

Assigned

Cancelled

Application No. **59928**Permit No. **45854**Certificate No. **58499**Stream Index, Page No. **2-62 B 28**

OWNERSHIP UPDATE

FEES PAID

Date	Amount	Receipt No.
4/1/80	37.50	16916

Cert. Fee

FEES REFUNDED

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

Name Roy D. Cook
 By _____
 Address Route 4, Box 134, Cornelius OR 97113

Date filed April 1, 1980

Priority _____

Action suspended until OK Cert

Return to applicant _____

Date of approval AUG 20 1981

CONSTRUCTION

Date for beginning AUG 20 1982Date for completion OCT 1 - 1983

Extended to _____

Date for application of water OCT 1 - 1984

Extended to _____

PROSECUTION OF WORK

Form "A" filed Dec. 17, 1981

Form "B" filed _____

Form "C" filed Oct. 10, 1983

FINAL PROOF

Blank mailed SEP 26 1988

Proof received _____

Date certificate issued NOV 28 1988

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
4-17-81	Porter Walton Co Inc	Rt 4 Box 407 Sherwood OR 97113	6	572

REMARKS

See file R-59929
CARD FOR B OCT 3 1983
T-13542 APOA, ΔPOV, ΔUSE, partial cancellation of CERT, Partial Cancellation of Permit v 134 p 598
Cancelled 5/28/2026 v 138 p 882



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

May 28, 2026

KL LB BUY 5 LC
C/O KLSERVICERS LLC
6900 E CAMELBACK RD. STE 800
SCOTTSDALE, AZ 85251

AGC PROPERTIES, LLC
ATTN: MARK BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

Re: Voluntary Cancellation of Certificate 97719

Pursuant to your request, Certificate 97719 has been cancelled by order of the Director of the Water Resources Department. This cancellation is recorded in Special Order Volume 138, Pages 882-883.

If you have any questions, please contact Adam Frederick at Adam.M.Frederick@water.oregon.gov or 971-707-8400.

Sincerely,

Adam Frederick

Adam Frederick
District Transfer Program Advisor
Transfers and Conservation Section

Cc (via email): Watermaster District #18, Jake Constans
 Tualatin Valley Irrigation District – Bobby Nuvolini
 Agent – Ted Ressler

enclosure

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

IN THE MATTER OF A CANCELLATION OF THE ENTIRETY)
OF WATER RIGHT CERTIFICATE 97719, IN THE NAME OF) FINAL ORDER
PORTER-WALTON CO., INC., WASHINGTON COUNTY)

Authority

Oregon Revised Statue 540.621 and Oregon Administrative Rules 690-17-0100 direct the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On February 9, 2026, the Department received an Affidavit for Voluntary Cancellation of a Water Right Certificate signed by Ed Hadley (affiant), on behalf of KL LB Buy 5 LLC, with a mailing address of c/o KLServicers, 6900 E. Camelback Road, Suite 800, Scottsdale, Arizona, 85251, asserting KL LB Buy 5 LLC is the owner of the land and the portion of appurtenant water right evidenced by Certificate 97719.
2. On February 9, 2026, the Department received an Affidavit for Voluntary Cancellation of a Water Right Certificate signed by Mark Bigej (affiant), on behalf of AGC Properties, LLC, with a mailing address of 1220 N Pacific Highway, Woodburn, Oregon, 97071, asserting AGC Properties, LLC is the owner of the land and the portion of appurtenant water right evidenced by Certificate 97719.
3. Pursuant to OAR 690-017-0100(2)(a), the Department has determined KL LB Buy 5 LLC and AGC Properties, LLC, are the recorded owners, as established by county deed records, of the lands and entire water right evidenced by Certificate 97719.
4. Certificate 97719 allows for the use of the waters of an unnamed stream and reservoir constructed under Permit R-8279, tributary of the Tualatin River, for supplemental irrigation of 41.9 acres. The date of priority is April 1, 1980.
5. The affiants request cancellation of the entirety of the certificate.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

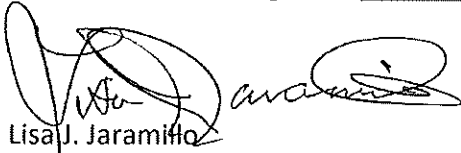
Conclusions of Law

The Director of the Water Resources Department concludes the right evidenced by Certificate 97719 has been abandoned in accordance with the provisions of ORS 540.621 and should be cancelled.

Now, therefore, it is **ORDERED**:

Certificate 97719 is cancelled.

Signed at Salem, Oregon on **MAY 28, 2026**.

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', is written over a horizontal line.

Lisa J. Jaramillo
Transfer and Conservation Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department

Mailing Date: **MAY 29, 2026**

Water Right Voluntary Partial or Full Cancellation / Diminishment Completion Checklist

Consistent with ORS 540.621, OAR 690-017-0005 through 690-017-0100, and the 9-19-2002 Ridgeview Settlement Agreement Article II.

CASEWORKER INITIAL DATA ENTRY:

Initial Public Notice Date: 5/5/26 or ☐ N/A (FOR SUPPORT STAFF)

Water Right Affected (Must have a certificate)

App File No.	Permit No.	Certificate #.	RR/CR Needed	RR/CR Nos.
<u>S-59928</u>	<u>S-45854</u>	<u>97719</u>	☐ Yes ☒ No	_____
Affiant Name/Address: Name KL LB BUY 5 LLC; AGC Properties, LLC Street City/ZIP		Irri. Dist. Name/Address: Name TVID Street 2330 Elm St City/ZIP Forest Grove, OR 97716		B.O.R Name/Address: Name Street City/ZIP

Basin#: Willamette County: Washington Watermaster District: 18 Region: NW

Area of Interest results: _____

- ☒ Affidavits and supporting documents placed in file and given to TACS staff.
☒ Associated with another water right process. 58457

TACS STAFF – PREPARE PN AND PROCESS:

- ☐ or ☐ N/A: If certificate is in the name of an irrigation district, both the district and landowner have provided consent.
- ☐ or ☐ N/A: If certificate is in the name of BOR, BOR, the district and landowner have provided consent
- ☐ or ☐ N/A: If cancellation is located with a BOR project or district: Prepare Public Notice using Maintenance Tool & Notify Support Staff with e-mail to create ack-ltr and notify of PN record
https://apps.wrd.state.or.us/apps/wr/wr_public_notice_maint/login.aspx?ReturnUrl=%2fapps%2fwr%2fwr_public_notice_maint%2f
- ☒ Affidavit is complete and signed by all property owners listed on the deed, or by authorized agent.
- ☒ Conflict check completed for layered irrigation rights with all lands being cancelled.
- ☒ Cancellation request is consistent with lands described in the deed and the water right of record.
- ☐ Prepare Final Order for Full or Partial Cancellation or Full or Partial Diminution
- ☐ or ☒ N/A: Prepare Remaining Right(s)
- ☐ or ☐ N/A: Attach "Routing Memo for Data Processing of Unsigned Cancellation Order/RR" if paired with new permit application before returning to Permit Caseworker

Comments/Special Issues:

SEE NEXT PAGE FOR FINAL ORDER PROCESSING CHECKLIST

SUPPORT-STAFF FINAL ORDER PROCESSING

(mark appropriate box when task is completed)

☐ Special Order Numbers Assigned Volume _____ Pages _____

SCAN AFFIDAVIT to WRIS

☐ Attached a scan the affidavit to the certificate record being cancelled or diminished snapshot in WRIS under "ALL SCANNED DOCUMENTS"

PREPARE COPIES FOR MAILING

- ☐ Cover Letter
- ☐ Final Order
- ☐ Remaining Right (if applicable)

COPIES MAILED TO

- ☐ Affiant (listed on other side of this checklist)
- ☐ or N/A: Name and Address Listed on Certificate if different from the Affiant
- ☐ Irrigation District (if listed on other side of this checklist)
- ☐ Agent _____ (if specified by caseworker)
- ☐ CWRE _____ (to be specified by caseworker)
- ☐ OTHER _____ (to be specified by caseworker)
- ☐ OTHER _____ (to be specified by caseworker)

EMAIL COPIES SENT (order + RR right if applicable)

- ☐ Watermaster
- ☐ Data Center (include cancellation/diminution map)
- ☐ Water Availability
- ☐ Water Use Reporting
- ☐ B.O.R. (if listed on other side of this checklist)
- ☐ OTHER _____ (if specified by caseworker)

FILE IN VAULT

- ☐ Special Order(s)
- ☐ RR Right Certificate(s)

RECORD MARKING

- ☐ File Folder(s) _____
- ☐ Cancelled Certificate(s) in Vault _____

☐ Decree page(s) in Vault

Volume _____ Page _____



Oregon

Tina Kotek, Governor

APP: S-59928

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 7, 2025

John O'Neil
17933 NW Evergreen Parkway Suite 300
Beaverton, OR 97006

REFERENCE: Transfer Application T-13542

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Corey Courchane, by telephone at (503) 979-3917 or by e-mail at Corey.a.courchane@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Jacob W. Constans, Watermaster Dist. # 18 (via email)
Ted Ressler, Agent
Mark Bigej, Receiving Landowners
Washington County Planning Department, Local Government

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING AN
T-13542, Washington County	)	ADDITIONAL POINT OF APPROPRIATION,
	)	A CHANGE IN PLACE OF USE, A CHANGE
	)	IN CHARACTER OF USE, PARTIAL
	)	CANCELLATION OF A WATER RIGHT
	)	CERTIFICATE, AND PARTIAL
	)	CANCELLATION OF A WATER USE PERMIT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

MF BEEF BEND, LLC
ATTN: JOHN O'NEIL
17933 NW EVERGREEN PARKWAY, SUITE 300
BEAVERTON, OR 97006

Receiving Landowner

AGC PROPERTIES, LLC
ATTN: MARK BIGEJ
1220 N PACIFIC HIGHWAY
WOODBURN, OR 97071

Findings of Fact

1. On November 5, 2020, MF BEEF BEND, LLC, ATTN: JOHN O'NEIL filed an application for an additional point of appropriation, to change the place of use, and to change the character of use under Certificate 51171. The Department assigned the application number T-13542.
2. AGC PROPERTIES, LLC, ATTN: MARK BIGEJ is the receiving landowner who will be responsible for completion of the changes.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

3. Notice of the application for transfer was published on November 10, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On December 1, 2021, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of deficiencies in the application. The application did not include a Supplemental Form D, as the authorized and proposed place of use is located within the Tualatin Valley Irrigation District (District) and is also layered with Permit S-54499 in the name of the District. Certificate 58499 in the name of MF Beef Bend, LLC is also layered with the portion of Certificate 51171 involved in T-13542 and was not included in the application pursuant to OAR 690-380-2240. Table 2 described 14.0 acres being transferred off of the "FROM" lands, and only 8.0 acres on the "TO" lands, so the amount of acres being transferred wasn't clear. The Department requested that the deficiencies be resolved by January 3, 2022.
5. On February 6, 2024, the Department received a revised application, map, and an Affidavit for the Voluntary Cancellation of a Portion of Water Right Certificate 58499.
6. On March 28, 2024, the Department received an Affidavit for the Voluntary Cancellation of a Portion of Water Use Permit S-54499 from the District, resolving the deficiencies.
7. On October 4, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13542 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 4, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On February 3, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-13542 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on February 4, 2025, and in the Sherwood Gazette newspaper on February 13 and 20, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
9. The portion of the right to be transferred is as follows:

Certificate:	51171 in the name of PORTER WALTON CO, INC. (perfected under Permit G-5476)
Use:	IRRIGATION OF 16.0 ACRES
Priority Date:	MAY 5, 1971
Rate:	0.10 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year and is subject to all terms and conditions of an order of the State Engineer entered May 17, 1974, including its consideration as Item 81 and added to paragraph 9 of the order.

Source: A WELL, a tributary of TUALATIN RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	1 W	WM	18	SE NE	42	(WELL 1) - 1020 FEET NORTH AND 480 FEET WEST FROM THE E1/4 CORNER OF SECTION 18

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	1 W	WM	18	SE NE	42	15.3
2 S	1 W	WM	18	NE SE		0.7
Total						16.0

10. Transfer Application T-13542 proposes an additional point of appropriation approximately 916 feet Southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	1 W	WM	18	SE NE	42	WELL 2 - 130 FEET NORTH AND 700 FEET WEST FROM THE E1/4 CORNER OF SECTION 18

11. Transfer Application T-13542 also proposes to change the place of use of the right to:

NURSERY AND COMMERCIAL USE						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	1 W	WM	18	SE NE	42	6.4
2 S	1 W	WM	18	NE SE		1.6
Total						8.0

12. Transfer Application T-13542 proposes to change the character of use to Nursery and Commercial Use.

13. The applicant proposes to double the acres on a deficient irrigation right to get a higher irrigation rate, while reducing the number of acres irrigated to one half; i.e. change from 16.0 acres irrigated, to 8.0 acres irrigated.

14. Certificate 51171 does not specify a season of use; therefore, pursuant to the Tualatin River decree, the season of use is May 1 to September 30.

15. On May 16, 2019, the Department approved Transfer Application T-12699, recorded at Special Order Volume 113, Pages 123-128. The final order contained a scrivener's error in the description of the existing acres under Permit S-54499 below in bold:

ROWELL BROTHERS – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	15	NW NW	7.9

The correct description of the existing acres under Permit S-54499 are shown below in bold:

ROWELL BROTHERS – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	15	NW NW	7.8

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), OAR 690-380-2110(2), 690-380-2200, and 690-380-2300]

16. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
17. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13542.
18. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
19. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
20. The proposed changes would not result in enlargement of the right if the rate of appropriation for the change in character of use from irrigation to the proposed nursery and commercial use is limited to 0.10 cubic foot per second and be further limited to a total volume of 40.0 Acre-Feet (AF) (16.0 acres x 2.5 AF per acre) during the season of use, being May 1 to September 30. Further limited such that:
- a) The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.10 cubic foot per second per acre and 40.0 acre-feet per acre during the irrigation season of each year.
 - b) For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.10 cubic foot per second (or its equivalent) and 40.0 acre-feet per acre during the irrigation season of each year.

- c) For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.10 cubic foot per second (or its equivalent) and 40.0 acre-feet per acre during the irrigation season of each year.
- d) For the irrigation of any other crop, the amount of water diverted is limited to 0.10 cubic foot per second (or its equivalent) and 40.0 acre-feet per acre during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 8.0 acres.

21. The proposed changes, as conditioned, would not result in injury to other existing water rights.

22. All other application requirements are met.

Partial Cancellation of a Water Right

23. On February 6, 2024, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from MF Beef Bend, LLC, Attn: John O'Neil. The portion of the right to be cancelled is as follows:

Certificate: 58499 in the name of PORTER-WALTON CO., INC. (perfected under Permit S-45854)

Use: SUPPLEMENTAL IRRIGATION OF 12.7 ACRES

Priority Date: APRIL 1, 1980

Rate: 0.13 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. THE DIVERSION OF WATER DURING THE PERIOD FROM JULY 31 TO SEPTEMBER 15 SHALL BE FROM STORED WATER ONLY.

Source: AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER PERMIT R-8279, a tributary of TUALATIN RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	1 W	WM	18	NE SE	2270 FEET NORTH AND 200 FEET WEST FROM THE SE CORNER OF SECTION 18

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	1 W	WM	18	SE NE	42	12.0
2 S	1 W	WM	18	NE SE		0.7
Total						12.7

Partial Cancellation of a Water Use Permit

24. On March 28, 2024, an affidavit certifying that a portion of a water use permit has been abandoned and requesting cancellation of the permit was received from Tualatin Valley Irrigation District. The portion of the permit to be cancelled is as follows:

Permit: S-54499 in the name of TUALATIN VALLEY IRRIGATION DISTRICT
Use: PRIMARY IRRIGATION OF 12.7 ACRES
Priority Date: JANUARY 4, 1984, for 0.11 CUBIC FOOT PER SECOND and DECEMBER 18, 1986 for 0.02 CUBIC FOOT PER SECOND
Rate: 0.13 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: UNIFIED SEWAGE AGENCY ROCK CREEK TREATMENT PLANT DISCHARGE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	1 W	WM	18	NE SW	NPI NURSERIES: 870 FEET SOUTH AND 660 FEET WEST FROM THE CENTER OF SECTION 18

Authorized Place of Use:

NPI NURSERIES – PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	1 W	WM	18	SE NE	42	12.0
2 S	1 W	WM	18	NE SE		0.7
Total						12.7

Conclusions of Law

The additional point of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-13542 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portion of the right and permit will be cancelled.

Now, therefore, it is ORDERED:

1. The additional point of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-13542 is approved. The portion of the right and Permit S-54499 that have been abandoned are cancelled.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 51171 and any related decree.

3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new additional point of appropriation or the new place of use.
4. Water right Certificates 51171 and 58499, and Permit S-54499 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.
5. Permit S-55522, in the name of Tualatin Valley Irrigation District, is issued to replace Permit S-54499, and incorporates the partial cancellation and correction approved by this order. Permit S-54499, in the name of Tualatin Valley Irrigation District, is no longer of any force or effect.
6. The rate of diversion for the change in character of use from irrigation to the proposed nursery and commercial use shall be limited to 0.10 cubic foot per second and shall be further limited to a total volume diverted of 40.0 acre-feet (16.0 x 2.5 acre-feet per acre) during the season of use being, May 1 to September 30.
7. The change in character of use from irrigation to the proposed nursery use shall be further limited such that:
 - a. The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.10 cubic foot per second per acre and 40.0 acre-feet per acre during the irrigation season of each year.
 - b. For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.10 cubic foot per second (or its equivalent) and 40.0 acre-feet per acre during the irrigation season of each year.
 - c. For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.10 cubic foot per second (or its equivalent) and 40.0 acre-feet per acre during the irrigation season of each year.
 - d. For the irrigation of any other crop, the amount of water diverted is limited to 0.10 cubic foot per second (or its equivalent) and 40.0 acre-feet per acre during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 8.0 acres.
8. The quantity of water diverted at the new additional point of appropriation (Well 2), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
9. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

10. The former place of use of the transferred right shall no longer receive water under the right.

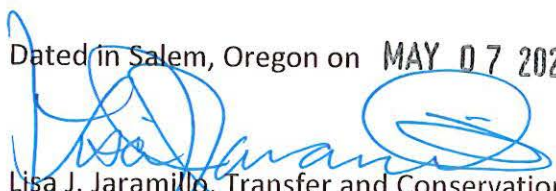
11. Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

12. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.

13. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAY 07 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: **MAY 08 2025**

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PORTER-WALTON CO., INC.
ROUTE 4, BOX 407
SHERWOOD, OR 97140

confirms the right to use the waters of AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER PERMIT R-8279, a tributary of TUALATIN RIVER, for SUPPLEMENTAL IRRIGATION of 41.9 ACRES.

This right was perfected under Permit S-45854. The date of priority is APRIL 1, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.420 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	1 W	WM	18	NE SE	2270 FEET NORTH AND 200 FEET WEST FROM THE SE CORNER OF SECTION 18

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. THE DIVERSION OF WATER DURING THE PERIOD FROM JULY 31 TO SEPTEMBER 15 SHALL BE FROM STORED WATER ONLY.

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

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

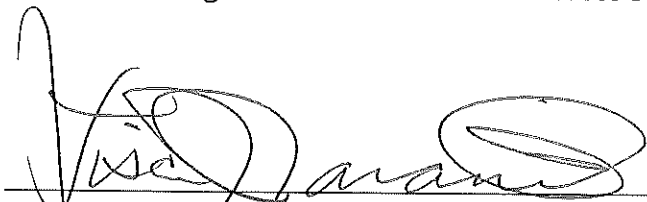
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	1 W	WM	18	SE NE	42	25.6
2 S	1 W	WM	18	NE SE		16.3
					Total	41.9

This certificate describes that portion of water right Certificate 58499, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 07 2025, approving Transfer Application T-13542.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed MAY 07 2025.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PORTER WALTON CO, INC.
ROUTE 4, BOX 407
SHERWOOD, OR 97140

confirms the right to use the waters of a WELL, a tributary of TUALATIN RIVER for IRRIGATION of 38.6 ACRES.

This right was perfected under Permit G-5476. The date of priority is MAY 5, 1971. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.24 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	1 W	WM	18	SE NE	42	1020 FEET NORTH AND 480 FEET WEST FROM THE E1/4 CORNER OF SECTION 18

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year and is subject to all terms and conditions of an order of the State Engineer entered May 17, 1974, including its consideration as Item 81 and added to paragraph 9 of the order and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

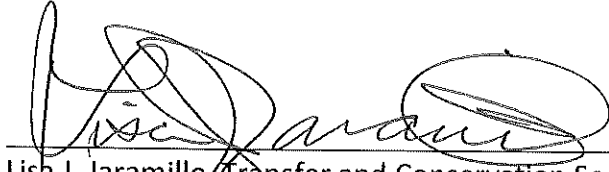
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	1 W	WM	18	SE NE	42	22.3
2 S	1 W	WM	18	NE SE		16.3
Total						38.6

This certificate describes that portion of water right Certificate 51171, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 07 2025, approving Transfer Application T-13542.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed MAY 07 2025.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WASHINGTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TUALATIN VALLEY IRRIGATION DISTRICT
2330 ELM STREET
FOREST GROVE, OR 97116

This superseding permit is issued to describe that portion of Permit S-54499, not modified by the provisions of an order of the Water Resources Director entered MAY 07, 2025, approving Transfer Application T-13542, and to describe an amendment for a change in place of use and point of diversion proposed under Water Right Transfer Application T-12699 and approved by Special Order Vol. 113, Page 123, entered May 16, 2019, and a correcting order to describe a scrivener's error in the location of the proposed point of diversion, and to describe an extension of time for complete application of water approved October 26, 2018. This permit supersedes Permit S-54499.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-54580

SOURCE OF WATER: UNIFIED SEWAGE AGENCY ROCK CREEK TREATMENT PLANT DISCHARGE

PURPOSE OR USE: PRIMARY IRRIGATION OF 599.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 1389.3 ACRES.

MAXIMUM RATE: 24.87 CUBIC FEET PER SECOND

DATE OF PRIORITY: JANUARY 4, 1984, for 21.49 CUBIC FEET PER SECOND and DECEMBER 18, 1986, for 3.38 CUBIC FEET PER SECOND

POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	1 W	WM	7	SW SW	BAGGENSTOS BROTHERS: 1100 FEET NORTH AND 640 FEET EAST FROM THE SW CORNER OF SECTION 7
2 S	1 W	WM	18	NW NW	ALOIS AMSTAD, SR.: 410 FEET SOUTH AND 360 FEET EAST FROM THE SW CORNER OF SECTION 7
2 S	1 W	WM	18	SE NW	D.L. DENNIS: 2130 FEET SOUTH AND 1510 FEET EAST FROM THE NW CORNER OF SECTION 18
2 S	1 W	WM	18	NE SW	NPI NURSERIES: 870 FEET SOUTH AND 660 FEET WEST FROM THE C1/4 CORNER OF SECTION 18

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	1 W	WM	18	NW SW	ED AND ADELE SHEPPARD: 2260 FEET NORTH AND 174 FEET EAST FROM THE SE CORNER OF SECTION 13
2 S	1 W	WM	19	NE NW	BAGGENSTOS BROTHERS: 200 FEET SOUTH AND 2300 FEET WEST FROM THE NW CORNER OF DLC 41
2 S	1 W	WM	20	NE NW	DENE MALLORY: 250 FEET SOUTH AND 2850 FEET WEST FROM THE NE CORNER OF SECTION 20
1 S	2 W	WM	17	NW SW	LAWRENCE WAIBEL: 1130 FEET SOUTH AND 950 FEET EAST FROM THE W1/4 CORNER OF SECTION 17
1 S	2 W	WM	19	NE SE	VANDECOEVERING: 1500 FEET NORTH AND 500 FEET WEST FROM THE SE CORNER OF SECTION 19
1 S	2 W	WM	21	NE SW	MRS. LEO GOLDSMITH: 1160 FEET SOUTH AND 1460 FEET EAST FROM THE W1/4 CORNER OF SECTION 21
1 S	2 W	WM	21	SW SW	BETTIE G. KAMNA: 470 FEET NORTH AND 730 FEET EAST FROM THE NE CORNER OF SECTION 29
1 S	2 W	WM	29	SE SE	MRS. LEO GOLDSMITH: 140 FEET NORTH AND 530 FEET WEST FROM THE SW CORNER OF SECTION 28
1 S	2 W	WM	34	SE SE	RON TANKERSLEY: 620 FEET NORTH AND 720 FEET WEST FROM THE SE CORNER OF SECTION 34
1 S	2 W	WM	34	SE SE	CLARENCE LINDOW: 1000 FEET NORTH AND 700 FEET WEST FROM THE SE CORNER OF SECTION 34
2 S	2 W	WM	9	SW NE	R.L. BERTELLOTTI: 750 FEET NORTH AND 250 FEET EAST FROM THE C1/4 CORNER OF SECTION 9
2 S	2 W	WM	9	NE SE	SAM GOTTER: 1600 FEET NORTH AND 1080 FEET WEST FROM THE SE CORNER OF SECTION 9
2 S	2 W	WM	10	SW NE	VIVIAN ANDERSON: 2390 FEET SOUTH AND 1870 FEET WEST FROM THE NE CORNER OF SECTION 10
2 S	2 W	WM	10	SE SW	ROWELL BROTHERS: 900 FEET NORTH AND 1820 FEET EAST FROM THE SW CORNER OF SECTION 10
2 S	2 W	WM	11	NW SE	WILLIAM BOSWELL, JR.: 1850 FEET NORTH AND 2440 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	NW SE	DALE STOBBE: 1850 FEET NORTH AND 2440 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	NW SE	BYRON FLINT: 1850 FEET NORTH AND 2440 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	SW SE	HARLAND FLINT: 1850 FEET NORTH AND 2440 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	SW SE	ALDEN OLESON: 340 FEET NORTH AND 1630 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	SW SE	ALDEN OLESON: 340 FEET NORTH AND 1630 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	SW SE	TOM CURTAN: 340 FEET NORTH AND 1630 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	SW SE	TOM CURTAN: 340 FEET NORTH AND 1630 FEET WEST FROM THE SE CORNER OF SECTION 11
2 S	2 W	WM	11	SW SE	LOUIS HESSE: 4170 FEET SOUTH AND 1790 FEET WEST FROM THE NE CORNER OF SECTION 11
2 S	2 W	WM	14	SW NW	ROWELL BROTHERS: 2112 FEET SOUTH AND 1056 FEET EAST FROM THE NE CORNER OF SECTION 15
2 S	2 W	WM	16	NE NE	STANFORD GOTTER: 940 FEET SOUTH AND 120 FEET WEST FROM THE NE CORNER OF SECTION 16

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	2 W	WM	19	NW NW	ED RUPPRECHT: 10 FEET SOUTH AND 400 FEET EAST FROM THE SE CORNER OF SECTION 18
2 S	2 W	WM	19	NW NW	ED NEILL: 10 FEET SOUTH AND 400 FEET EAST FROM THE SE CORNER OF SECTION 18

A description of the PLACE OF USE to which this right is appurtenant is as follows:

ALOIS AMSTAD, SR. – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	7	NE SW	24.3
2 S	2 W	WM	7	NW SW	3.5
2 S	2 W	WM	7	SW SW	8.9
2 S	2 W	WM	7	NW SE	25.6
Total					62.3

VIVIAN ANDERSON – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	2	SW SW	7.9
2 S	2 W	WM	3	NW SE	1.6
2 S	2 W	WM	3	SW SE	29.5
2 S	2 W	WM	3	SE SE	29.8
2 S	2 W	WM	10	NE NE	14.6
2 S	2 W	WM	10	NW NE	1.4
2 S	2 W	WM	11	NW NW	5.2
Total					90.0

BAGGENSTOS BROTHERS – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	1 W	WM	7	SE SW	30.6
2 S	1 W	WM	7	SW SE	29.3
2 S	1 W	WM	7	SE SE	19.5
2 S	1 W	WM	18	NW NE	7.0
2 S	1 W	WM	18	NE NW	1.6
2 S	1 W	WM	19	SW NE	6.4
2 S	1 W	WM	19	SW NW	2.9
2 S	1 W	WM	19	SE NW	24.8
Total					122.1

BAGGENSTOS BROTHERS – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	1 W	WM	7	SW NE	9.7

R.L. BERTELOTTI – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	9	SW NE	5.0

WILLIAM BOSWELL, JR. – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	11	NW NE	20.5
2 S	2 W	WM	11	SW NE	20.0
2 S	2 W	WM	11	SE NW	1.2
2 S	2 W	WM	11	NW SE	4.3
Total					46.0

TOM CURTAN – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	11	NE SE	0.4
2 S	2 W	WM	11	SE SE	0.5
2 S	2 W	WM	12	NW SW	8.9
2 S	2 W	WM	12	SW SW	18.5
2 S	2 W	WM	12	SE SW	1.5
Total					29.8

TOM CURTAN – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	11	NE SE	20.6
2 S	2 W	WM	12	NW SW	2.4
Total					23.0

D.L. DENNIS – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	1 W	WM	18	SW NE	37.3
2 S	1 W	WM	18	SE NW	15.4
2 S	1 W	WM	18	NE SW	21.4
2 S	1 W	WM	18	NW SW	0.2
2 S	1 W	WM	18	NW SE	28.8
Total					103.1

D.L. DENNIS – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	1 W	WM	18	NW SW	7.4

BYRON FLINT – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	11	SE NE	3.1
2 S	2 W	WM	11	NE SE	4.0
2 S	2 W	WM	11	NW SE	1.8
Total					8.9

BYRON FLINT – PRIMARY IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	11	NE NE	3.0
2 S	2 W	WM	11	SE NE	16.1
2 S	2 W	WM	12	NW NW	0.7
2 S	2 W	WM	12	SW NW	0.3
Total					20.1

HARLAND FLINT – SUPPLEMENTAL IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	2	SE SW	0.7
2 S	2 W	WM	11	NW NE	10.0
2 S	2 W	WM	11	NE NW	14.2
Total					24.9

MRS. LEO GOLDSMITH – SUPPLEMENTAL IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	2 W	WM	21	NE SW	27.4
1 S	2 W	WM	21	SE SW	9.4
1 S	2 W	WM	21	NW SE	14.0
1 S	2 W	WM	21	SW SE	9.5
1 S	2 W	WM	28	SW SW	6.0
1 S	2 W	WM	28	SE SW	3.1
1 S	2 W	WM	33	NE NW	7.7
1 S	2 W	WM	33	NW NW	23.2
Total					100.3

SAM GOTTER – SUPPLEMENTAL IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	9	NE SE	4.0
2 S	2 W	WM	9	NW SE	4.8
2 S	2 W	WM	9	SW SE	22.8
2 S	2 W	WM	9	SE SE	31.4
2 S	2 W	WM	10	SW SW	9.8
2 S	2 W	WM	15	NW NW	1.0
2 S	2 W	WM	16	NE NE	2.0
Total					75.8

SAM GOTTER – PRIMARY IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	9	NW SE	7.0
2 S	2 W	WM	9	SW SE	7.7
2 S	2 W	WM	9	SE SE	2.5
2 S	2 W	WM	16	NE NE	5.7
Total					22.9

STANFORD GOTTER – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	15	NW NW	2.2
2 S	2 W	WM	16	NE NE	12.8
Total					15.0

LOUIS HESSE – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	2	NE SW	11.70
2 S	2 W	WM	2	NW SW	5.70
2 S	2 W	WM	2	SW SW	11.10
2 S	2 W	WM	2	SE SW	31.10
2 S	2 W	WM	2	NE SE	3.60
2 S	2 W	WM	2	NW SE	3.60
2 S	2 W	WM	2	SW SE	34.40
2 S	2 W	WM	2	SE SE	38.80
Total					140.0

BETTIE G. KAMNA – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	2 W	WM	29	NE NW	5.6
1 S	2 W	WM	29	NW NW	12.2
1 S	2 W	WM	29	SW NW	31.0
1 S	2 W	WM	29	SE NW	14.5
1 S	2 W	WM	29	NE SW	8.6
1 S	2 W	WM	29	NW SW	17.8
1 S	2 W	WM	29	SW SW	0.2
1 S	2 W	WM	30	NE NE	1.6
1 S	2 W	WM	30	SE NE	3.5
Total					95.0

CLARENCE LINDOW – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	2 W	WM	28	NE SE	2.6
1 S	2 W	WM	28	SE SE	33.4
1 S	2 W	WM	33	NE NE	23.1
1 S	2 W	WM	33	SE NE	0.9
1 S	2 W	WM	34	SW NW	17.7
1 S	2 W	WM	34	NW SW	0.3
Total					78.0

DENE MALLORY – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	1 W	WM	17	NE SW	7.7
2 S	1 W	WM	17	SW SW	11.8
2 S	1 W	WM	17	SE SW	36.3
2 S	1 W	WM	17	SW SE	16.4
2 S	1 W	WM	17	SE SE	1.0
2 S	1 W	WM	20	NE NE	6.8

DENE MALLORY – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	1 W	WM	20	NW NE	18.9
2 S	1 W	WM	20	NE NW	2.1
Total					101.0

ED NEILL – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	24	SW NE	33.2
2 S	2 W	WM	24	SE NE	6.8
Total					40.0

NPI NURSERIES – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	1 W	WM	18	SE NE	15.0
2 S	1 W	WM	18	NE SE	17.3
Total					32.3

ALDEN OLESON – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	12	SE NW	19.9
2 S	2 W	WM	12	NE SW	28.2
2 S	2 W	WM	12	NW SW	14.2
2 S	2 W	WM	12	SW SW	3.1
2 S	2 W	WM	12	SE SW	6.5
Total					71.9

ALDEN OLESON – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	12	NE SW	0.3
2 S	2 W	WM	12	NW SW	5.5
Total					5.8

ROWELL BROTHERS – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	10	SW SW	1.1
2 S	2 W	WM	10	SE SW	28.4
2 S	2 W	WM	10	NW SE	2.4
2 S	2 W	WM	10	SW SE	10.4
2 S	2 W	WM	15	NE NE	37.9
2 S	2 W	WM	15	NW NE	8.6
2 S	2 W	WM	15	NE NW	6.5
2 S	2 W	WM	15	NW NW	7.8
Total					103.1

ROWELL BROTHERS – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	15	NW NE	8.6

ED RUPRECHT – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	24	NE NE	27.7
2 S	2 W	WM	24	NW NE	36.1
Total					63.8

ED RUPRECHT – PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	24	SE NE	22.0

ED AND ADELE SHEPPARD – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	13	SW NE	4.8
2 S	2 W	WM	13	SE NE	3.9
2 S	2 W	WM	13	NE SW	15.1
2 S	2 W	WM	13	SE SW	14.1
2 S	2 W	WM	13	NE SE	18.9
2 S	2 W	WM	13	NW SE	33.2
2 S	2 W	WM	13	SW SE	25.3
2 S	2 W	WM	13	SE SE	0.5
Total					115.8

DALE STOBBE – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	2 W	WM	11	NE NE	7.5
2 S	2 W	WM	11	NW NE	8.0
2 S	2 W	WM	11	SW NE	8.7
2 S	2 W	WM	11	SE NE	2.0
2 S	2 W	WM	11	NE SE	0.5
2 S	2 W	WM	11	NW SE	6.3
Total					33.0

RON TANKERSLEY – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	2 W	WM	34	NE NE	22.0
1 S	2 W	WM	34	SW NE	11.6
1 S	2 W	WM	34	SE NE	40.0
1 S	2 W	WM	34	NE SE	36.0
1 S	2 W	WM	34	NW SE	10.3
1 S	2 W	WM	34	SW SE	1.3
1 S	2 W	WM	34	SE SE	13.2
1 S	2 W	WM	35	NW NW	15.6
1 S	2 W	WM	35	SW NW	28.8
1 S	2 W	WM	35	NW SW	29.8
1 S	2 W	WM	35	SW SW	16.7
Total					225.3

VANDECORVERING – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	2 W	WM	19	NE SE	1.4
1 S	2 W	WM	19	SE SE	26.4
1 S	2 W	WM	20	NW SW	3.6
1 S	2 W	WM	20	SW SW	27.4
1 S	2 W	WM	29	NW NW	1.2
1 S	2 W	WM	30	NE NE	0.2
Total					60.2

LAWRENCE WAIBEL – SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	2 W	WM	17	SW NW	12.0
1 S	2 W	WM	18	SE NE	15.0
Total					27.0

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Transfer Application T-12699 Conditions:

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Original Permit Conditions:

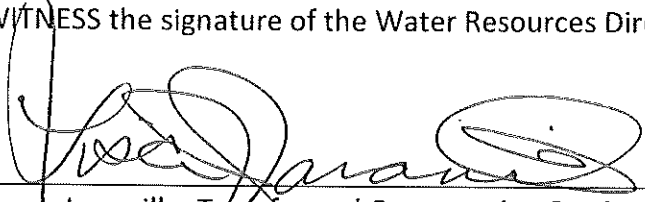
Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit, 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.

The original permit was issued May 27, 1987. Complete application of the water to the use was to be made on or before October 1, 1990. By Extension of Time Final Order dated October 26, 2018, the deadline for complete application of water to use was extended to October 1, 2023. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

WITNESS the signature of the Water Resources Director, affixed MAY 07 2025.


 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
 IVAN GALL, DIRECTOR
 Oregon Water Resources Department



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

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

Applicant(s): Fisher Farms LLC
First Last
 Mailing Address: 9650 SW Hardebeck Rd.
Gaston OR 97119
City State Zip
 Phone: 503.985.3288
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): MF Beef Bend LLC
First Last
 Mailing Address: 17933 NW Evergreen Pkwy., Suite 300
Beaverton OR 97006
City State Zip
 Phone: 503.597.7100
Home Work Other

RECEIVED BY OWRD

OCT 19 2015

SALEM, OR

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Washington Township: 2 South Range: 1 West Section: 18
 Tax Lot Number(s): 2S1180001501, 2S1180001502
 Street address of water right property: 16282 SW Beef Bend Rd. Sherwood, OR 97140
 Water Right Information (attach copy of water right permit or certificate & final proof map):
 Application #: R-59928 Permit #: R-45854 Certificate or Page #: 58499

Will all the lands associated with this water right be owned by the buyer? ☒ Yes ☐ No

Name of individual completing this form: Chris Merz Phone: 971.221.2631
 Signature: [Signature] Date: 10/16/15

Please be sure to attach a copy of your property deed or legal description of the property.

Cert 58499

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PORTER-WALTON CO., INC.
ROUTE 4, BOX 407
SHERWOOD, OREGON 97113

confirms the right to use the waters of AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER PERMIT R-8279, a tributary of TUALATIN RIVER, for the purpose of SUPPLEMENTAL IRRIGATION OF 54.6 ACRES.

The right has been perfected under Permit 45854. The date of priority is APRIL 1, 1980. The right is limited to not more than 0.55 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 18, T 2 S, R 1 W, W.M.;
2270 FEET NORTH & 200 FEET WEST FROM THE SE CORNER SECTION 18.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. THE DIVERSION OF WATER DURING THE PERIOD FROM JULY 31 TO SEPTEMBER 15 SHALL BE FROM STORED WATER ONLY.

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

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

SE 1/4 NE 1/4 37.6 ACRES
AS PROJECTED WITHIN DLC 42
NE 1/4 SE 1/4 17.0 ACRES
SECTION 18
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.

RECEIVED BY OWRO

OCT 19 2015

SALEM, OR

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director,
affixed this date NOVEMBER 28, 1988.

/s/ WILLIAM H. YOUNG

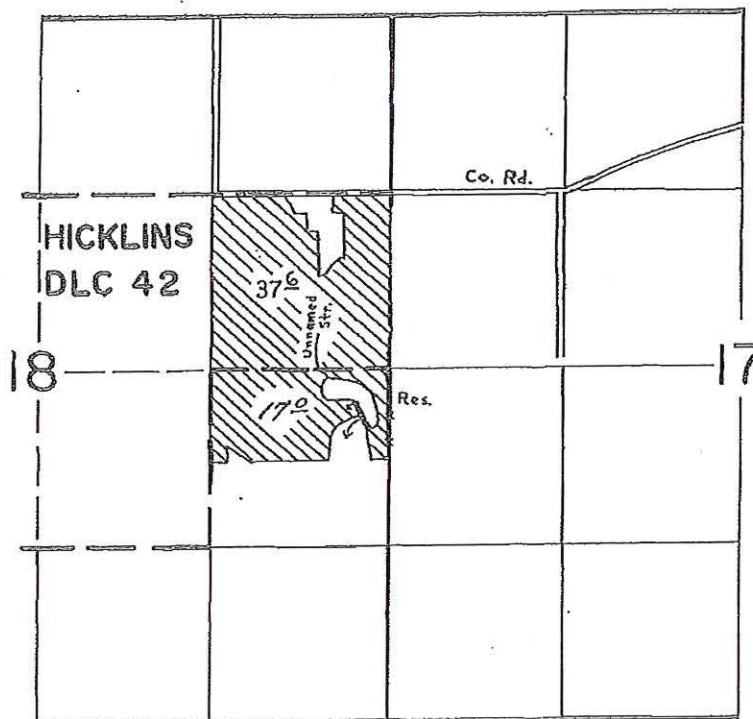
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 58499

59928

Certificates 58457 & 58499

T. 2S., R. 1W., W.M.



Dam Loc: 2270' N. $\frac{1}{2}$ 200' W. fr. S.E. Cor. Sec. 18

SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

R-59927 R-8279
Application No. 59928 Permit No. 45854

IN NAME OF

PORTER-WALTON CO., INC.

Surveyed NOV. 17, 1983, by L. TOLL

RECEIVED BY OWRD

OCT 19 2015

SALEM, OR

Exhibit "A"

Real property in the County of Washington, State of Oregon, described as follows:

A TRACT OF LAND IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 80 RODS SOUTH OF THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN; AND RUNNING THENCE WEST 80 RODS; THENCE SOUTH 120 RODS; THENCE EAST 80 RODS TO SECTION LINE; THENCE NORTH 120 RODS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM A STRIP OF LAND IN THE NORTHEASTERLY CORNER OF SAID TRACT, WHICH STRIP MEASURES 363 FEET FROM THE SAID NORTHEASTERLY CORNER IN A SOUTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID TRACT, AND MEASURES 30 FEET IN WIDTH, THE WESTERLY LINE OF SAID STRIP BEING PARALLEL TO THE EASTERLY LINE OF SAID TRACT AND THE SOUTHERLY LINE OF SAID STRIP BEING PARALLEL TO THE NORTHERLY LINE OF SAID TRACT.

ALSO EXCEPTING THEREFROM THAT PORTION LEASED TO AGC PROPERTIES, LLC, AN OREGON LIMITED LAIBILITY COMPANY AS SET FORTH IN MEMORANDUM OF GROUND LEASE RECORDED APRIL 20, 2004 AS FEE NO. 2004-041849, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL BEING A PART OF THAT TRACT OF LAND DESCRIBED IN THAT DEED RECORDED APRIL 29, 1996 AS FEE NO. 96037618, WASHINGTON COUNTY DEED RECORDS, BEING LOCATED IN THE EAST ONE-HALF OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 18; THENCE NORTH 89°57'51" WEST A DISTANCE OF 571.57 FEET TO A POINT; THENCE SOUTH 00°02'09" WEST A DISTANCE OF 102.01 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°57'51" WEST A DISTANCE OF 750.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID FEE NO. 96037618 TRACT; THENCE NORTH 00°02'12" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 87.00 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 00°02'09" EAST A DISTANCE OF 522.84 FEET TO A POINT; THENCE SOUTH 89°57'51" EAST, A DISTANCE OF 750.00 FEET TO A POINT; THENCE SOUTH 00°02'09" WEST A DISTANCE OF 609.83 FEET TO THE TRUE POINT OF BEIGNNING OF THE PARCEL HEREIN DESCRIBED.

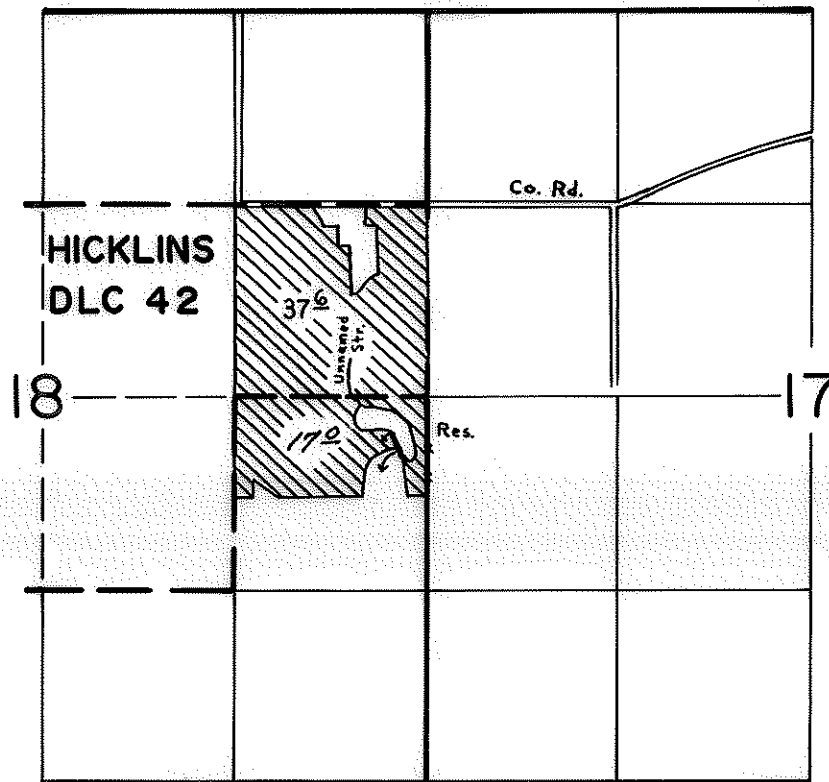
FURTHER EXCEPTING THEREFROM THAT PORTION DEDICATED TO WASHINGTON COUNTY BY INSTRUMENT RECORDED NOVEMBER 02, 1999 AS FEE NO. 99123635.

TOGETHER WITH AN EASEMENT FOR IRRIGATION PURPOSES AS DESCRIBED IN INSTRUMENT RECORDED FEBRUARY 10, 1989 AS RECORDER'S FEE NO. 89-06294, RECORDS OF WASHINGTON COUNTY, OREGON.

RECEIVED BY OWRD

OCT 19 2015

T. 2S., R. 1W., W.M.



Dam Loc: 2270' N. $\frac{1}{2}$ 200' W. fr. S.E. Cor. Sec. 18

SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

R-59927 R-8279
Application No. 59928 Permit No. 45854
IN NAME OF

PORTER-WALTON CO., INC.

Surveyed NOV. 17, 1983, by L. TOLL

STATE OF OREGON

COUNTY OF WASHINGTON

PROPOSED CERTIFICATE OF WATER RIGHT

PORTER-WALTON CO., INC.,
of ROUTE 4, BOX 407, SHERWOOD, OREGON 97113, has a right to the use
of the waters of AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER
PERMIT R-8279, a tributary of TUALATIN RIVER, for the purpose of
SUPPLEMENTAL IRRIGATION OF 54.6 ACRES.

The right has been perfected under Permit 45854. The date of priority
is APRIL 1, 1980. The right is limited to not more than 0.55 CUBIC
FOOT PER SECOND or its equivalent in case of rotation, measured at the
point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 18, T 2 S, R 1 W, W.M.;
2270 FEET NORTH & 200 FEET WEST FROM THE SE CORNER SECTION 18.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, shall be
limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated and shall be further limited to a
diversion of not to exceed 2.5 acre-feet per acre for each acre
irrigated during the irrigation season of each year. THE DIVERSION OF
WATER DURING THE PERIOD FROM JULY 31 TO SEPTEMBER 15 SHALL BE FROM
STORED WATER ONLY.

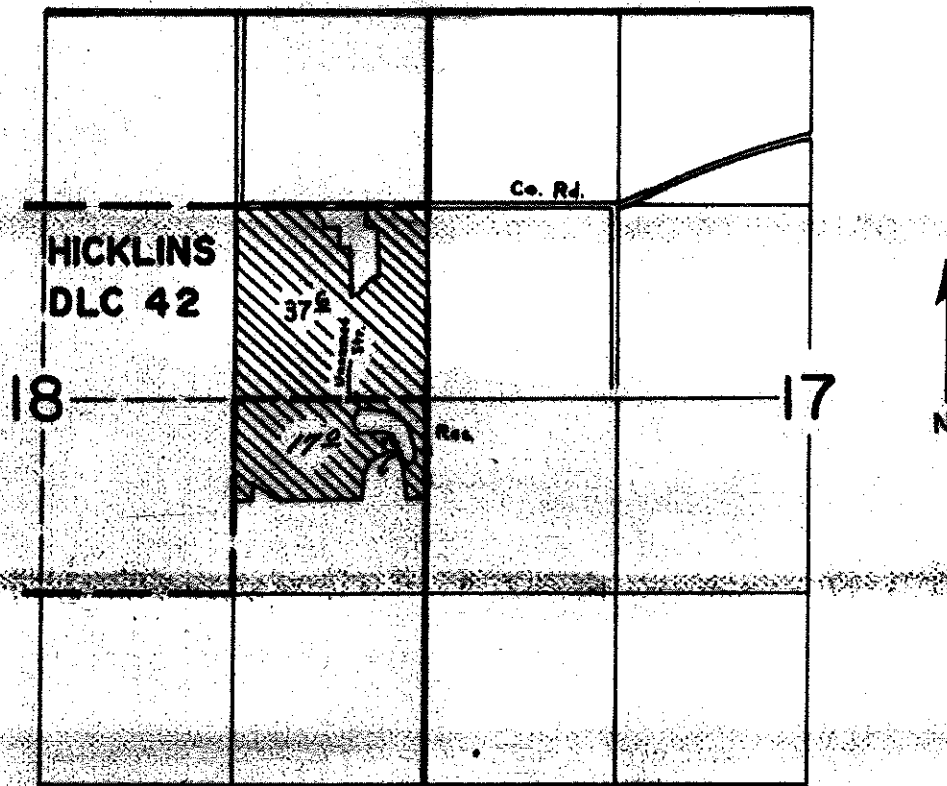
The right shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

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

SE 1/4 NE 1/4 37.6 ACRES
AS PROJECTED WITHIN DLC 42
NE 1/4 SE 1/4 17.0 ACRES
SECTION 18
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.

The right to the use of the water for the above purpose is restricted
to beneficial use on the lands or place of use described. The right
is subject to minimum flows established by the Water Resources
Commission with an effective date prior to this right.

T. 2S., R. 1W., W.M.



Dim. Less: 2270' N. & 200' W. fr. S.R. Cor. Sec. 18

SCALE: 1" = 1320'

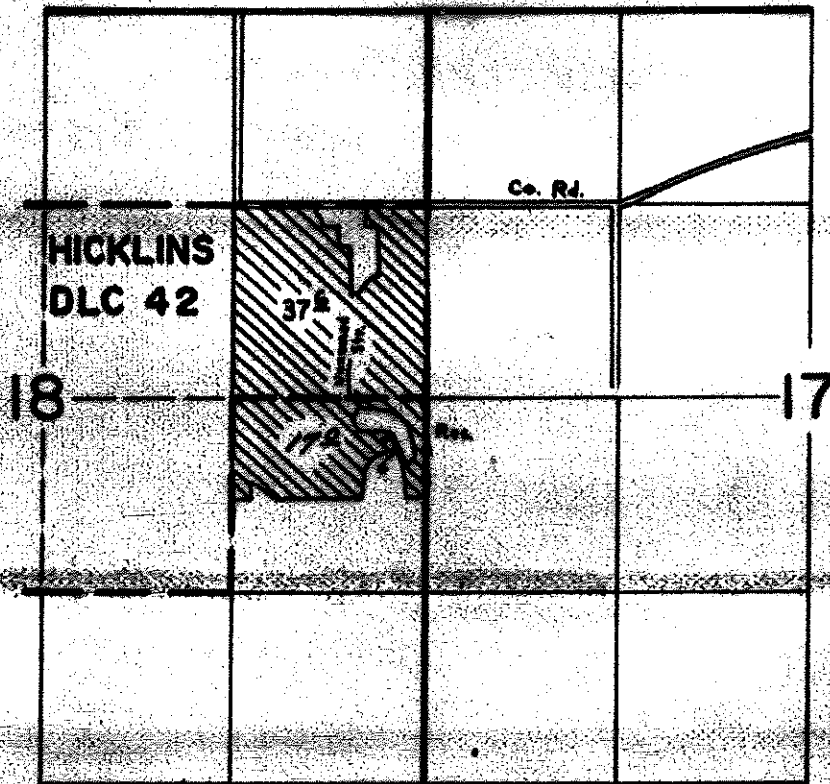
FINAL PROOF SURVEY
UNDER

R-59927 R-8279
Application No. 59928 Permit No. 45854
IN NAME OF

PORTER-WALTON CO., INC.

Surveyed NOV. 17, 1983, by L. TOLL

T. 2S., R. 1W., W.M.



Bym Loc: 2270'N. | 200'W. fr. S.E. Cor. Sec. 18

SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

R-59927

R-8279

Application No. 59928 Permit No. 45854

IN NAME OF

PORTER-WALTON CO., INC.

Surveyed NOV. 17, 1983, by L. TOLL

Application No. 59928

Permit No. 45854

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

I, Roy D. Cook (Name of Applicant)
Porter Walton Co Inc (Assigned)
Rt 4 Box 407
Sherwood OR 97113

of Route 11 Box 134 (Mailing Address) Cornelius (City)
 State of Oregon 97113 (Zip Code) Phone No. 648-5549 do hereby

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

1. The source of the proposed appropriation is a pond from an earthfill dam
unnamed stream (D.S.), a tributary of Tualatin (winter runoff)

2. The point of diversion is to be located 2920 ft. S (N. or S.) and 220' ft. W (E. or W.)
 from the NE corner of Sec 18 T2S R1W W.M. (Public Land Survey Corner)
being 2270' N. & 200' W. fr. S.E. cor. sec. 18.
 (If there is more than one point of diversion, each must be described)

being within the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
 Sec. 18 Tp. 2S (N. or S.) R. 1W (E. or W.), W. M., in the county of Washington

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

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
<u>2S</u>	<u>1W</u>	<u>18</u>	<u>SE $\frac{1}{4}$ of NE $\frac{1}{4}$</u>	<u>38 37.6 D.S.</u>
<u>2S</u>	<u>1W</u>	<u>W1/8 V1</u>	<u>NE $\frac{1}{4}$ of SE $\frac{1}{4}$</u>	<u>17 17.0</u>

Permit to Appropriate the Public Waters of the State of Oregon

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

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.67 67 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from an unnamed stream and reservoir to be constructed under Application R-59927, Permit R-8279.

The use to which this water is to be applied is supplemental irrigation of 50 acres

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under Permit R-8279, ~~provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein;~~ provided further that the diversion of water during the period from July 31 to September 15 shall be from stored water only, Close

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

The priority date of this permit is April 1, 1980

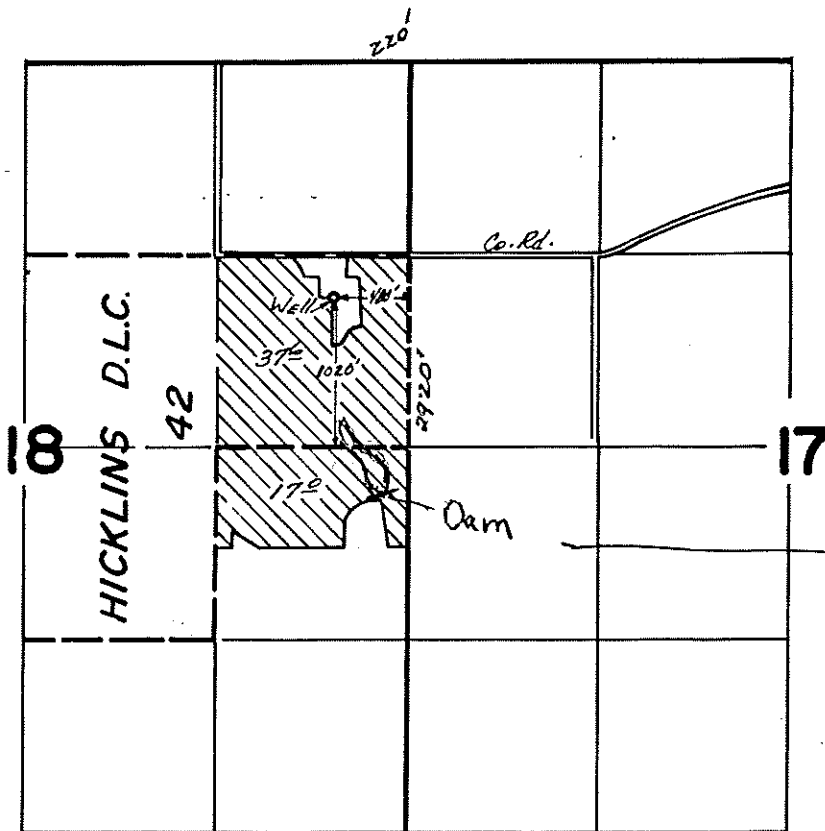
Actual construction work shall begin on or before August 20, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983

Complete application of the water to the proposed use shall be made on or before October 1, 1984

WITNESS my hand this 20th day of August, 1981


Water Resources Director

T. 2S.R.1W.W.M.



Application No. R-59927 & 59928

Permit No. R 8279 45854

~~FINAL PROOF SURVEY~~

~~UNDER~~

~~Application No. G-5501 Permit No. G-5476~~
~~IN NAME OF~~

~~Porter Walton Co., Inc.~~

~~Surveyed July 24 1978, by R.G. Mucken~~

RECEIVED

JUL 6 1981

WATER RESOURCES DEPT
SALEM, OREGON

DBS-166-215-622

August 26, 1981

Porter Walton Company, Inc.
Route 4, Box 407
Sherwood, Oregon 97113

R-59927
56628

R-8279 and 45854.

PORTER-WALTON CO.
NURSERY DIVISION
262 WEST 400 SOUTH
CENTERVILLE, UTAH 84014
PHONE (801) 290-2613

Dan Staley
Rt. 4 Box 407
Sherwood, Oregon.

PLEASE RETURN THIS
MESSAGE REPLY

TO
RECEIVED

JUL 6 1981

WATER RESOURCES DEPT

DATE
SALEM, OREGON

7-1-81

SUBJECT

Pond.

Message

Dear Don. We are send back the information on the pond, with the correct changes having been made. The only other changes we made was going from a 150 gollan a minute pump to a 300 gal per minute pumps. Everything else was the changes you had asked for.

SIGNED

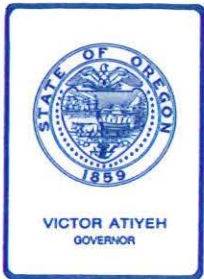
Reply

I hope everything is in order for approval. If not please let us know what we can do to correct the situation.

Thank you for your help and look forward to hearing from you.

SIGNED

Send Parts 1 and 3 With Carbon Intact — Part 3 Will Be Returned With Reply



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813

July 17, 1981

Dan Staley
Porter Walton Company, Inc.
Route 4, Box 407
Sherwood, OR 97113

Dear Mr. Staley:

REFERENCE: Files R-59927 and 59928

Thank you for the return of Applications R-59927 and 59928 and the accompanying map.

Also received was the assignment from Roy D. Cook to Porter Walton Company, Inc. This assignment has been recorded in our office and the original is for your records. I am therefore returning it to you.

Permits will be issued for use of water from Tualatin River and its tributaries. However, water may not be available during dry periods. The water may be needed to satisfy existing rights or minimum flow standards. The Water Policy Review Board Program adopted December 9, 1980 prohibits the diversion of water from the Tualatin River and its tributaries during periods from July 1 through September 15 of each year except for human and livestock consumption. Stored water may be used at any time.

Your application is now in satisfactory form and will be considered for issuance of a permit with our next group.

Sincerely,

DONALD R. BUELL
Water Rights Engineer

DRE:wpc
enclosures
5907A

COPY

April 25, 1980

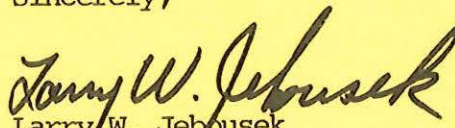
Roy D. Cook
Route 4, Box 134
Cornelius, OR., 97113

We have received your application for backsup irrigation along with the supporting data and fees. Our receipt number 16916 is enclosed. Your application has been filed and assigned number 59928 .

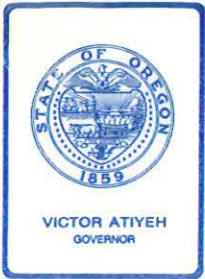
Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your application will be examined in detail as soon as possible. We will contact you if we need any additional information.

The permit approving your application will be issued without further correspondence if no additional information is required. Thank you for your patience.

Sincerely,


Larry W. Jebousek
Administrator
Water Rights Division

LJW:
Enclosure



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813

April 24, 1981

Porter Walton Company, Incorporated
Rt 4, Box 407
Sherwood, OR 97113

ATTENTION: Dan Staley

Dear Mr. Staley:

REFERENCE: Files R-59927 and 59928

The assignments of Applications R-59927 and 59928 from Roy D. Cook to Porter Walton Company, Incorporated has been recorded in the records of the Water Resources Department. Our records have been changed accordingly and the original is enclosed for your records.

Application R-59927 is for a permit to construct a reservoir to store seven acre-feet of water from a small drainage way for backup irrigation for a well.

Application 59928 is for a permit to use 150 gallons per minute of water from a pond for irrigation of 55 acres.

The reservoir application would appear to be generally in satisfactory form; however, Items 11 and 12 should be changed to reflect the time schedule that would fit your plans.

Application 59928 should show the unnamed drainage way as a source of water under Item 1 of that application. Items 7, 8, and 9 should be changed to show an appropriate time schedule.

The map submitted to accompany the application requires changes and corrections to accurately describe the project. Along with the maps originally submitted, I am enclosing a copy of the final proof survey map for the use of the water from the well. This shows irrigation of 54.6 acres and could be used as an application map for these applications by showing the location of the proposed reservoir on the map. The distances locating the dam in reference to the northeast corner of Section 18 should be shown on the map as they are listed under Item 2 of Application 59928.

Because the reservoir will be used to irrigate the identical land irrigated from the well, the acreage listed under Item 3 of the application should agree with the acreage allowed under the right for the use of water from the well.

COPY

ASSIGNMENT

RECEIVED

APR 13 1981

WATER RESOURCES DEPT
SALEM, OREGON

I, Roy D. Cook

(Name of Permittee)

RT 4 Box 134

(Mailing Address)

CORNELIUS

(City)

OR

(State)

97113

(Zip)

R-59927

do hereby assign all my interest in and to water right application No. 59928,

permit No. , as filed in the office of the Water Resources Director, to

Porter Walton Co. Inc.

(Name)

Rt. 4 Box 407

(Mailing Address)

Shenandoah

(City)

Oregon

(State)

97113

(Zip)

WITNESS my hand this 9 day of April, 19 81.

STATE OF OREGON, } ss
County of Marion.

x Roy D. Cook

(Signature of Permittee)

I certify that the within was received by me
on the 17th day of April, 19 81, at 8
o'clock A.m., and was recorded in Miscellaneous
Records, Vol. 6 Page 872

James E. Sexson,
Director

RECEIVED

JUL 6 1981

WATER RESOURCES DEPT
SALEM, OREGON

Porter Walton Company, Incorporated
ATTENTION: Dan Staley
April 24, 1981
Page two

I am returning the applications and the maps along with a copy of the final proof map from Application G-5501 for correction and completion. The applications are endorsed so that they must be received in this office on or before July 24, 1981 to retain their priority date.

Sincerely,

DONALD R. BUELL
Water Rights Engineer

DRB:wp
cc: Roy D. Cook
enclosures
4795A



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813

April 8, 1981

Porter Walton Company, Incorporated
Rt 4, Box 407
Sherwood, OR 97140

Gentlemen:

REFERENCE: Files R-59927 & 59928

On January 28, 1981, it came to my attention that the property described on the enclosed legal description is presently being irrigated by you.

Mr. Roy D. Cook made an application through this office on April 1, 1980 to construct a reservoir to store water for the supplemental irrigation of that property. Because he is no longer connected to that property at that time I sent an assignment form to Mr. Cook to assign Applications R-59927 and 59928 to you so that we could correspond with you and continue to process the applications towards the issuance of permits.

As of this date, we have heard no word from Mr. Cook, therefore, I am sending the necessary assignment form to you for your action.

If the assignment of those applications is not received in this office within thirty days, the applications will be returned to Mr. Cook for correction and completion. If you have any further questions, please feel free to contact me.

Sincerely,

DONALD R. BUELL
Water Rights Engineer

DRB:wp
cc: Roy D. Cook
4547A

COPY

To

• Water Resources Dept

•

•

FROM

Roy Cook

Rt 4 Box 134

Cornelius, Oregon 97113

Subject

Date

3/31/80

MESSAGE:

Enclosed are applications for building a dam
and for supplemental water use. I would appreciate
your earliest attention to their completion

Thank you

Roy D. Cook

RECEIVED

APR 1 1980

WATER RESOURCES DEPT
SALEM, OREGON

Application No. R- 59927
Permit No.

Signed

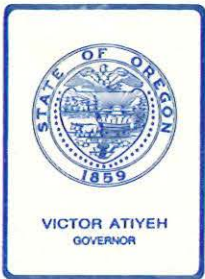
Rediform 4S 468

☐

NO REPLY NECESSARY

☐

REPLY REQUESTED — USE REVERSE SIDE



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813

January 28, 1981

Roy D. Cook
Rt 4, Box 134
Cornellius, OR 97113

Dear Mr. Cook:

REFERENCE: Files R-59927 and 59928

In examining your Applications R-59927 and 59928 which are for permits to construct a reservoir to store water from an unnamed drainage way for irrigation in Section 18, Township 2 South, Range 1 West, I discovered in checking your previous rights that the permit for irrigation from the well on that property had been assigned to Porter Walton Company, Incorporated.

It was confirmed by my telephone call of January 22, 1981, that this property is owned at the present time by Porter Walton, Incorporated; therefore, I am enclosing an assignment form for your convenience to assign Applications R-59927 and 59928 to Porter Walton Company, Incorporated. In my telephone conversation, I stated that the previous assignment made to Porter Walton was for Ground Water Permit G-5476.

Upon receipt of the properly executed assignment form, I can then deal with the new owners of the land in processing those applications towards issuance of permits.

Sincerely,

DONALD R. BUELL
Water Rights Engineer

DRB:wpc
enclosure
3691A

COPY

Legal Description of Property

EXHIBIT "A"

Order No. 341417

A tract of land in Washington County, Oregon described as follows: Commencing at a point 80 rods South of the Northeast corner of Section 18, Township 2 South, Range 1 West, Willamette Meridian; and running thence West 80 rods; thence South 120 rods; thence East 80 rods to section line; thence North 120 rods to the place of beginning, excepting therefrom a strip of land in the Northeasterly corner of said tract, which strip measures 363 feet from the said Northeasterly corner in a Southerly direction along the Easterly line of said tract, and measures 30 feet in width, the Westerly line of said strip being parallel to the Easterly line of said tract and the Southerly line of said strip being parallel to the Northerly line of said tract.

RECEIVED

APR 11 1980

WATER RESOURCES DEPT
SALEM, OREGON

Application No. R. 59927 59928
Permit No.

2. E.C.
S.R.

Superseded

Point of
- Diversion

By Board of

Brief Band Rd

weil

36

Proposed
17

Don site

↓ 80 Rd ↑

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WATER RESOURCES DEPT
SALEM, OREGON

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JUL 6 1981

WATER RESOURCES DEPT
SALEM, OREGON

Application No. R-59927
Permit No.

D125
A24⁰

25³

D124
A19⁶

WATER RESOURCES DEPT
SALEM, OREGON

K-27 (6)

3²

D126
10⁰

7 8
18 17

A32¹

D635

7²
Ø
D148
X

info only

A1²

36²

14³

5900

46¹

34³

D127

D755
Proposed Pond
Dam Site

D643

46⁰

25⁵

D777

NOT TO SCALE

Application No. R.59927
Permit No.

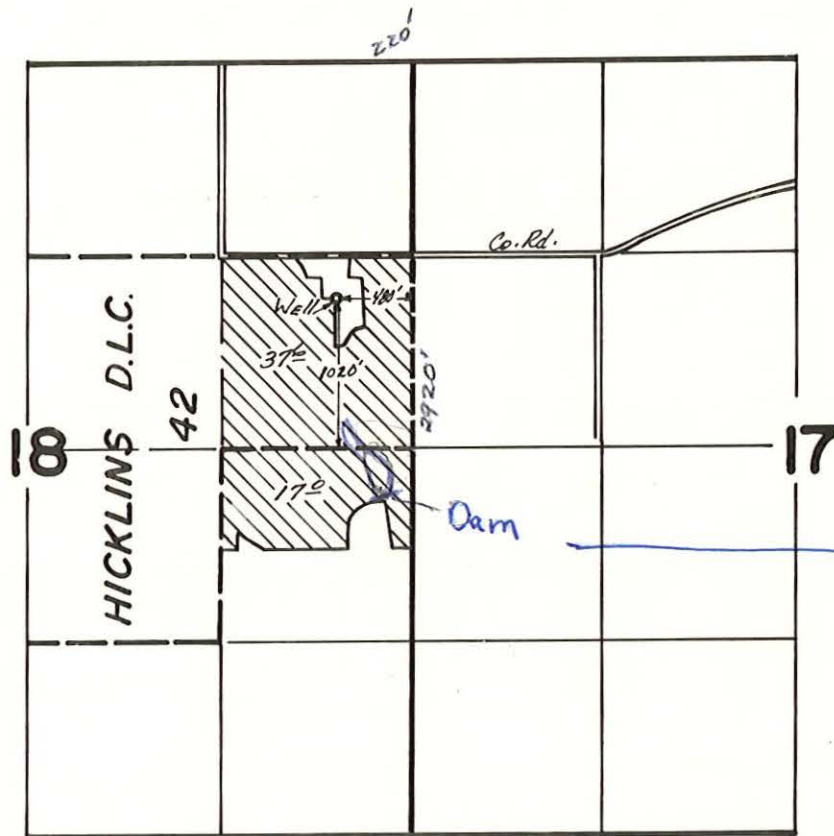
2⁴
18 17
19 20

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WATER RESOURCES DEPT
SALEM, OREGON

T. 2S.R.1W.W.M.



Dan Staley
7-1-81

Application No. R-59927 & 59928

Permit No. R 8279 45854

~~FINAL PROOF SURVEY~~

~~UNDER~~

~~Application No. G-5501 Permit No. G-5476~~
~~IN NAME OF~~

~~Porter Walton Co., Inc.~~

~~Surveyed July 24 1978, by R.G. Mucken~~

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WATER RESOURCES DEPT
SALEM, OREGON

DBS-164-215-622