zone is exposed along Tickle Creek in 2S/4E-7 & 8. Ground water in the water bearing zone north of Tickle Creek appears to flow toward the creek in the eastern half of section 8 and away from the creek in section 7 and the western half of section 8. If the Sherwood well was pumped continuously for 100 days to obtain 110 acre-feet/year, the ground water levels next to Tickle Creek at the end of the 100 days could change approximately 0.10 feet (please see attachment). However, the local geology may mitigate any impact on the stream.

An issue of greater concern is the impact of use of the Sherwood irrigation well upon neighboring wells. Currently, two ground water applications submitted by Iseli Nursery for well in sections 7 and 8 are being protested by local residents. Local water level declines of approximately 2 feet per year are recorded for sections 5, 6, 7, and 8.

3-15-89

DONN:

NO EXTENT OF HYDRAULIC
CONNECTION WITH SURFACE
WATER WITHIN CLACKAMAS
RIVER SCENE WATERWAY.

John W.

DRAWDOWN COMPUTATION

1. Estimated amount of water to be consumed annually:

11 acres container stock @ 7.5 ft/acre/yr	82.50 ac-ft/yr
8 acres in ground @ 3.0 ft/acre/yr	24.00
1 acre greenhouse @ 3.5 ft/acre/yr	3.50

110.00 ac-ft/yr

2. Number of days to pump 110 ac-ft/yr when pumping 250 gpm:

$$(110 \text{ ac-ft/yr}) (3.26 \times 10^5 \text{ gal/ac-ft}) / (250 \text{ gal/min}) (1440 \text{ min/day}) \\ = 99.61 \text{ days} \approx 100 \text{ days}$$

3. Calculation:

if: a. hydraulic properties are: $T = 7,500 \text{ ft}^2/\text{day}$

$$S = 0.02$$

b. well pumps continuously for 100 days

c. there is a direct connection to Tickle Creek

then change in head next to the creek:

$$h = (Q/4\pi T) W(u)$$

$$= 0.13 \text{ feet}$$

$$Q = 250 \text{ gpm} = 33.42 \text{ ft}^3/\text{min}$$

$$u = r^2 S/Tt$$

$$= \frac{(5800 \text{ ft})^2 (0.02)}{(7500 \text{ ft}^2/\text{day}) (100 \text{ days})}$$

$$= 0.90$$

$$W(u) = 0.2602$$

STATE OF OREGON

INTEROFFICE MEMO

Superseded
-Don Miller

TO: Water Right File

DATE: March 31, 1989

FROM: John Rehm *John Rehm*

SUBJECT: Review of Water Right Application No. G-11704

The Duane Sherwood irrigation well (2S/4E-5dda) is not in hydraulic connection with surface water. The well is completed in a deeper portion of the Troutdale aquifer and is isolated by several clays. The well is approximately a mile from the course of Tickle Creek, a tributary of the Clackamas River. The application should be processed under Category A in regard to the recent Diack decision.

The well is located in the Sandy-Boring Ground Water Resource Assessment Area that is being studied as a possible area to withdraw from further ground water appropriation. There are several other nearby irrigation wells that produce from the same lower Troutdale stratum. At any rate, the Sherwood well is junior in right to those wells and would be controlled in deference to them.



NEIL GOLDSCHMIDT
GOVERNOR

Water Res

3850 PORTLAND

February 15, 198

Duane Sherwood
P.O. Box 26
Boring, OR.
97009

REFERENCE; G-11

Your amended a
gallons per r
Operations Use:

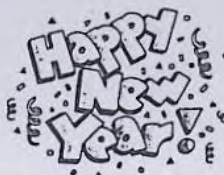
Before the a
changes will n
supporting map

I have liste
explanation fo
numbered. A
number follows on the next page.

correction
made
yes no

- ☒ 1. Item #1 must state a maximum quantity of water requested for each category of Nursery Operations Use.
- ☒ 2. Item #3 will need to be further completed by noting the 1/4 1/4 section of the Public Land Survey System that the project is located within.
- ☒ 3. Item #3, under use of water, will need all reference to domestic use removed from the application.
- ☒ 4. We will need additional information to justify the quantity of water requested.
- ☒ 5. We will need the mailing address of Alma M. Buckingham.
- ☒ 6. We will need the approximate location of all mainlines shown on the supporting map.

PRINTRIGHT
LAZERQUICK®



Alma Buckingham
1150 Washington St.
Coos Bay, OR
97420

RECEIVED

MAR 15 1989

WATER RESOURCES DEPT.

(503) 667-8333
1935 N.E. Division, Gresham, OR 97030



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

378-3066

February 15, 1989

Duane Sherwood
P.O. Box 26
Boring, OR.
97009

REFERENCE; G-11704

Your amended application G-11704 for a permit to appropriate 250 gallons per minute of the waters of one well for Nursery Operations Uses has been reviewed.

Before the application can be considered for approval, some changes will need to be made both to the application and the supporting map.

I have listed the needed changes by number, with further explanation following in the text. Each proposed correction is numbered. A detailed explanation also numbered with the same number follows on the next page.

correction
made
yes no

- ☒ ---- 1. Item #1 must state a maximum quantity of water requested for each category of Nursery Operations Use.
- ☒ ---- 2. Item #3 will need to be further completed by noting the 1/4 1/4 section of the Public Land Survey System that the project is located within.
- ☒ ---- 3. Item #3, under use of water, will need all reference to domestic use removed from the application.
- ☒ ---- 4. We will need additional information to justify the quantity of water requested.
- ☒ ---- 5. We will need the mailing address of Alma M. Buckingham.
- ☒ ---- 6. We will need the approximate location of all mainlines shown on the supporting map.

page 2
Duane Sherwoood
February 15, 1989

1. For each specific use stated in Item #1 we will need a quantity of water stated. An Example might be:

<u>USE REQUESTED</u>	<u>QUANTITY</u>
CONTAINERIZED NURSERY	
STOCK USE	250.0 gpm
GREENHOUSE USE	100.0 gpm
RELATED NURSERY USE	100.0 gpm

2. Your project appears to be contained within the SE1/4 SE1/4 of Section 5. If you agree, this information must be placed under the 1/4 1/4 section information of Item #3.
3. Domestic use for single or group domestic use up to 15,000 gallons per day is exempt from a filing with this office. A filing is not necessary, nor can one be accepted.
4. The application must contain sufficient information to justify the quantity of water requested, by explaining the proposed water systems, and extent of proposed use for each of the categories.
5. Our Administrative Rules require that we notify all owners involved in your development of your proposed project. Mr. Spooner's address is included in the contract submitted, but I can find no reference to Alma Buckingham's address. Before a permit can be issued we will have to have this information.
6. One of our requirements for the application map is that the location of all pipelines must be shown.

I am returning your original application with supporting map, for correction and completion. The application has been endorsed so that in order to retain its original date of priority it must be received in this office no later than May 15, 1989.

If I can be of further assistance please don't hesitate to contact me.

Sincerely,


John R. Woodroof
Water Rights Specialist

Enclosures

February 11, 1988

Duane Sherwood
PO Box 26
Boring, OR 97009

REFERENCE: File G-11704

Your Application G-11704, describing the proposed use of 250 gallons of water per minute from one well for commercial nursery operation including greenhouse, container, field, etc.; being one acre for the greenhouse, 11 acres for container growing, and balance for nursery field production (approximately eight acres); has been reviewed along with the large scale map, a print of a portion of a map, copy of the water well report, and a copy of the land sales contract.

I apologize for the delay in responding to you about the application. We will need a little clarification on the amounts of water to be appropriated and uses to be made of the water before the application can be considered for approval.

In addition to supplying the names of the legal owners of the property, we will also need their addresses. Our rules now require that we notify the legal owners of the property of a filing.

As mentioned in my earlier correspondence, there may be three special use categories in nursery operations, being: 1) Related Nursery Use; 2) Containerized Nursery Stock Use; and 3) Greenhouse Uses.

You have the greenhouse and container uses on the the application, but I am not clear as to what uses will be made on the field. If you only intend to use the water for irrigation purposes on the field in-ground stock, only "irrigation", instead of "field - etc." should be listed as the use for the acreage. However, if you intend to utilize the water for related nursery uses, which would include the traditional irrigation use and such uses as chemical applications, temperature control, humidity control, and soil moisture control for digging and balling plants, the use should be listed on the first page of the application and in Item 3 on the second page as "related nursery use," instead of "field - etc." or "nursery field production." The acreage to receive water for the related nursery use or irrigation needs to be noted without using an approximate figure.

The amount of water you wish to appropriate for each category of use needs to be further noted in the application. This information may be supplied under the comments section.

Duane Sherwood
February 11, 1988
Page Two

If the construction work on the development has begun, this may be noted on the third page of the application. You will need to further indicate the date the water system will be completed for the development you propose. According to the information under Item 4 of the application, it appears that it may be some time before the water system is complete for the container yard.

The supporting map will need to be further completed by noting the number of acres to be under each category of use and the acreage to be noted needs to be in agreement with the areas illustrated and the number of acres noted in Item 3 of the application.

I apologize for not bringing these matters to your attention while you were in this office. If you should have any questions, please call or write and advise me of a number and time that you can be reached.

I am returning your application and map for completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before May 11, 1988.

Sincerely,

WAYNE J. OVERCASH
Water Rights Specialist

WJO:wpc

Enclosures

3019E



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

October 9, 1987

Duane Sherwood
PO Box 26
Boring, OR 97009

REFERENCE: File G-11704

We received your application on September 30, 1987, for use of water for commercial nursery operations including greenhouse, container growing and field production--20.0 acres along with supporting data and fees. Your application has been filed and assigned number G-11704.

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

Effective July 1, 1987, the law requires the permittee to hire a certified Water Right Examiner to survey the extent of use of water perfected under the terms of a permit. Within one year of application of water to beneficial use or the date to make complete application of water allowed in the permit, the permittee shall submit a map of the survey. This law (ORS 537.230 and 537.630, amended 1987) applies to all permits and transfers for which applications were filed after June 30, 1987. Only registered professional surveyors and engineers are eligible to become Water Right Examiners.

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

Sincerely,

LARRY W. JEBOUSEK
Application/Permit Section
Manager

LWJ:wpc

1838E



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

September 3, 1987

Duane Sherwood
PO Box 26
Boring, OR 97009

Dear Mr. Sherwood:

Your application for a permit to appropriate 250 gallons of water per minute from a well for irrigation, domestic and nursery uses on 20.0 acres still does not contain sufficient information, so could not be filed. Your application, drawing, copy of the water well report and check 2707 in the amount of \$200 are enclosed.

Item 2 on the application needs to be further completed by properly identifying the reference corner used in locating the well and the location of the well will need to be given with respect to the proper quarter-quarter section.

I am not sure from the information you submitted, if all your uses can be under the classification of "nursery operations" or if you will have both "irrigation" and "nursery operations". It may be best to discuss this matter via telephone. If you wish you may either call or write and advise me of a telephone number and time you can be reached.

We did not find the legal description of the two plots as mentioned in your letter. The legal descriptions needed may be copied from the sales contracts. Incidentally, we will need the names and addresses of the legal owners of the properties.

The drawing submitted does not meet our requirements. The map to support the application must be prepared to a standard even scale of at least four inches to a mile and show the proposed development with relationship to the section lines and quarter-quarter lines in the vicinity. Additional requirements for the map are briefly explained on pages 4 and 5 of the enclosed booklet relative to Groundwater Applications.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJO:tcb
Enclosures

PLANTS UNLIMITED

P.O. Box 26
Boring, Oregon 97009
(503) 663-5267

August 31, 1987

RECEIVED

SEP - 2 1987

WATER RESOURCES DEPT.
SALEM, OREGON

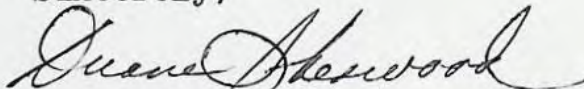
Wayne Overcash
3850 Portland Road NE
Salem, Oregon
97310

Dear Mr. Overcash:

In response to your letter, please find enclosed our \$200.
Examination fee. Sorry we did not enclose the first time.

We are buying approximately 20 acres from John Spooner
and his sister on contract. This consists of two plots
of land, 15 acres from John to the south and 5 acres in
the North from his sister. Enclosed find land
descriptions of the two plots we are buying on one contract.

Sincerely,



Duane Sherwood

Enclosures

August 13, 1987

Duane Sherwood
P.O. Box 26
Boring, OR 97009

Dear Mr. Sherwood:

Your application for a permit to appropriate 250 gallons per minute from a well for domestic use and irrigation-nursery use on 20.0 acres does not contain sufficient information and was not accompanied with the required fees, so could not be filed. The application and copy of the water well report are enclosed. I am also enclosing a new application form you may complete and submit.

The application requires an Examination fee of \$200 in order to be filed. In addition to the Examination fee, Permit Recording fees will be needed based upon the use or uses to be made. We can advise you of the permit recording fees upon receipt of the application in complete form.

The use of ground water for domestic use in an amount not exceeding 15,000 gallons per day is exempt from permit requirements. A permit is not necessary and can not be issued for such exempted uses of ground water. Therefore, if your domestic use of water is only for one or two households, the domestic use will need to be deleted from Items 1 and 3 of the application.

You have made reference to nursery use in item 3. A cooperative study and investigation has been conducted regarding water use for nursery operations. As a result, it has been concluded that, in addition to the traditional irrigation use, there are three special use categories in nursery operations, being: 1) Related Nursery Use, 2) Containerized Nursery Stock Use, and 3) Use in Greenhouses. These uses are further defined as follows:

Related Nursery Use

This would be a companion to the traditional irrigation use for in-ground plantings and may include the traditional irrigation use and such uses as chemical application, temperature control, humidity control, and soil moisture control for digging and balling plants.

Containerized Nursery Stock Use

This would be for use on nursery plants propagated in containers normally ranging from one to five gallons in size having a rooting medium made up of bark particles mixed with sand, peat, or vermiculite. Due to low moisture retention, frequent application of water at a higher rate with a solid-set system for short periods may be necessary. This use may include such uses as chemical application, moisture control, and temperature control.

Use In Greenhouses

This is a specialized container use that not only uses some form of artificial rooting medium, but controls atmospheric conditions and eliminates all natural precipitation. All moisture needs are artificially provided and may include such uses as soil moisture control, temperature control, and humidity control.

The application must contain sufficient information to justify the quantity of water requested, by explaining the proposed water systems, and extent of proposed use for each of the categories.

The amount of water for each category of use needs to be noted.

The number of acres to receive water for Related Nursery Uses, number of acres to receive water for Containerized Nursery Stock Use, and the area (square feet) in the greenhouses for each fractional part of the sections must be noted in the tabulation for Item 3 and clearly illustrated on the supporting maps.

Accurate records of actual use would be required to make proof of beneficial use.

Permit recording fees are based upon the amount of water requested for the nursery operations as one use.

Item 2 will need to be completed by locating the well by distance and directions from a public land survey corner and by further locating the well within the proper quarter-quarter section.

Item 3 must be completed by locating the place of use within the proper fractional parts of the section. Incidentally, the written description presently noted in Item 3 appears to only describe a five acre tract instead of 20.0 acres.

Your application must be supported by a map showing the proposed development. Pages 4 and 5 of the enclosed booklet briefly explains the requirements for the supporting map. This booklet also briefly explains the entries to be made on the application.

Duane Sherwood
August 13, 1987
page three

A legal description of the property upon which the water will be used is needed. This legal description is needed to verify the place of use and may be copied from the deed, title insurance policy or sales contract.

We need a statement relative to the ownership of the properties involved in the development. If any portion of the proposed development will occur on property not wholly under your ownership, you will need to supply names and mailing addresses of the legal owners of the property. This information may be supplied on a separate sheet.

If you should have any questions, please call or write and advise me of a telephone number and time you can be reached.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJO:wpc
Enclosures
9832D
1129E

RECEIVED

FEB 16 1988

CONTRACT

WATER RESOURCES DEPT.

SALEM, OREGON

THIS CONTRACT made and entered into this 1st day of May, 1976, by and between JOHN R. SPOONER and ALMA M. BUCKINGHAM, hereinafter called "Seller" and DUANE A. SHERWOOD, hereinafter called "Buyer."

The parties agree as follows:

Application No. D-11704
Permit No.

SALE AND DESCRIPTION:

Seller agrees to sell and Buyer agrees to purchase the following described real property located in Clackamas County, Oregon:

The East half of the Southeast quarter of the Southeast quarter of Section 5, T. 2 S., R. 4 E., of the W.M. together with the right reserved to dig and maintain a drainage ditch together with access thereto as an appurtenance to the premises which right is more particularly described in Deed recorded in Book 350 at page 281 Deed Records of Clackamas County, Oregon, on August 25, 1945.

PRICE AND TERMS:

The purchase price of the property, which Buyer agrees to pay is \$40,000.00, payable as follows: All unpaid principal balances under this contract shall bear interest at the rate of nine percent (9%) per annum. Principal and interest shall be payable in the name of and to John R. Spooner for the account of the Seller in accordance with the schedule of payments attached hereto and made a part hereof, and only in accordance with such schedule of payments; provided, however, the Buyer may make additional payments or pay off the entire balance without penalty after the 10th year following the date hereof. Provided further that the Buyer may make additional payments not in accordance with the schedule at any time after January 1, 1981, up to a maximum total principal payment in any one calendar year of an amount equal to 20 per cent of the total purchase price.

of the parties hereto for the enforcement of any of the covenants or conditions on the part of either of the parties to be kept or performed, or in case suit or action is instituted by the Seller to foreclose this contract, the unsuccessful party agrees to pay to the successful party in such litigation, such sum as the court may adjudge reasonable as attorneys fees to be allowed the successful party in such suit or action, including any appeal therefrom.

In the event either party has cause to employ an attorney because of the default of either, the other agrees to pay the reasonable costs, including attorneys fees thus incurred by the non-defaulting party.

NOTICES:

Notice for all the purposes of this agreement shall be deemed to have been given by the deposit in the mails of a certified letter containing said notice and addressed to John R. Spooner, 2210 N.E. 131st Avenue, Portland, Oregon 97230 with respect to the Seller, and to Duane A. Sherwood, P.O. Box 26, Boring, Oregon 97009 with respect to the Buyer.

WAIVER OF PROVISIONS:

The failure on the part of the Seller at any time to require performance by the Buyer of any provisions hereof shall, in no way, affect Seller's right hereunder to enforce the same nor shall any waiver by the said Seller of any breach of any provisions hereof be held to be a waiver of

RECEIVED

SEP - 2 1987

WATER RESOURCES DEPT.
SALEM, OREGON

SECTION 5
TOWNSHIP 2 SOUTH
RANGE 4 EAST

Application No. **B-11704**
Permit No. **G11025**

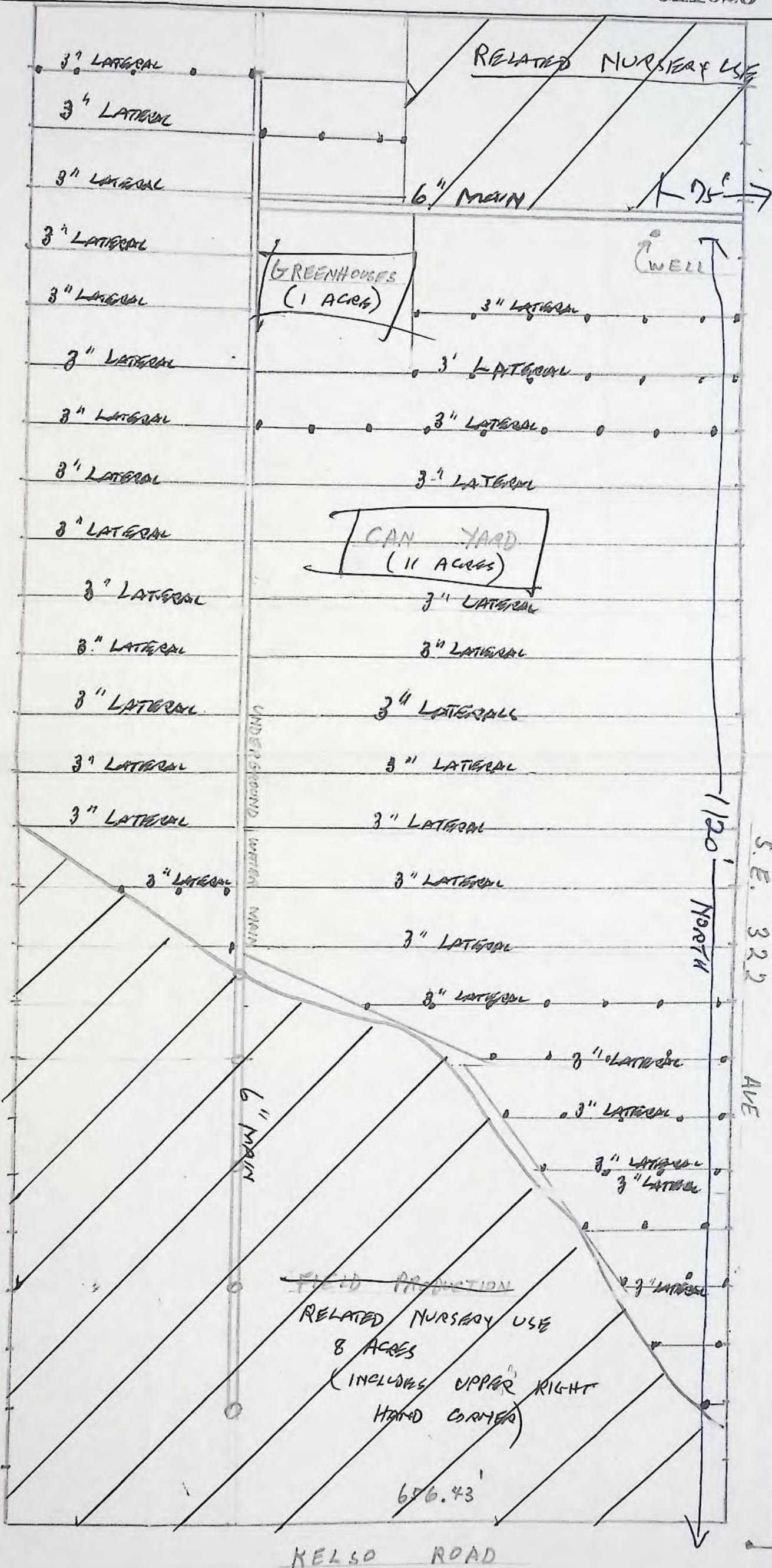
NORTH

WEST

SE 1/4 SE 1/4

CONTAINER AREA

RELATED NURSERY USE



1" = 100'

TOTAL ABOVE IS 20 ACRES

RECEIVED

MAR 15 1989

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

FEB 16 1988

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

SEP 30 1987

WATER RESOURCES DEPT.
SALEM, OREGON

CREEK

S.E. CORNER OF
SECTION 5

LEGAL
ADDED TO FILES

31 | 32 SEE MAP I 4E 32C

SEE MAP 1 4E 320

32 | 33

SCALE 1:9500



SEE MAP 2 4E 6

REF MAP 2 4E 4

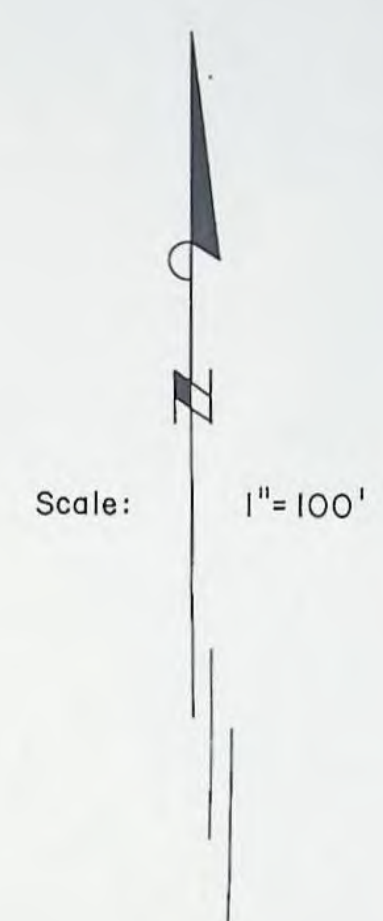
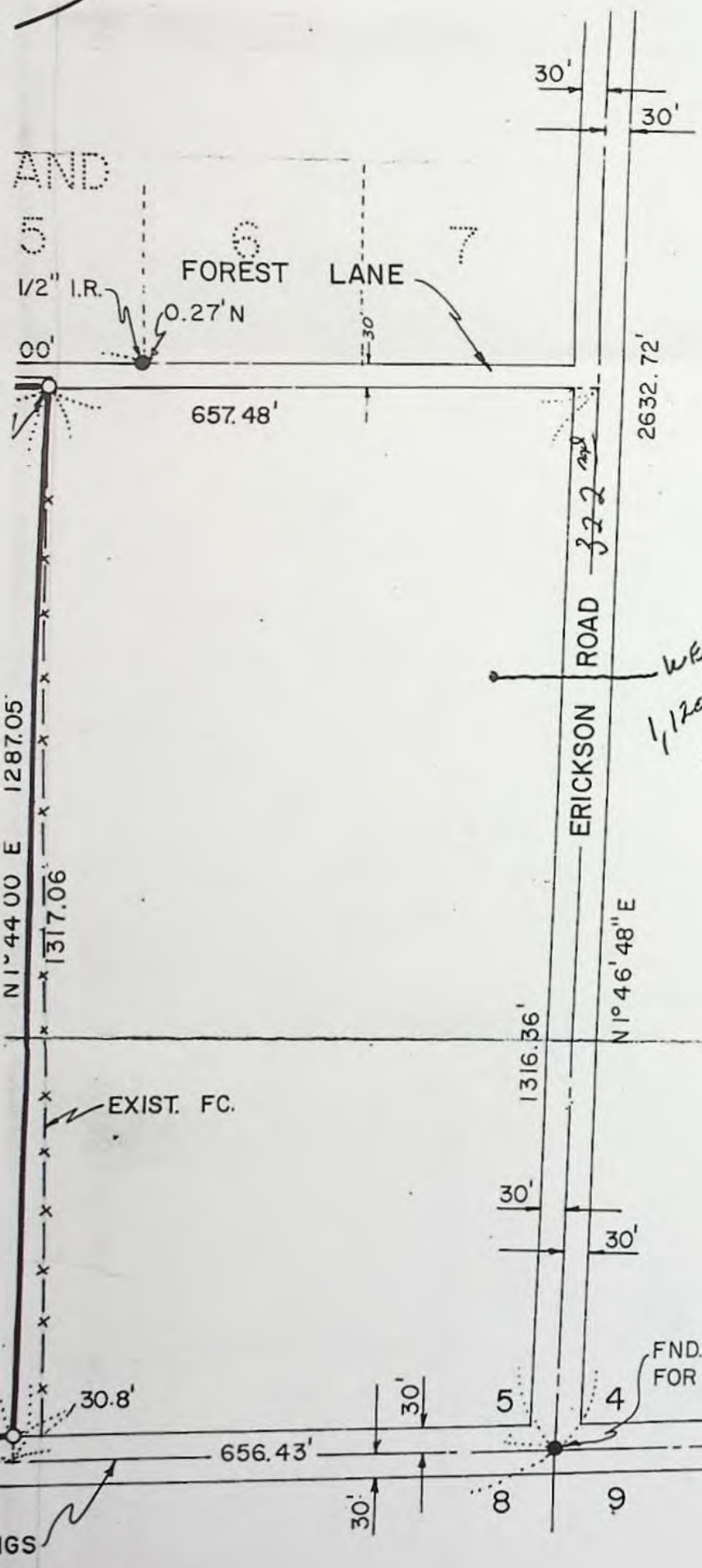
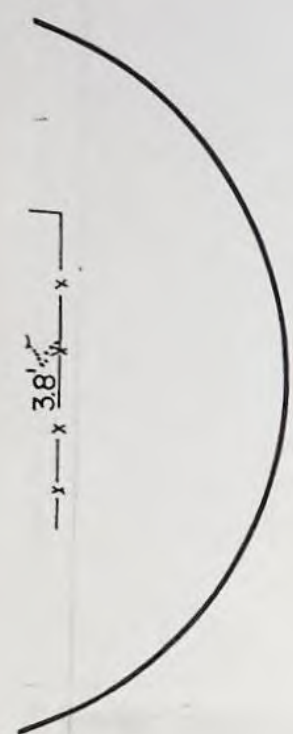
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2 4E 5
BAY 22

Application No. **8-11704**
 Permit No. *Superseded*

RECEIVED
 SEP 30 1987
 WATER RESOURCES DEPT
 SALEM, OREGON

FND. B.C. FOR
 1/4 COR.



LEGEND

- SET 5/8" x 30" IRON ROD
- FOUND MONUMENTS AS NOTED

*Well 1,120' North of S.E. corner
 95' West*

REG. PERMIT
 PROFESSIONAL
Ronald L. McConnell
 OREGON
 JUL 22, 1988
 RONALD L. McCONNELL

BOUNDARY SURVEY FOR S. L. LAMON OF THE W1/2SE1/4 SEC. 5, T.2 S., R.4 E CLACKAMAS COUNTY, OREGON	
Drawn by: GEZ	McConnell Land Surveyor 14995 S. E. Amisiger Boring, Oregon 97009
Scale: 1"=200'	

Application No. 9-11704

Permit No. RECEIVED

RECEIVED

SEP 30 1987

STATE OF OREGON
WATER RESOURCES DEPARTMENT

SEP - 2 1987

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPARTMENT Application for a Permit to Appropriate Groundwater

ASSIGNED

Applicant: DUANE SHERWOOD

Izeli Nursery Inc.
30590 SE Kelso Rd
Boring OR 97009

ph. 663-3822

Mailing address: PO Box 26

BORING
City

OR
State

97009
Zip

663-5267
Phone No.

I hereby make application for a permit to appropriate the following described groundwaters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.):

1 ONLY WELL

Use of water: IRRIGATION COMMERCIAL NURSERY OPERATION

106 GPM 200 GPM 406 GPM
INCLUDING GRAPE HOUSE, CONTAINER, FEED, ETC. RELATED NURSERY

Amount of water: 250 GALS PER MINUTE or

(cubic feet per second)

(gallons per minute)

Diameter of well: 8"

Depth in feet: 400

Type and size of well casing: STEEL

No. of feet: 400

Estimated depth to water: 16.5
(feet)

Type of access port or measuring device: AIR TUBING

Wells to be drilled by: TED PULLIAM WELL DRILLING

Address: 4245 W. POWELL GRESHAM OR 97030
City State Zip

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

If development is less than 1/4 mile from a natural stream, give the following:

Distance from development to stream:

Elevation difference between streambed and development:

Note: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells.

250
100
150 ✓

2. LOCATION (if there is more than one well or source, describe on another sheet):

1,120 feet NORTH and 75 feet WEST
(N or S) (E or W)

from the SOUTHEAST corner of SECTION 5
(Public Land Survey Corner)

located within the S.E. 1/4 of the SE 1/4 of Section 5

Township 2 SOUTH, Range 4 EAST, WM. Tax Lot 4200 + 4201

in CLACKAMAS County.

3. PLACE OF USE (attach additional sheets, if necessary):

Township	Range	Section	1/4 1/4 Section	Tax Lot No.	Use	Use or acres to be irrigated
<u>2 SOUTH</u>	<u>4 EAST</u>	<u>5</u>	<u>E 1/2 SE 1/4 SE 1/4</u>	<u>4200 + 4201</u>	<u>NURSERY</u>	<u>20 ACRES</u> ✓
			<u>EAST 1/2 OF THE SOUTHEAST QUARTER</u>			
			<u>OF THE SOUTHEAST QUARTER OF</u>			
			<u>THE SECTION 5 TOWNSHIP 2 SOUTH,</u>			
			<u>RANGE 4 EAST OF WILLAMETTE</u>			
			<u>MERIDIAN, IN CLACKAMAS COUNTY</u>			
			<u>AS DIVIDED BY A LINE RUNNING</u>			
			<u>PARRELL TO THE SOUTH LINE</u>			
			<u>OF SAID SECTION 5</u>			
			<u>USE WILL BE:</u>			
			<u>1 ACRE FOR GREENHOUSE</u>			
			<u>11 ACRES FOR CONTAINER GROWING</u>			
			<u>BALANCE FOR NURSERY FIELD PRODUCTION (APPROX 8 ACRES)</u>			
			<u>8 ACRES FOR RELATED NURSERY USE</u>			

4. DESCRIPTION OF WATER-DELIVERY SYSTEM:

Length and dimensions of supply ditch or pipeline: PORTABLE IRRIGATION PIPE
FOR FIELD PRODUCTION NOW. AS WE DEVELOPE THE
CONTAINER GROWING AREA WE WILL USE UNDER
GROUND 6" MAINS

Size and type of pump and motor: 25 HORSE SUBMERSIBLE PUMP

Type of irrigation system (check appropriate box): ☐ Flood ☐ Wheel line

☒ Hand line ☐ Drip ☐ Other _____

Other systems: FOR THE CONTAINER GROWING AREA WE WILL
EVENTUALLY USE UNDERGROUND 6" MAINS

✓ Proposed date construction will begin: _____

✓ Proposed date of completion of system: _____

Proposed date water use will be completed: 7/23/87

Is this groundwater source supplemental to another supply? NO

If so, identify the supply and the existing water right: _____

Comments: COPY OF WELL REPORT ENCLOSED

THE AMOUNT OF WATER NEEDED WILL VARY ~~ACCORDING~~ ACCORDING
TO WEATHER DEMANDS. THE 11 ACRES CONTAINER AREA ~~AND~~ MAY
NEED TO BE WATERED DAILY IN THE WARM WEATHER, INCLUDING
A COOLING CYCLE FOR EXTREME HEAT. THE GREENHOUSE (1 ACRE)
WILL NEED WATER YEAR-ROUND DEPENDING ON
WEATHER DEMANDS. THE FIELD (8 ACRES) WILL HAVE
TO HAVE WATER AVAILABLE YEAR ROUND DEPENDING ON WEATHER
(SUCH AS WINTER FROST PROTECTION) IT WILL TAKE SEVERAL
YEARS TO COMPLETELY DEVELOP BASED ON ECONOMIC CONDITIONS.

Quinn Sherwood
Signature of Applicant

7/23/87

NOTE:

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Application No. 9-11704

Permit No. _____

PC
NCR.

(DO NOT WRITE IN THIS SPACE)

Dear Applicant:

I certify that I have examined the foregoing application, together with any accompanying information. I am returning it to you for the following reason(s): completion

In order to retain your priority, you must return this application with the requested corrections or additions on or before May 11¹⁵, 19 88⁸⁹

Date: February 11¹⁵, 19 88⁸⁹

WATER RESOURCES DEPARTMENT

By: Wayne J. Overcash
WAYNE J. OVERCASH

RECEIVED

FEB 16 1988

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 15 1989

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED at Oregon Water Resources Department on: September 30, 19 87
at 11:37 o'clock AM/PM.

Application No. 2-11704 Permit No. _____

Permit to Appropriate the Public Waters of the State of Oregon

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

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 250 ^{gallons per minute, BEING 10 g.p.m. FOR} cubic feet per second measured at the point of diversion from the GREENHOUSE USE, 200 g.p.m. FOR CONTAINERIZED NURSERY USE, AND 40 g.p.m. FOR RELATED NURSERY well or source of appropriation, or its equivalent in case of rotation with other water users, from ONE

WELL

The use to which this water is to be applied is NURSERY OPERATIONS BEING: GREENHOUSE USE on 1.0 ac USING CONTAINERIZED NURSERY STOCK AND RELATED NURSERY USE on 11.0 ac on 8.0 ac

If for irrigation, this appropriation shall be limited to 1/8 - 2 1/2 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed acre feet per acre for each acre irrigated during the irrigation season of each year;

(NUR)

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

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

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

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

The priority date of this permit is SEPTEMBER 30, 1987

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

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

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

RECEIVED

SEP 30 1987

WATER RESOURCES DE

TALEH OREGON

Application No. 9-11704
Permit No.

CONTRACT

THIS CONTRACT made and entered into this 1st day of May, *amb*

1976, by and between JOHN R. SPOONER and ALMA M. BUCKINGHAM, hereinafter called "Seller" and DUANE A. SHERWOOD, hereinafter called "Buyer."

The parties agree as follows:

SALE AND DESCRIPTION:

Seller agrees to sell and Buyer agrees to purchase the following described real property located in Clackamas County, Oregon:

The East half of the Southeast quarter of the Southeast quarter of Section 5, T. 2 S., R. 4 E., of the W.M. together with the right reserved to dig and maintain a drainage ditch together with access thereto as an appurtenance to the premises which right is more particularly described in Deed recorded in Book 350 at page 281 Deed Records of Clackamas County, Oregon, on August 25, 1945.

PRICE AND TERMS:

The purchase price of the property, which Buyer agrees to pay is \$40,000.00, payable as follows: All unpaid principal balances under this contract shall bear interest at the rate of nine percent (9%) per annum. Principal and interest shall be payable in the name of and to John R. Spooner for the account of the Seller in accordance with the schedule of payments attached hereto and made a part hereof, and only in accordance with such schedule of payments; provided, however, the Buyer may make additional payments or pay off the entire balance without penalty after the 10th year following the date hereof. Provided further that the Buyer may make additional payments not in accordance with the schedule at any time after January 1, 1981, up to a maximum total principal payment in any one calendar year of an amount equal to 20 per cent of the total purchase price.

Application No. 8-11704
Permit No.

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SEP 30 1987

WATER RESOURCES DEPT
PORTLAND, OREGON

TAXES AND OTHER PUBLIC CHARGES:

Buyer agrees to pay taxes annually as they become due upon said premises and not later than the 15th day of November of each year. Taxes for the current tax year shall be prorated as of the date of this contract. Buyer agrees to pay and assume all future public liens, charges and assessments hereafter made upon said premises.

CONVEYANCES:

Upon the payment of the entire purchase price of the property as provided herein and performance by the Buyer of all of the other terms, conditions and provisions hereof, Seller shall forthwith execute and deliver to Buyer a good and sufficient deed conveying the property aforesaid to Buyer, Buyer's heirs, successors, or assigns forever, free and clear of all liens and encumbrances except those placed upon the property or suffered by the Buyer subsequent to the date of this agreement.

TITLE INSURANCE:

Seller agrees, at Seller's own expense and within ten (10) days following the reduction of the principal balance under this contract by the sum of \$5,000.00, to furnish unto the Buyer, a Purchaser's policy of title insurance in an amount equal to the purchase price showing marketable title in and to said premises in the Seller as of the date of this contract save and except the usual printed exceptions and

Application No. **8-11704**
Permit No.

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SEP 30 1987

WATER RESOURCES DEPT
Salem, Oregon

building, zoning and other restrictions and easements now of record, if any.

WASTE, LIENS AND ENCUMBRANCES:

The Buyer agrees that at all times he will keep the buildings on said premises, now or hereafter erected, in good condition and repair and will not suffer or permit any waste or strip thereof and will not remove any such buildings without first obtaining the consent of Seller in writing.

The Buyer agrees to keep the foregoing premises free from and promptly to discharge any and all liens for labor and materials created by the Buyer or asserted by reason of the Buyer's use, occupation or possession or contract interest in said premises, but the Buyer, while not in default in respect to any of the other covenants or obligations hereunder shall not be obligated to pay or discharge any lien or encumbrance so long as the validity of such lien or encumbrance is being contested by the Buyer in good faith and by appropriate legal proceedings, permission being herein granted unto the Buyer to conduct any such proceedings as may be necessary for the effective contesting of such liens or encumbrances. Buyer agrees to save the Seller harmless and said premises harmless from any cost, liability, or expense resulting from any such liens or encumbrances that may be asserted by reason of the Buyer's activities and will pay all costs by reason of any such liens or encumbrances

Application No. 8-11704
Permit No.

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SEP 8 0 1987

WATER RESOURCES DEPT

SOUTH OREGON

for which the Seller may become liable and all necessary and reasonable court costs, disbursements and attorneys fees incurred by the Seller in the resistance of any such liens and encumbrances.

ENTIRE AGREEMENT:

This written contract constitutes the entire agreement between the parties relating to the subject matter hereof. It supersedes prior memoranda, earnest money agreements, options and all other prior documents made by the parties in connection with the transaction described herein. All oral agreements and understandings of the parties respecting the subject matter of the agreement have been integrated herein. It is the intention of the parties that no other agreement, written or oral, concerning the subject matter of this agreement, shall be effective nor binding upon either Seller or Buyer unless set forth herein or specifically referred to herein.

FORFEITURE AND FORECLOSURE:

In the event the Buyer shall fail to perform any of the terms of this agreement, time of payment and performance being of the essence, the Seller shall, at Seller's option, subject to the requirements of notice as herein provided, have the following rights:

- (a) To foreclose this contract by strict foreclosure;
- (b) To declare the full unpaid balance of the purchase

Application No. 8-11704

Permit No.

price immediately due and payable together with all accrued interest.

(c) To specifically enforce the terms of this agreement by suit in equity;

If Seller exercises the option to foreclose by suit in equity, all the right, title and interest of the Buyer shall revert and re-vest in the Seller without any act of re-entry or without any other acts by the Seller to be performed and the Buyer agrees to peaceably surrender the premises to the Seller or in default thereof, Buyer may, at the option of the Seller, be treated as a tenant holding over unlawfully after the expiration of a lease and may be ousted and removed as such, and if the Seller exercises such option to foreclose, Buyer agrees that he shall not be permitted to remove any shrubs, plants, trees, or other vegetation from the premises.

Buyer shall not be deemed in default for failure to perform any covenant or condition of this contract, other than the failure to make payments as provided for herein, until notice of said default has been given by Seller to Buyer and Buyer shall have failed to remedy said default within ten (10) days after the giving of the notice.

If the Buyer shall fail to make payments as herein provided and said failure shall continue for more than fifteen (15) days after the payment becomes due, Buyer shall be deemed in default and Seller shall not be obligated to give notice to Buyer of a declaration of said default.

ATTORNEYS FEES:

In the event suit or action shall be brought by either

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WATER RESOURCES DEPT
DAVIDSON COUNTY

Application No. 8-11704
Permit No.

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SEP 30 1987
OFFICE OF RESOURCES DEVELOPMENT

of the parties hereto for the enforcement of any of the covenants or conditions on the part of either of the parties to be kept or performed, or in case suit or action is instituted by the Seller to foreclose this contract, the unsuccessful party agrees to pay to the successful party in such litigation, such sum as the court may adjudge reasonable as attorneys fees to be allowed the successful party in such suit or action, including any appeal therefrom.

In the event either party has cause to employ an attorney because of the default of either, the other agrees to pay the reasonable costs, including attorneys fees thus incurred by the non-defaulting party.

NOTICES:

Notice for all the purposes of this agreement shall be deemed to have been given by the deposit in the mails of a certified letter containing said notice and addressed to John R. Spooner, 2210 N.E. 131st Avenue, Portland, Oregon 97230 with respect to the Seller, and to Duane A. Sherwood, P.O. Box 26, Boring, Oregon 97009 with respect to the Buyer.

WAIVER OF PROVISIONS:

The failure on the part of the Seller at any time to require performance by the Buyer of any provisions hereof shall, in no way, affect Seller's right hereunder to enforce the same nor shall any waiver by the said Seller of any breach of any provisions hereof be held to be a waiver of

Application No. *9-11704*
Permit No.

RECEIVED
SEP 30 1987
WATER RESOURCES DEPT
OREGON

any succeeding breach of any provision as a waiver of the provision itself.

ROAD IMPROVEMENT ASSESSMENT:

In addition to the other obligations of the Buyer hereunder, the Buyer agrees to assume and pay the road improvement assessment. The Seller is not required to discharge the lien of said assessment from the property.

IN WITNESS WHEREOF the parties have hereunto set their hands the day and year first hereinabove written.

John R. Spooner
John R. Spooner

Alma M. Buckingham
Alma M. Buckingham

"Seller"

Duane A. Sherwood
Duane A. Sherwood

"Buyer"

Application No. 8-11704
Permit No.

RECEIVED

SEP 30 1987

WATER RESOURCES DE
SALEM, OREGON

STATE OF OREGON)
County of Multnomah) ss.

August
May 3, 1976

Personally appeared the above named JOHN R. SPOONER
and acknowledged the foregoing instrument to be his voluntary
act and deed.

Before me:

Barbara Brohlin
Notary Public for Oregon
My Commission Expires: 7/20/79

STATE OF OREGON)
County of Coos) ss.

July
May 29, 1976

Personally appeared the above named ALMA M. BUCKINGHAM
and acknowledged the foregoing instrument to be her voluntary
act and deed.

Before me:

W. L. Miller
Notary Public for Oregon
My Commission Expires: 1/27/78

STATE OF OREGON)
County of Clatsop) ss.

August
May 5, 1976

Personally appeared the above named DUANE A. SHERWOOD
and acknowledged the foregoing instrument to be his voluntary
act and deed.

Before me:

Phillip S. Dawson
Notary Public for Oregon
My Commission Expires: 9/4/77

MEMORANDUM

DATE: 11-14-89

TO: Application/ Permit Section

FROM: Groundwater Section by K. Lite
(signature)

SUBJECT: Application # G-11704

The application referenced above and available data has been reviewed under the guidelines of the Director's policy memo of October 19, 1989.

We find that the proposed groundwater use falls within the following category:

 CATEGORY 1A - The proposed well will be located less than 1/4 mile from the nearest stream, and significant surface water interference will exist.

✓ CATEGORY 1B - The proposed well will be located less than 1/4 mile from the nearest stream, but significant surface water interference will not exist.

 CATEGORY 2A - The proposed well will be located more than 1/4 mile from the nearest stream, and significant surface water interference will not exist.

 CATEGORY 2B - The proposed well will be located more than 1/4 mile from the nearest stream, but significant surface water interference will exist at the nearest point on the stream.

REMARKS: The well associated with this application is open to the lower aquifer of a two aquifer system. As long as the well remains unperforated through the upper aquifer, there will be no significant surface water interference.

5 SPRINKLER 5

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WATER RESOURCES DEPT.
DALEM, OREGON

CAN YARD (11 ACRES)

6" MAIN 1,575 FEET

3" LATERAL 9800 FEET

144 FULL SPRINKLER

RAINBOW 30 H SERIES FULL CIRCLE

50 LBS PRESSURE, 50' RADIUS

NOZZLES 12 X 6 (3/16 X)

PRECIPITATION .35

9.04 / GAL / MIN

70 PART CIRCLE

RAINBOW 35A-TNT

50 LBS PRESSURE 49' RADIUS

NOZZLES 12

PRECIPITATION .58

9.2 / GAL / MIN

FIELD (8 ACRES)

PORTABLE 3" LINES 4,200' (FOR SOLID SET)

84 FULL SPRINKLER

RAINBOW 30 H SERIES

50 LBS PRESSURE 50' RADIUS

9.04 / GAL / MIN

GREEN HOUSE (1 ACRE)

10 LINES 3/4" X 100' = 1,000' X 3/4"

FOUR HEAD EVERY 5' = 200 HEADS X 1/2 GAL / MIN

CAPACITY

CAN YARD

FULL CIRCLE

PART CIRCLE

FIELD

GREEN HOUSE

1,301.76 GAL / MIN

5041 GAL / MIN

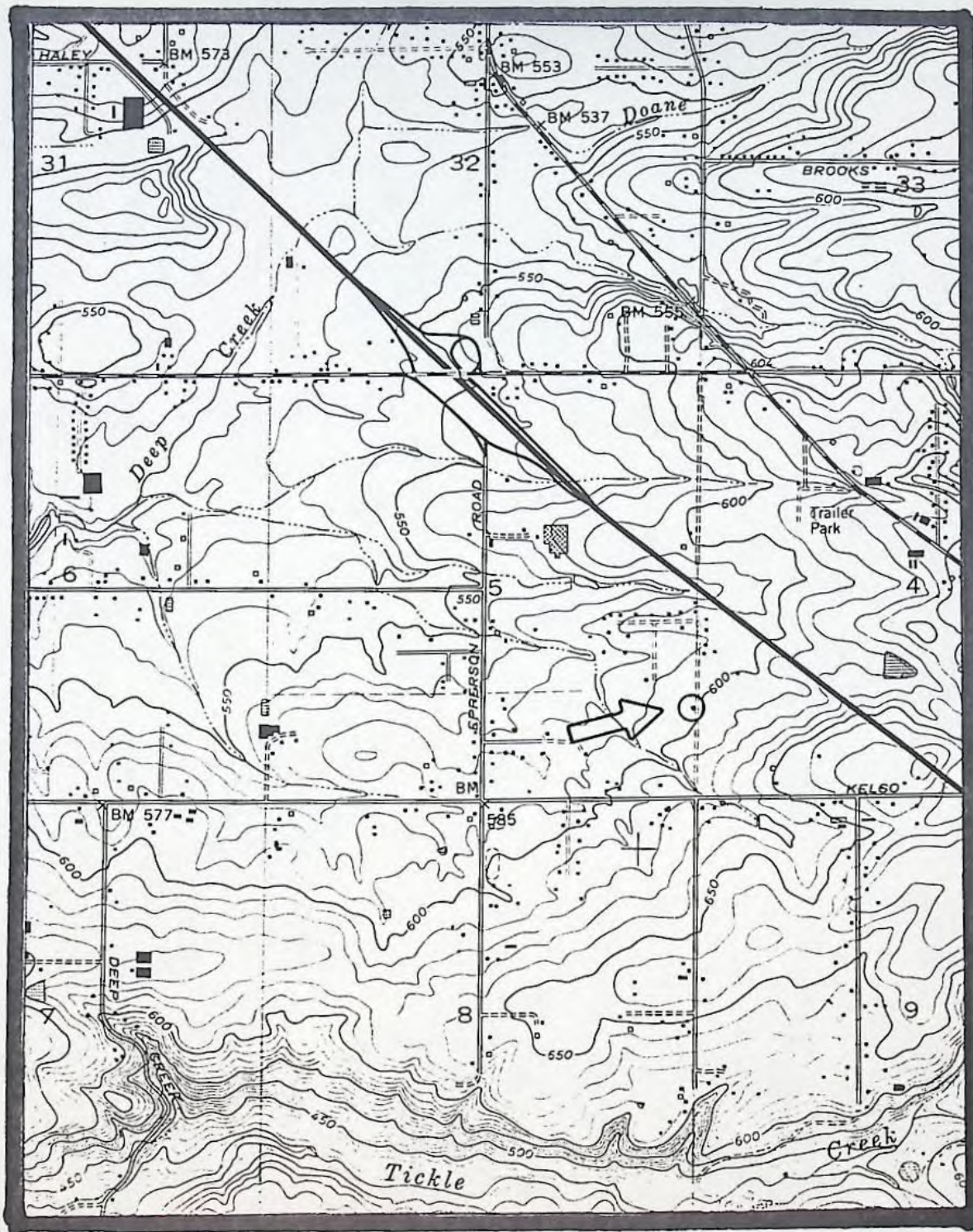
759.36 GAL / MIN

100 GAL / MIN

2,665.12 GAL PER MIN

A 250 GAL PUMP CAN IRRIGATE APPROX. 1/10 OF
FARM AT ONE TIME

R4E



LOCATION OF THE
DUANE SHERWOOD IRRIGATION WELL
CLACKAMAS CO., OREG.
W.R. Appl. no. G-11704

map base: SANDY, OREG. 7½"

STATE OF OREGON
COUNTY OF CLACKAMAS
PERMIT TO APPROPRIATE THE PUBLIC WATERS

PRELIMINARY
SUBJECT TO REVISION

THIS PERMIT IS HEREBY ISSUED TO

DUANE SHERWOOD
PO BOX 26
BORING, OREGON 97009

503-663-5267

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 20.0 ACRES.

This Permit is issued approving Application G-11704. The date of priority is SEPTEMBER 30, 1987. The use is limited to not more than 0.56 CUBIC FOOT PER SECOND, being ~~0.02 cfs for greenhouse uses on 1.0 acre, 0.45 cfs for containerized nursery stock on 11.0 acres, and 0.09 cfs for related nursery uses on 8.0 acres, or its equivalent in case of rotation, measured at the well.~~

The well is located as follows:

SE 1/4 SE 1/4, SECTION 5, T 2 S, R 4 E, W.M.; 1120 FEET NORTH AND 75 FEET WEST FROM SE CORNER, SECTION 5.

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

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

E 1/2 SE 1/4 SE 1/4
SECTION 5
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

NURS #

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

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

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1991. Complete application of the water shall be made on or before October 1, 1992.

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

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

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

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

Issued this date, .

Water Resources Department
William H. Young, Director

Application G-11704 Water Resources Department
Basin 2 Volume 23A North Fork Deep Creek & Misc. Wells
G-11704.lcj

PERMIT G-
District 16

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

UAC 5/84
AUG 10 1987
WATER RESOURCES DEPT.
SALEM, OREGON

25/4E-5

(1) OWNER: Well Number: _____
Name Plants Unlimited
Address P.O. box 26
City Boring State Ore Zip 97009

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other _____

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION:

Construction approval Yes No Depth of Completed Well 400 ft.
Explosives used ☐ Yes ☒ No ☒ X Type _____ Amount _____

HOLE			SEAL			Amount		
Diameter	From	To	Material	From	To	sacks or pounds		
2	0	28	cement	0	28	15 sacks		
8	28	400						

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other _____

Backfill placed from _____ ft. to _____ ft. Material _____

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

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8	+1	400	250	☒	☐	☒	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
				☐	☐	☐	☐

Liner: _____

Final location of shoe(s) 400

PERFORATIONS/SCREENS:

☒ Perforations Method knife
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
290	350	1/2	1500			☒	☐
390	400	1/2	300			☒	☐
						☐	☐
						☐	☐
						☐	☐

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing ☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
350		400	1 hr.
300		350	1 hr
250		300	1 hr

Temperature of water _____ Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Clack Latitude _____ Longitude 122.2
Township 2S N or S, Range 4E E or W, WM.
Section 5 1/4 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) NW. corner Kelso
rd. and SE. 322 Boring, ore.

(10) STATIC WATER LEVEL:

165 ft. below land surface. Date 7-22-87
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 100

From	To	Estimated Flow Rate	SWL
100	110	5gpm	40
140	180	15gpm	40
200	220	30gpm	60
360	385	200gpm	165

(12) WELL LOG:

Material	From	To	SWL
top soil	0	3	
clay	3	8	
cemented gravel/larg bould	8	140	40
clay	140	145	
cemented gravel	145	185	40
clay	185	200	
cemented gravel	200	220	60
fine black cement gravel	220	250	
clay	250	275	
fine cemented gravel	275	300	165
cemented gravel	300	350	165
sand	350	385	165
sand and clay	385	390	
blue clay	390	400	

Date started 7-11-87 Completed 7-22-87

(unbonded) Water Well Constructor Certification:

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

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Ted W. Pulliam WWC Number _____
Date 7-23-87

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.785)

AUG 06 1987

SEP - 2 1987

RECEIVED

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(1) OWNER:

Name Plants Unlimited

Address P.O. box 26

City Boring

State Ore

Zip 97009

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

☒ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 400 ft.

Explosives used ☐ ☒ Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	28	cement	0	28	15 sacks
8	28	400				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Casing	Diameter		From	To	Gauge	Steel	Plastic	Welded	Threaded
	8	+1							
			400	250		☒	☐	☒	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐
						☐	☐	☐	☐

Final location of shoe(s) 400

(7) PERFORATIONS/SCREENS:

☒ Perforations Method knife
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
280	350	3/2	1500			☒	☐
390	400	4/2	300			☒	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐
						☐	☐

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

☐ Pump ☐ Bailor ☒ Air ☐ Flowing ☐ Artesian

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Temperature of water Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

WATER RESOURCES DEPT.
SALEM, OREGON

(9) LOCATION OF WELL by legal description:

County SASSE, OREGON

Township 2S N or S, Range 4E

Section 5

Tax Lot Lot Block Subdivision

Street Address of Well (or nearest address) NW. corner Kelso

rd. and SE. 322 Boring, Ore.

(10) STATIC WATER LEVEL:

165 ft. below land surface.

Date 7-22-87

Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 100

From	To	Estimated Flow Rate	SWL
100	110	5gpm	40
140	180	15gpm	40
200	220	30gpm	60
360	385	200gpm	165

(12) WELL LOG:

Ground elevation 165

Material	From	To	SWL
top soil	0	3	
clay	3	8	
cemented gravel/larg bould	8	140	40
clay	140	145	
cemented gravel	145	185	40
clay	185	200	
cemented gravel	200	220	60
fine black cement gravel	220	250	
clay	250	275	
fine cemented gravel	275	300	165
cemented gravel	300	350	165
sand	350	385	165
sand and clay	385	390	
blue clay	390	400	

(11) 275-350 200-300gpm 165

Application No. 2-11704

Permit No.

Date started 7-11-87

Completed 7-22-87

(unbonded) Water Well Constructor Certification:

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

WWC Number

Signed Date

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

WWC Number

Signed Date 7-23-87

STATE OF OREGON
COUNTY OF CLACKAMAS
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DUANE SHERWOOD
PO BOX 26
BORING, OREGON 97009

503-663-5267

to use the waters of ONE WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 20.0 ACRES.

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The well is located as follows:

SE 1/4 SE 1/4, SECTION 5, T 2 S, R 4 E, W.M.; 1120 FEET NORTH AND 75 FEET WEST FROM SE CORNER, SECTION 5.

The amount of water used for Nursery Operations (OAR 690-11-010(14)) 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 at any time of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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

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

E 1/2 SE 1/4 SE 1/4
SECTION 5
TOWNSHIP 2 SOUTH, RANGE 4 EAST, W.M.

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

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

Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water shall be made on or before October 1, 1993.

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

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

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

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

Issued this date, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

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