

FILE#: G 13146

WILLIAM EDELL
 EDELL, MARGARET
~~21780 SUNSET KNOLL RD NE~~ PO Box 393
 YAMHILL, OR 97148

Application No. G13146
 Permit No. G12706
 Certificate No. _____

Stream Index, Page No. 2

03-1140-0720-013-0

Y 12 N Yamhill R. YAMHILL

Date filed _____

Priority _____

Action suspended until FPP

Return to applicant _____

Date of approval _____

CONSTRUCTIONDate for beginning AUG 21 1997Date for completion DEC 1 99

Extended to _____

Date for application of water SEP 01 1999

Extended to _____

PROSECUTION OF WORK

Form "A" filed _____

Form "B" filed _____

Form "C" filed 10-1-99**FINAL PROOF**

Blank mailed _____

Proof received _____

Date certificate issued _____

FEES PAID

Date	Amount	Receipt No.
10-5-92	200.00	92605
8-13-96	212.00	5377

Cert. Fee _____

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

G12706

IMPORTANT MESSAGE

FOR	499	DATE	8/24	TIME	908	A.M. P.M.
M.	Bill Eedell	MRS EDELL				
OF	8-24-99	Herb X				
PHONE	☐ FAX ☐ MOBILE	503	642	3162	RETURNED YOUR CALL	
		AREA CODE	NUMBER	EXTENSION	PLEASE CALL	
MESSAGE		FINAL permit 6-12706				
		Report app 13146				
		Dick Verboort "C"				
SIGNED		TOPS FORM 4006				

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, April 20, 2022 1:41 PM
To: 'Steve Russell'
Subject: RE: status of G-12706 COBU

Steve,

In response to your questions:

1. If ownership of the property were to change hands, would the new owner be able to submit a pump test and have the submitted COBU reviewed for certification?

Yes – If the ownership changes, the new owner can submit a Pump Test for the permit. In addition, if the ownership changes, the new owner should consider submitting an Assignment.

2. We are assuming the limits of the permit are obsolete because of the COBU submittal. Is this the case or could the new owners develop the irrigation based on the permit and submit a new COBU?

The development period for the permit is closed as the permit had a complete application of water date of October 1, 1999. If a new owner wishes to develop additional lands or rate beyond those developed per the Claim, they would need to submit, and have an extension of time approved, in order to develop any additional lands or rate beyond that identified in the Claim of Beneficial Use as being developed by October 1, 1999..

3. The area of this permit and COBU includes a portion of tax lot 902. At the time the COBU was submitted, this portion of tax lot 902 was included in tax lot 803. Will this cause any issues with the review of the COBU?

No – In general, if the place of use was developed within the originally authorized tax lot, this should not be a problem. We do allow for slight variations of the place of use if the developed location is within the authorized tax lot. This is ultimately a determination that is made at the time that the Claim is reviewed for certificate issuance.

Please let me know if you have any additional questions. I plan to be available throughout the day today as well as tomorrow.

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Steve Russell <russells@aks-eng.com>
Sent: Tuesday, April 19, 2022 2:12 PM
To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Subject: RE: status of G-12706 COBU

Gerry,

I have a few questions related to the age of this permit (1996) and COBU (2002). Our client is a prospective buyer of tax lots 803 and 804 and we are providing them with a summary of the existing water rights as well as potential options for the future.

1. If ownership of the property were to change hands, would the new owner be able to submit a pump test and have the submitted COBU reviewed for certification?
2. We are assuming the limits of the permit are obsolete because of the COBU submittal. Is this the case or could the new owners develop the irrigation based on the permit and submit a new COBU?
3. The area of this permit and COBU includes a portion of tax lot 902. At the time the COBU was submitted, this portion of tax lot 902 was included in tax lot 803. Will this cause any issues with the review of the COBU?

Thanks for any assistance you can provide. If it would be helpful to discuss, I am available most of tomorrow (except between 1-2 pm) and all day Thursday.

Steve Russell, RLA

AKS ENGINEERING & FORESTRY, LLC

P: 503.563.6151 Ext. 130 | C: 415.254.4066 | www.aks-eng.com | russells@aks-eng.com

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>

Sent: Wednesday, April 6, 2022 10:46 AM

To: Steve Russell <russells@aks-eng.com>

Subject: RE: status of G-12706 COBU

EXTERNAL EMAIL: This email originated from outside AKS Engineering & Forestry.

Steve,

I have pulled and reviewed the file for the above permit. I did not locate a Pump Test in the file (the Pump Test requirement for this permit has not been satisfied). This would explain why it has not been reviewed for certificate issuance. I have attached a copy of the Claim materials for your reference.

Please let me know if you have any additional questions.

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Steve Russell <russells@aks-eng.com>

Sent: Friday, April 1, 2022 2:10 PM

To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>

Subject: RE: status of G-12706 COBU

That would be great. Thanks!

Steve Russell, RLA

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From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>

Sent: Friday, April 1, 2022 2:06 PM

To: Steve Russell <russells@aks-eng.com>

Subject: RE: status of G-12706 COBU



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender
Gerald.E.CLARK@water.oregon.gov

EXTERNAL EMAIL: This email originated from outside AKS Engineering & Forestry.

Steve,

Based on the information available in WRIS, it would appear that it is possibly being held up because of the Pump Test (WRIS does not indicate that one has been submitted). I will need to pull the file when I am in the office next week in order to provide a more complete update.

I will let you know what I find next week.

Gerry

Gerry Clark

He/Him/His

Oregon Water Resources Department

Program Analyst, Certificate Section, Water Right Services Division

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

From: Steve Russell <russells@aks-eng.com>

Sent: Friday, April 1, 2022 1:54 PM

To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>

Subject: status of G-12706 COBU

Gerry,

Would you be able to tell me the status of the COBU for permit G-12706?

Based on the online query, the C date was 10/1/99, a COBU was received 9/16/2002, and no certificate was issued.

Is more information needed for that COBU?

Thanks,

Steve Russell, RLA



AKS ENGINEERING & FORESTRY, LLC

12965 SW Herman Road, Suite 100 | Tualatin, OR 97062

P: 503.563.6151 ext. 130 | C: 415.254.4066 | www.aks-eng.com | russells@aks-eng.com

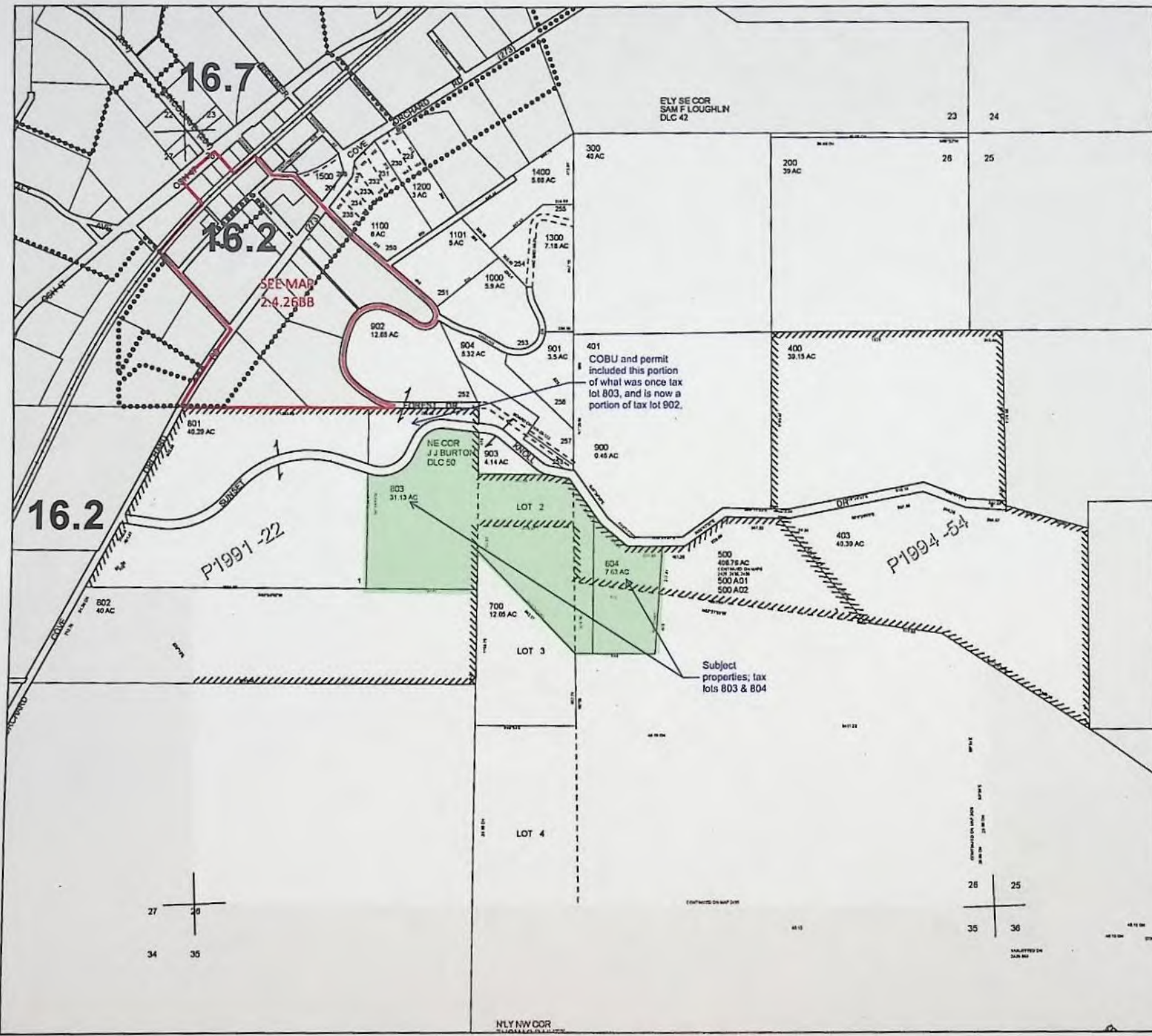
Offices in: Bend, OR | Keizer, OR | Tualatin, OR | Vancouver, WA

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ASSESSMENT & TAX
CARTOGRAPHY

SECTION 26 T.2S. R.4W. W.M.
YAMHILL COUNTY OREGON
1" = 400'



CANCELLED TAXLOTS:
804
800
701
600
501
402

DATE PRINTED: 7/30/2020

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

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, April 6, 2022 10:46 AM
To: 'Steve Russell'
Subject: RE: status of G-12706 COBU
Attachments: Permit G-12706 CBU Report and Map.pdf

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Dear Mr. Santer,

My apologies for omitting
this when our application
was submitted.

RECEIVED

Margaret Edell

SEP 16 2002

WATER RESOURCES DEPT.
SALEM, OREGON

ODWR

RECEIVED

SEP 16 2002

WATER RESOURCES DEPT.
SALEM, OREGON

CLAIM OF BENEFICIAL USE AND SITE REPORT

APPLICATION G-13146 PERMIT G-12706

INFORMATION

The permittees are William and Margaret Edell. The site location is at 217 Sunset Knoll Drive, Yamhill, OR 97148. The mailing address is P.O. Box 393, Yamhill, OR 97148-0393.

Mr. Edell was interviewed at the site by the CWRE on June 22, 2000. He supplied information about the pump and irrigation system and use of the water and assisted in flow measurements.

SUMMARY

4.25 of the 15.2 acres permitted have been developed. 12.8 gallons per minute of the permitted 25.14 gpm have been developed from Well #2. Well #1 is not used in the irrigation system.

Well #2 is also used for domestic use expanded for one residence as an exempt use.

SOURCE

The source of water is Well #2.

LOCATION OF POINT OF DIVERSION AND USE AREA

The point of diversion and use area were located on a 1998 scaled color photo purchased specifically for this project. The well and use area were clearly visible on the photo.

The well location mapped is slightly different than that shown on the application map, which was prepared prior to drilling well #2.

The use area for the 4.25 acres developed is generally the same as for the 9.3 acre tract mapped in the application. The 4.9 acre tract mapped in the application and the shade houses were not developed.

SYSTEM EQUIPMENT DATA

The well pump is a 1.5 hp electric submersible turbine. Water is pumped into a large tank (approximately 1,000 gallons) located near the well. Water then flows by gravity to the use area through a 1-1/2" diameter buried PVC mainline. Water is distributed at the use area by sub-mains and a drip system.

Irrigation is for grape plants. The plants are used for nursery stock for propagating root stock, which is harvested in the fall after the annual shoots are semi-dormant. No grapes are grown or harvested.

RECEIVED
SEP 16 2002
WATER RESOURCES DEPT.
SALEM, OREGON

Plants are spaced on 10'x10' centers. Each plant has a 1.0 gallon per hour drip emitter. Typically the plants are drip irrigated two times per week for two hours each time between June and September. Irrigation may be more frequent during hot periods.

The drip system has a higher capacity than the well therefore the well rate of 12.8 gpm is limiting for certification.

PLACE OF USE AND SOURCE

Water was used only from well #2. Water was used only for irrigation of vineyard for root stock under the permit, on those acres shown on the proof survey map. Domestic use expanded is also used for one home as an exempt use from well #2.

PERMIT CONDITIONS

A. Installation of a meter has not been required by ODWR. Well discharge is readily determined by measuring change of water depth in the storage tank.

B. Recording of water use has not been required by ODWR to date.

The permittee has submitted static water level data as required.

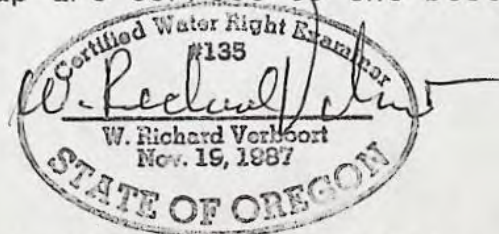
A 4-hour pump down test was not completed during the certification process.

Construction of the well and irrigation system, and water use were within the times stipulated in the permit.

CERTIFICATION

The final proof survey and inspection of the use as found to be completed under the terms and conditions of Permit G-12706 was completed by me on June 22, 2000. The facts contained in this report and accompanying final proof map are correct to the best of my knowledge.

W. Richard Verboort, P.E.
Civil Engineer



I, William Edell, the permittee 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-12706.

William Edell

date

APPLICATION G-13146

PERMIT G-12706

WELL TO TANK

6'- DIAMETER TANK FILLS $43\frac{1}{2}$ " / 1 HOUR

$$\text{CU FT/HOUR} = 3^2 \times 3.14 \times \frac{43\frac{1}{2}}{12} = 102.44 \text{ CU FT}$$

$$\text{GPM} = 102.44 \times 7.48 / 60 = 12.89 \text{ GPM}$$

TANK TO FIELD

WITH TWO OF THREE SECTIONS ON

6'- DIA TANK DROPS 14" IN 23 MIN

$$\text{GPM} = 3^2 \times 3.14 \times \frac{14}{12} \times \frac{7.48}{23} = 10.7 \text{ GPM}$$

$$\text{FOR ALL 3 SECTIONS } Q = \frac{3}{2} \times 10.7 = 16.1 \text{ GPM}$$

WITH ALL WORKING
PROPERLY -

1 SECTION = 617

PLANTS = 10.3 gpm

@ 19 pit SO 2

SECTIONS > WELL

CAP.

WELL CONTROLS USE,

DRIP RATE

$$4.25 \text{ AL @ } 436 \text{ PLANTS/AL} = 1853 \text{ PLANTS}$$

$$16.1 \times 60 / 1853 = 0.52 \text{ gph}$$

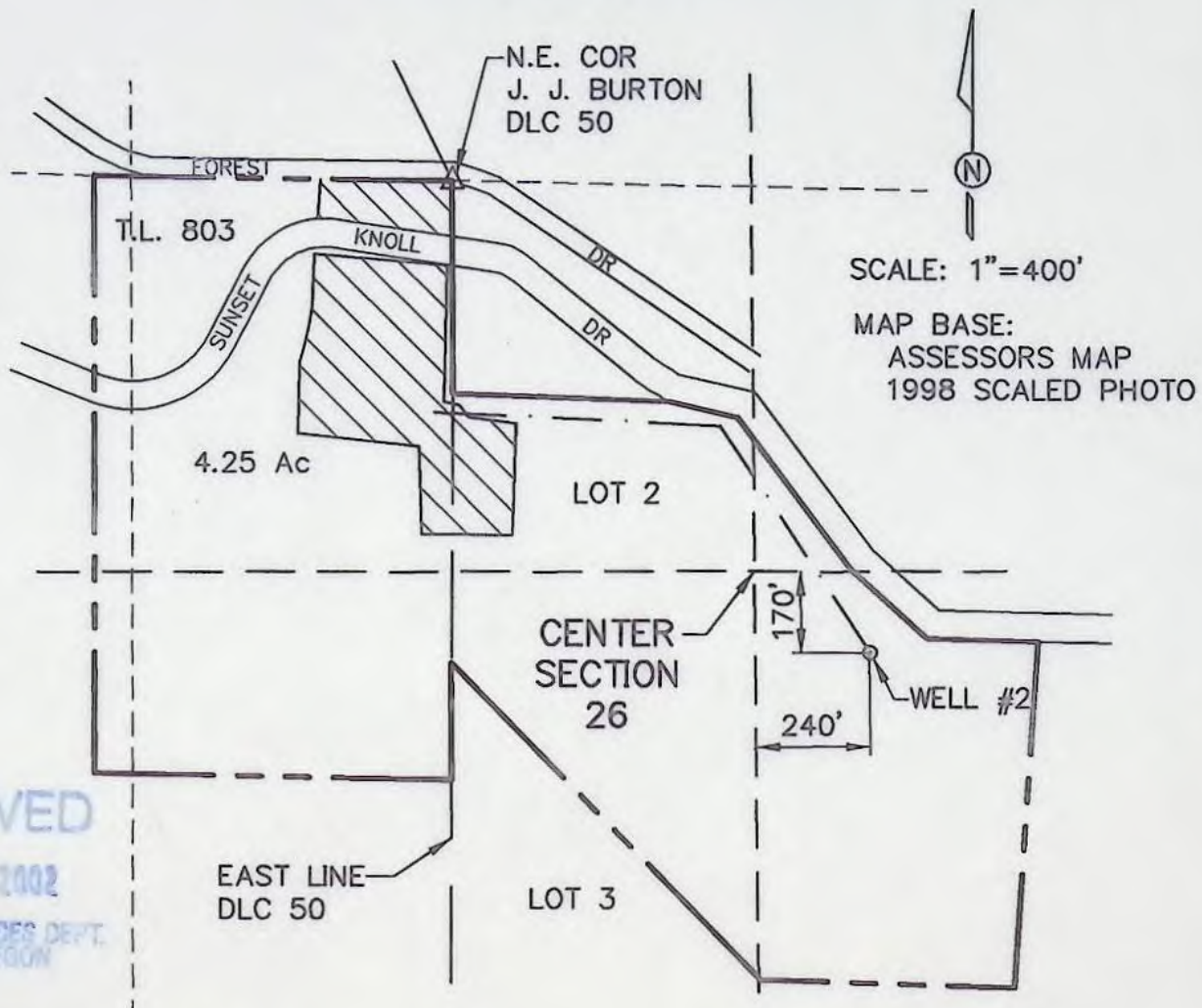
6-26 OWNER VERIFIES 1.0 gph - SAYS PART
OF SYSTEM WAS PLUGGED. WELL STILL CONTROLS
RATE.

RECEIVED

SEP 16 2002

WATER RESOURCES DEPT.
SALEM, OREGON

SECTION 26, T.2 S., R.4 W., W.M.
YAMHILL COUNTY, OREGON



RECEIVED

SEP 16 2002

WATER RESOURCES DEPT.
SALEM, OREGON

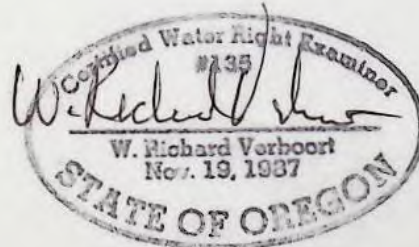
PREPERATION OF THIS MAP IS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF
THE WATER RIGHT ONLY. THERE IS NO INTENT
TO PROVIDE DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES.

FINAL PROOF SURVEY
UNDER

APPLICATION G-13146

PERMIT G-12706

SURVEYED JUNE 22, 2000



VERBOORT ENGINEERING

AGRICULTURE • CIVIL • WATER RESOURCES
HILLSBORO, OREGON

designed	by	date
drawn	WRV	6/19/00
checked	JER	6/19/00
	WRV	6/19/00
drawing no.	00-A-11	
sheet no.	1 / 1	

WILLIAM and MARGARETE
EDELL

21780 SUNSET KNOLL DRIVE
YAMHILL, OR 97148

CLARK Gerry E

From: Jeffrey Kee <jkee@stuntzner.com>
Sent: Friday, October 21, 2016 10:18 AM
To: CLARK Gerry E
Subject: RE: Permit G-13146 Status

Graci. J

From: CLARK Gerry E [<mailto:gerald.e.clark@state.or.us>]
Sent: Friday, October 21, 2016 10:17 AM
To: Jeffrey Kee
Subject: Permit G-13146 Status

Jeffrey,

I have reviewed the file to see why it has not been processed. It looks like we have not received and approved a Pump Test.

I have attached a copy of the Claim report for your reference. In Mr. Verboort's Claim, he indicates that a Pump Test was not part of his work.

Gerry

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

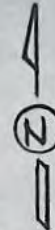
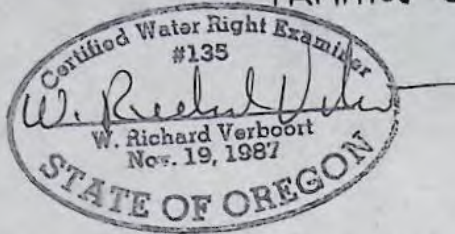
Phone: 503-986-0811

SECTION 26 T.2S., R.4 W., W.M.
YAMHILL COUNTY

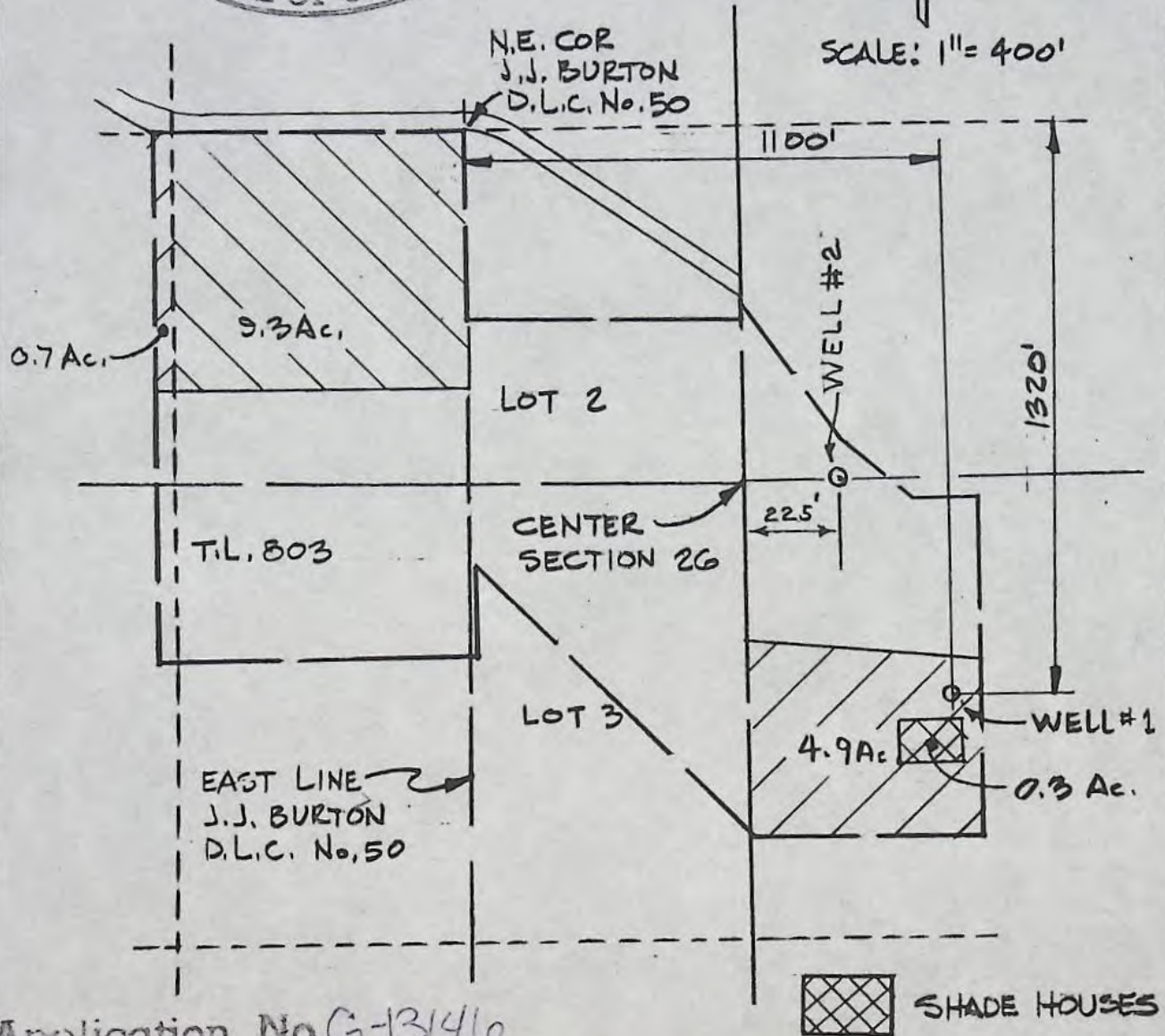
RECEIVED

MAY - 3 1984

WATER RESOURCES DEPT.
SALEM, OREGON



SCALE: 1" = 400'



Application No. G-13146

Permit No. G12706

WATER RIGHT APPLICATION MAP

PREPARATION OF THIS MAP IS FOR THE
PURPOSE OF IDENTIFYING THE LOCATION OF
THE WATER RIGHT ONLY. THERE IS NO INTENT
TO PROVIDE DIMENSIONS OR LOCATION OF
PROPERTY OWNERSHIP LINES.

REVISED 5-2-94

VERBOORT ENGINEERING
AGRICULTURE • CIVIL • WATER RESOURCES
HILLSBORO, OREGON

by date
designed WRV 9-92
drawn JER 9-92
checked WRV 9-92
drawing no. 92-A-11
sheet no. 1/1

WILLIAM & MARGARETE EDELL
21780 SUNSET KNOLL ROAD NE
YAMHILL, OR 97148

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM AND MARGARET EDELL
P.O. BOX 393
YAMHILL, OREGON 97148-0393

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

APPLICATION FILE NUMBER: G-13146

SOURCE OF WATER: TWO WELLS IN NORTH YAMHILL RIVER BASIN

PURPOSE OR USE: IRRIGATION AND NURSERY OPERATIONS ON 15.2 ACRES

RATE OF USE: 0.094 CUBIC FOOT PER SECOND (CFS)

PERIOD OF ALLOWED USE: YEAR AROUND FOR NURSERY OPERATIONS AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: OCTOBER 5, 1992 FOR 0.038 CFS FROM WELL #1 AND MAY 3, 1994 FOR 0.056 CFS FROM WELL #2

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 26, T2S, R4W, W.M.; WELL #1 - 1320 FEET SOUTH AND 1100 FEET EAST FROM THE NE CORNER OF J.J. BURTON DLC NO. 50; WELL #2 - 225 FEET EAST FROM THE C OF SECTION 26

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4	0.7 ACRE
SE 1/4 NW 1/4	9.3 ACRES
NW 1/4 SE 1/4	5.2 ACRES

SECTION 26

TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place**Initial and Annual Measurements**

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun**Seven Consecutive Annual Measurements**

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional

measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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

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

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

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

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

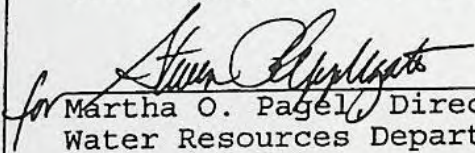
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

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

Issued August 21, 1996


for Martha O. Pagel, Director
Water Resources Department

TO: Water Rights Section
FROM: Groundwater/Hydrology Section
SUBJECT: Application G- 13146

Sept 3, 1993

1. PER THE Basin rules, one or feet/mile of a surface water source () connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect
a. will, or have the potential for sub
b. ✓ will not source, namely UNRPA
c. will, if properly conditioned, adequately
i. The permit should contain condit
ii. The permit should contain specia
iii. The permit should be conditioned
d. will, with well reconstruction, adequately

3. BASED UPON available data, I have determin
a. will, or likely be available in the
b. will not within the capacity of the
c. ✓ can, if properly conditioned, avoid injur
i. The permit should contain condit
ii. The permit should contain specia
iii. The permit should be conditioned as indicated in item 4 below.

4. a. THE PERMIT should allow groundwater production from no deeper than ft. below land surface;
b. The permit should allow groundwater production from no shallower than ft. below land surface;
c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;
d. Well reconstruction is necessary to accomplish one or more of the above conditions.
e. One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # 13146

ROUTED TO: T. Stook

TOWNSHIP/

RANGE-SECTION: 25/4W-26

CONDITIONS ATTACHED? [✓yes] []no

REMARKS OR FURTHER INSTRUCTIONS:

4E CONDITION

Reviewer: D. Warrack

REMARKS: _____

G-13146

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 1993.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1993.

(Signature)

(WRFORM8\91)

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date SEPT 3 '93

FROM: Douglas Woodcock

SUBJECT: Groundwater Application G- 13146

Applicant(s) seek 17 gpm (cfs) from ONE wells in the NORTH YAMHILL RIVER basin
sub basin
sub basin.

Pertinent 7 1/2 - minute quads

GASTON

CARLTON

Well WRD# YAMH 756 T 2 S R 4 W S 26 QQ NWSE County
Legal Description 1320 FT S + 1100 FT WEST OF NE COR OF DICS D
Well is 1100 ft from UNNAMED CR. TRIG. STAG HOLLOW CR (river/stream)
Well is ft from (river/stream)
Well elevation 750 ft. River/stream elevation 620 ft.
Well elevation - river/stream elevation 130'
Well depth 140 SWL 140 ft on 6/6/91
Sealed to 38 Depth first water found 140
Cased to 38 Perforations/screens 100 - 130
Lined to 140 Perforations/screens 150 - 160
Well tests and types 17 GPM AIR TEST
Confined or unconfined? UNCONFINED Direct hydraulic connection? No
Potential to cause substantial interference? NO

Well WRD# T R S QQ County
Legal Description
Well is ft from (river/stream)
Well is ft from (river/stream)
Well elevation ft. River/stream elevation ft.
Well elevation - river/stream elevation
Well depth SWL on
Sealed to Depth first water found
Cased to Perforations/screens
Lined to Perforations/screens
Well tests and types
Confined or unconfined? Direct hydraulic connection?
Potential to cause substantial interference?

Conditioned water rights in area:

Other nearby water rights of record:

Density of nearby wells: LOW

Comments: WELL DEVELOPED IN MARINE SEDIMENTARY ROCKS (SHALE), A LOW PERMEABILITY FORMATION. (WELL LOG APPEARS UNCONFINED, BUT DIFFICULT TO SAY DUE TO HOW THE LOG IS FILLED OUT. SW/CW INTERFERENCE POTENTIAL IS LOW DUE TO TIGHT NATURE OF FORMATION. GW AVAILABILITY MAY POSE A PROBLEM BECAUSE THE WELL IS ON A HILLTOP. RECOMMEND CONDITIONING PERMIT W/ H/E

References used:

TO: Water Rights Section

Feb 6, 1996

FROM: Groundwater/Hydrology Section Don Miller

Reviewer's Name

SUBJECT: Application G- 13146 (2nd well considerations)

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willamette Basin rules, one or more of the proposed POA's is is not within 1/4 feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or have the potential for substantial interference with the nearest
 - b. will not surface water source, namely unnamed trib Stag Holler or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 4E;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - d. will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. will, or likely be available in the amounts requested without injury to prior rights
 - b. will not and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 4E;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
4.
 - a. THE PERMIT should allow groundwater production from no deeper than ft. below land surface;
 - b. The permit should allow groundwater production from no shallower than ft. below land surface;
 - c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;
 - d. Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Same analysis as Woodcock's original gw review of
well #1 only

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit
_____, 199____.
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199____.
(Signature)

MEMO

TO Application G- 13146

FROM GW: Donn Miller
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☐ Yes

The source of appropriation is within or above a Scenic Waterway.

☐ No☐ Yes

Use the Scenic Waterway condition (Condition 7J).

☒ No

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)

☐

At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-13/46

ROUTED TO: Donna Miller

TOWNSHIP/

RANGE-SECTION: 25/4W-26

APPLICATION ACCEPTED? ☐ yes ☐ no

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

Continue 4E per 1993 Memo

Reviewer: Donna Miller

WATER RESOURCES DEPARTMENT MEMORANDUM

Review to address
addition of well #2

TO: Groundwater/Hydrology Files

Date Feb 6 '96

FROM: Donna Miller

SUBJECT: Groundwater Application G- 13146

Phone: _____

Name: Wm & Mary Edell

Applicant(s) seek 25 gpm (____ cfs) from 2nd well(s) in the
N. Yamhill River basin
Proposed use: irrigation sub basin
ot 5/2/94

Pertinent 7 1/2 - minute quads

Gaston

Carlton

Well 2nd WRD# _____ T 25 R 4 W S 26 QQ _____ County _____
Legal Description _____
Well is 1550' ft from Unnamed tributary of Stag Hollow (river/stream)
Well is _____ ft from _____ (river/stream)
Well elevation 690 ft River/stream elevation 630' ft.
Well elevation - river/stream elevation 60'
Well depth 120 SWL 45 on 11/12/93
Sealed to 30 Depth first water found 50
Cased to 39 Perforations/screens _____
Lined to 120 Perforations/screens 60'-90' , 110'-120'
Well tests and types 25 gpm / 1 hr / air test
Confined or unconfined? confined +/- Hydraulically connected? _____
Potential to cause substantial interference? NO

Well _____ WRD# _____ T _____ R _____ S _____ QQ _____ County _____
Legal Description _____
Well is _____ ft from _____ (river/stream)
Well is _____ ft from _____ (river/stream)
Well elevation _____ ft River/stream elevation _____ ft.
Well elevation - river/stream elevation _____
Well depth _____ SWL _____ on _____
Sealed to _____ Depth first water found _____
Cased to _____ Perforations/screens _____
Lined to _____ Perforations/screens _____
Well tests and types _____
Confined or unconfined? _____ Hydraulically connected? _____
Potential to cause substantial interference? _____

Conditioned water rights in area: _____

Other nearby water rights of record: _____

Density of nearby wells of record: Low

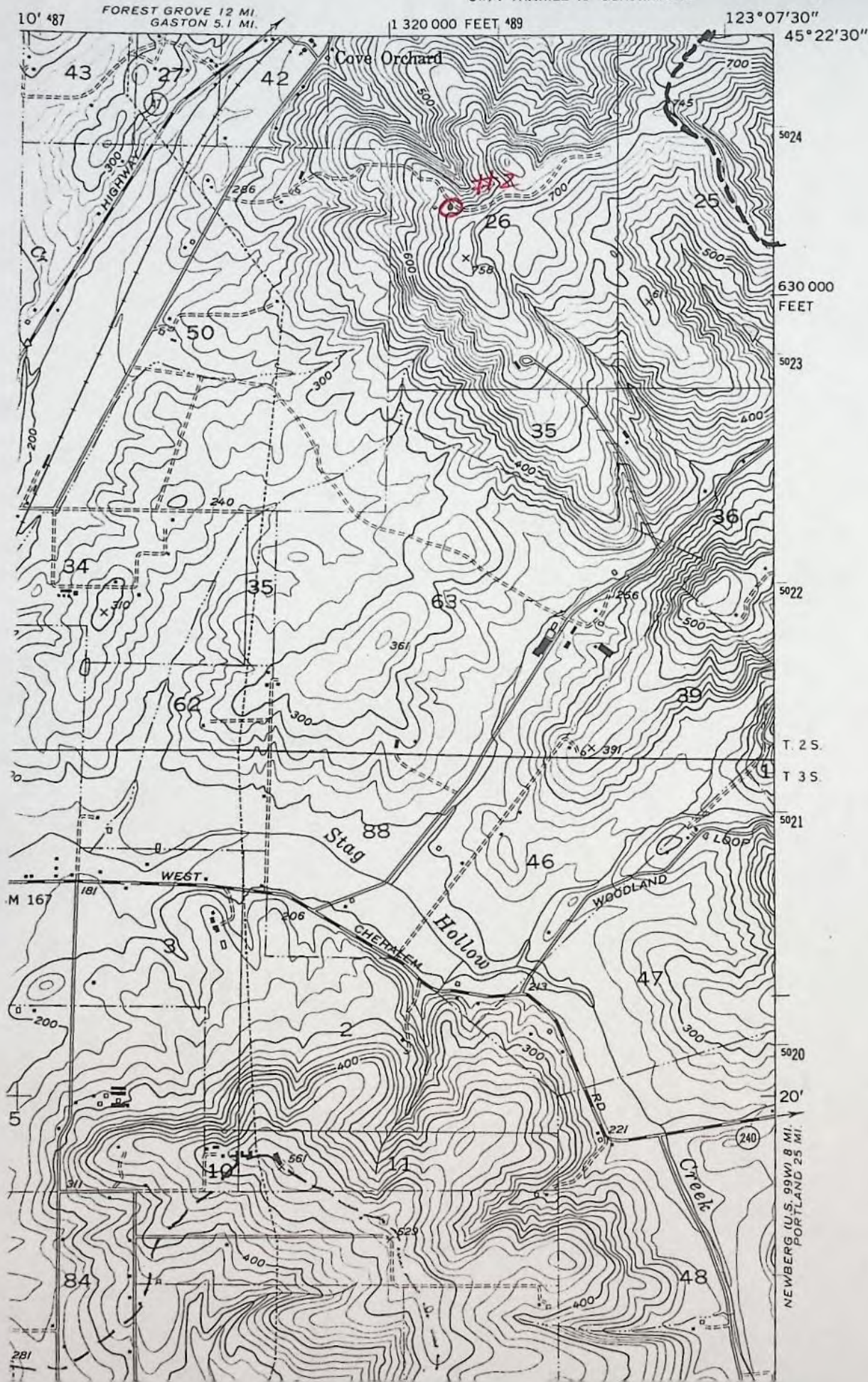
Comments: Maine sedimentary rock aquifer. Woodcock's conditioning of 9/3/93 still seems appropriate.

References used: _____

CARLTON QUADRANGLE
OREGON-YAMHILL CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW/4 YAMHILL 15' QUADRANGLE

1372' 1 NE
(LAURELWOOD)

G-13146



DATE: December 5, 1995

TO: Fred Lissner
Groundwater/Hydrology Section

FROM: Laura K. Snedaker, ext. 331
Water Rights Section - PFO

SUBJECT: Second Well Added to Application (G-13146)

We have received an amendment to the groundwater application to include use of a second well for application G-13146.

Please review the information on the second well and route back to me within 10 days. If you will not be able to meet this deadline, please let me know.

Thankyou.

REVIEW CHECKLIST

FOR G- 13146

#2 Yamhill City
95 Gaston
38 Carlton

- ☒ Xerox appropriate parts of the stream index.
- ☒ Estimate number of wells within one mile radius and identify types.
- ☒ Verify that the well log is in application file. If not, provide one.
- ☒ List of state observation wells within five mile radius.
- ☒ List groundwater permits within five mile radius with extraordinary conditions.

WELLS: 2 wells

	DO	ID	IR	IM	MO	MU	UN	T
23 4W 26	5							5
22	2							2
23	1							1
24	4							4
25	unable to locate							
27	1							1
34	1							1
35	1							1
36	2							2
	17							= 17

OBSERVATION WELLS:

991
994
996

APPLICATIONS WITH PERMIT CONDITONS:

G13146

RVW.CKLST

15 4W, 15 5W
25 3W, 25 4W, 25 5W
35 3W, 35 4W, 35 5W

Yamhill Co.

21396

R-74849

R-40226
40227

R-35702
35703

R-48528
48529

R-41079

R-5478

R-4957

R-73823

R-4171
4172

R-47161

R-47162

R-47163

R-47164

R-47165

R-47166

R-47167

R-47168

R-47169

R-47170

R-47171

R-47172

R-47173

R-47174

R-47175

R-47176

R-47177

R-47178

R-47179

R-47180

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R-47186

R-47187

R-47188

R-47189

R-47190

R-47191

R-47192

R-47193

R-47194

R-47195

R-47196

R-47197

R-47198

R-47199

R-47200

Notice (5/19/1977)
Mr. & Mrs. Eugene Odery
Rt. 2, Box 346
Gaston, Or 97119
Effective to Date 1/1/79
Notify of any filing on Ayres Creek

To Yamhill River

STATE OF OREGON
COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM AND MARGARET EDELL
P.O. BOX 393
YAMHILL, OREGON 97148-0393

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

APPLICATION FILE NUMBER: G-13146

SOURCE OF WATER: TWO WELLS IN NORTH YAMHILL RIVER BASIN

PURPOSE OR USE: IRRIGATION AND NURSERY OPERATIONS ON 15.2 ACRES

RATE OF USE: 0.094 CUBIC FOOT PER SECOND (CFS)

PERIOD OF ALLOWED USE: YEAR AROUND FOR NURSERY OPERATIONS AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: OCTOBER 5, 1992 FOR 0.038 CFS FROM WELL #1 AND MAY 3, 1994 FOR 0.056 CFS FROM WELL #2

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 26, T2S, R4W, W.M.; WELL #1 - 1320 FEET SOUTH AND 1100 FEET EAST FROM THE NE CORNER OF J.J. BURTON DLC NO. 50; WELL #2 - 225 FEET EAST FROM THE C OF SECTION 26

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4	0.7 ACRE
SE 1/4 NW 1/4	9.3 ACRES
NW 1/4 SE 1/4	5.2 ACRES

SECTION 26

TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place**Initial and Annual Measurements**

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun**Seven Consecutive Annual Measurements**

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional

measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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

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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

G13146 JS 7020 2866

WILLIAM & MARGARET EDELL
PO BOX 393
YAMHILL OR 97148

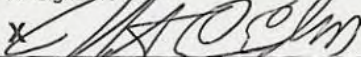
2. Article Number

(Transfer from service label)

7001 0320 0004 7020 2866

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

9-10-02

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

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

UNITED STATES POSTAL SERVICE

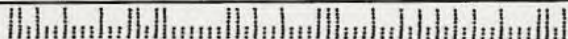


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

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

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

7301/4172





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

September 9, 2002

Certified mail number 7020 2866
Return receipt requested

WILLIAM & MARGARET EDELL
PO BOX 393
YAMHILL OR 97148

Reference: Application G-13146, Permit G-12706

Dear Permit Holder:

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

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

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

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

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time of your permit, within 60 days of the date of this letter (November 8, 2002) the Department may cancel your permit without further notice.

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

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (3)

cc: OWRD Watermaster BILL FERBER, District 16
File G-13146

9/11/2002
Bill Edzell calling
with contact Dick Verbeek
TO DO COBEL & F.A.
PHONE CALL FROM Dick Verbeek's Office
COBEL & F.A. on the way - APPROVED
FORGET TO COBEL
Stop Attorney M.S. 9/11/2002

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. G-13146

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

William Edell, the holder of Permit No. G-12706

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 1 day of SEPTEMBER, 1999.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 19____.

(Signature of Applicant)

(Address)

Form B (690-9-77)

Application No. G-13146

NOTICE OF COMPLETION OF CONSTRUCTION

I, William Edell, the holder of Permit No. G-12706

to appropriate the public waters of the state of Oregon, completed the construction of the works described thereon on the 11 day of FEBRUARY, 1993.

Remarks: _____

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 19____.

(Signature of Applicant)

(Address)

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

PERMIT STATUS REVIEW BY jd DATE 6/28/02 FILE # 6-13146

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: note on JS list

NO Permit is for municipal or quasi-municipal use or in Bonanza study area
(per DF, when in doubt about MU/QM, change database code)

NO Extension pending _____

final _____

NO Assignment is pending _____

NO Cancellation is requested _____

final _____

NO Dept. has already sent a certified "Form 100" letter (date _____, # _____)

Was mail deliverable as addressed? _____

Send cancellation letter _____

NO Claim of beneficial use and final proof map (COBU) have been received by Department

Date information received _____

2. IF NONE OF THE ABOVE APPLY

✓ Send certified "C" date notice packet to permit holder.

"C" DATE 10/1/99

C.O.B.U. DEADLINE 10/1/2000

WATERMASTER DISTR # 16

WATERMASTER NAME Birk Fisher

OK - SEND LETTER
M.P. 8/27/2002



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

November 23, 1999

WILLIAM & MARGARET EDELL
PO BOX 393
YAMHILL OR 97148

REFERENCE: File G13146
Permit G12706

We have received your notice that complete application of water has been made under the above permit .

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) 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, 2000**. A list of Certified Examiners is available upon request by calling the above number, extension 320.

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 addition, before the Water Right Certificate is issued, you are required to submit a well pump test. This test must be done according to the instructions in the brochure. Forms and brochures are available upon request. This is not required if your priority date is before December 20, 1988.

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, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Natural Resource Specialist 2

DM:jh

cc: Watermaster
CWRE

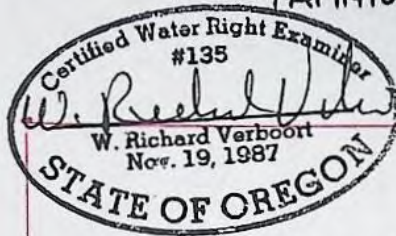


SECTION 26 T.2S., R.4 W., W.M. YAMHILL COUNTY

RECEIVED

MAY - 3 1994

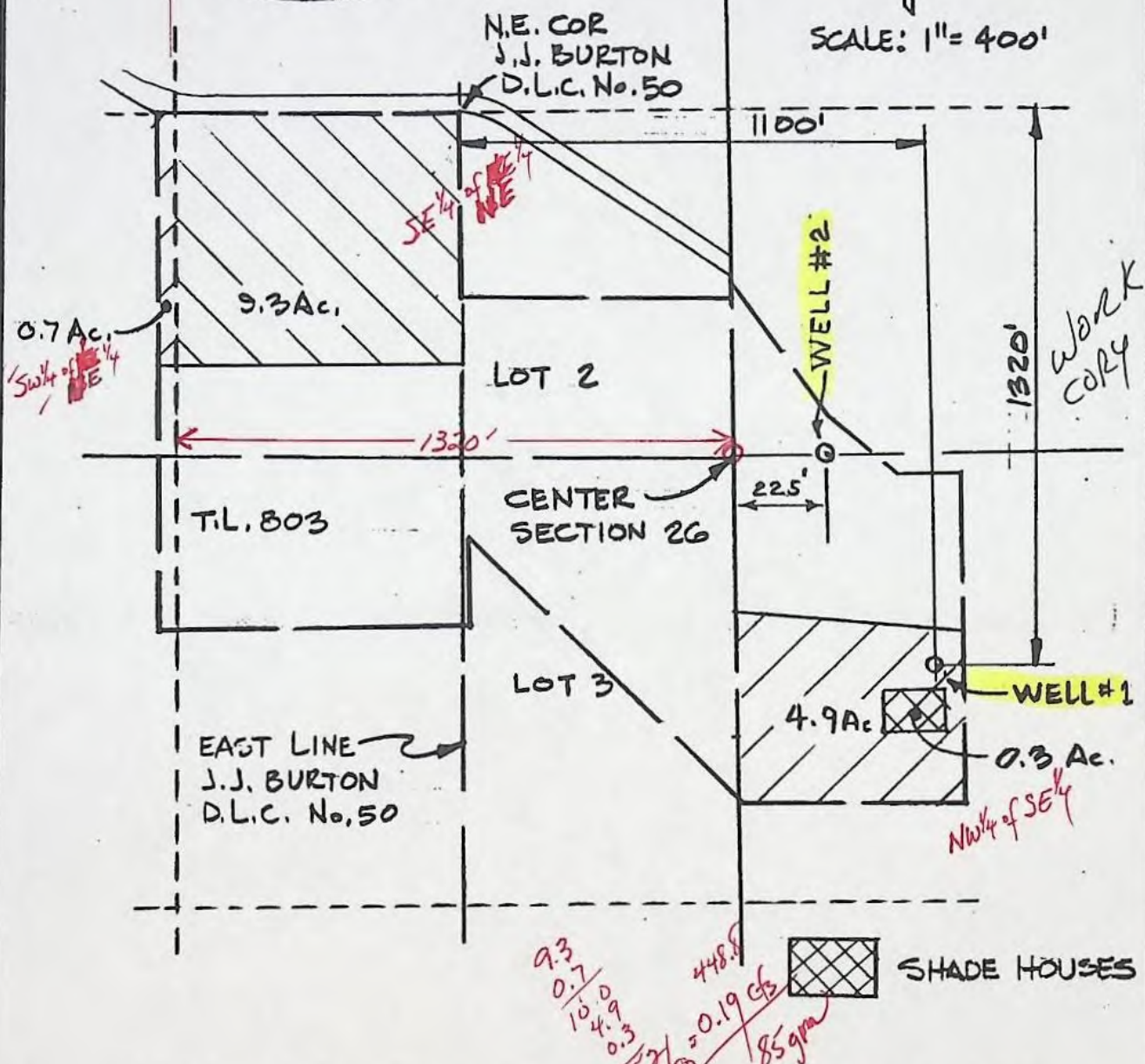
WATER RESOURCES DEPT.
SALEM, OREGON



9/31/46



SCALE: 1" = 400'



WATER RIGHT APPLICATION MAP

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

REVISED 5-2-94

VERBOORT ENGINEERING
AGRICULTURE-CIVIL-WATER RESOURCES
HILLSBORO, OREGON

by date
designed WRV 9/92
drawn JER 9/92
checked WRV 9/92
drawing no. 92-A-11
sheet no. 1/1

WILLIAM & MARGARETE EDELL
21780 SUNSET KNOLL ROAD NE
YAMHILL, OR 97148

work copy

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13146

Final Order

Application History

On October 5, 1992, WILLIAM AND MARGARET EDELL submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on February 27, 1996. The protest period closed April 12, 1996, and no protest was filed.

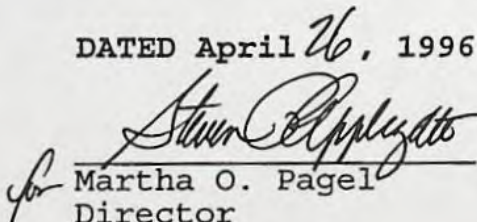
The proposed use would not impair or be detrimental to the public interest.

Order

Upon payment of outstanding permit recording fees, Application G-13146 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$212.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order will result in the proposed rejection of Application G-13146.

DATED April 26, 1996


Martha O. Pagel
Director

Appeal Rights

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

STATE OF OREGON
COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

WILLIAM AND MARGARET EDELL
P.O. BOX 393
YAMHILL, OREGON 97148-0393

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

APPLICATION FILE NUMBER: G-13146

SOURCE OF WATER: TWO WELLS IN NORTH YAMHILL RIVER BASIN

PURPOSE OR USE: IRRIGATION AND NURSERY OPERATIONS ON 15.2 ACRES

RATE OF USE: 0.094 CUBIC FOOT PER SECOND (CFS)

PERIOD OF ALLOWED USE: YEAR AROUND FOR NURSERY OPERATIONS AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: OCTOBER 5, 1992 FOR 0.038 CFS FROM WELL #1 AND MAY 3, 1994 FOR 0.056 CFS FROM WELL #2

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 26, T2S, R4W, W.M.; WELL #1 - 1320 FEET SOUTH AND 1100 FEET EAST FROM THE NE CORNER OF J.J. BURTON DLC NO. 50; WELL #2 - 225 FEET EAST FROM THE C OF SECTION 26

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4	0.7 ACRE
SE 1/4 NW 1/4	9.3 ACRES
NW 1/4 SE 1/4	5.2 ACRES
SECTION 26	
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.	

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional

measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

{DATE}

DRAFT

Martha O. Pagel, Director
Water Resources Department

FO CHECKLIST

16 MC

PFO TO FO CONVERSION

FILE # B-13/46

REVIEW DATE: 04 / 15 / 1996

WEEK # WEEK 31

INITIALS : LLS

In preparing the FO, you should check the following:

1. Y / N Were comments or protests received in response to the PFO?
2. List names and addresses of **ALL** commentors (regardless of comment date) on the PFO CC list.
3. 212⁰⁰ Verify payment of recording fees (circle the appropriate option)
(1) Issue FO w/permit if fees are paid Prepare refund request for excess fees
(2) Issue FO w/o permit if fees are lacking
(3)

200 EXAM
100 10 AC
2x6 12 19
100 12 19
\$12.00
4. (Y) / N Has the applicant signed an oath of accuracy for the application?
5. Y / N Has ODFW asked for self certification on screening condition?
6. Y / N Is water use prohibited for one or more months of the normal use period?
7. Y / N If #6 = "Y", is short season letter on file?
8. Assign permit numbers to files with oath, fees, and no protests or other unresolved issues

		Route to: (circle one)	
DENIAL	FO w/o PERMIT	FO & PERMIT	COMMENTS
LARRY	<u>CORY</u>	JERRY	DOUG

Modify FO as needed to:

INITIALS : 19

9. 19 Respond to significant comments, issues, or disputes related to the proposed use of water
10. Include or exclude permit conditions and management codes
11. Notify applicant of additional information or fees required prior to permit issuance (Use standard wording from M:\T\FO\TOOLS if possible)
12. Correct PFO errors (such as POD or POU location (verify from map), Permit format)
13. (Y) / N Is further processing possible? If not state reason:

Once FO document is completed:

14. 32 Save WordPerfect document in M:\T\FO\WEEK32 & delete duplicates
15. Print final draft of document and submit to team leader for review
16. (Y) / N Team leader review completed

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the matter of	)	PROPOSED
Groundwater Application	)	FINAL
G-13146 submitted by	)	ORDER
WILLIAM AND MARGARET EDELL		

FINDINGS OF FACT

Water Use Request

1. WILLIAM AND MARGARET EDELL requested use of 17.0 GALLONS PER MINUTE of water from A WELL IN NORTH YAMHILL RIVER BASIN for IRRIGATION AND NURSERY OPERATIONS ON 15.2 ACRES within the Willamette basin. Application amended for applicant by CWRE, received May 3, 1994; adding a second well and an additional 25 gallons per minute.
2. The area of proposed use is in Yamhill County within:
SECTION 26
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.
3. The water delivery system is described by the applicant as a 1 HP electric submersible pump delivering water through a buried PVC mainline to field and shade houses. Field plants will be irrigated with drip system while containerized plants will be hand watered or watered with an overhead sprinkler system. Second well constructed in November 1993.
4. The request was made in Application G-13146 which was received by the Water Resources Department on October 5, 1992 and amended May 3, 1994.

Affected Waters

1. This proposed use of groundwater is not within or above a State Scenic Waterway.
2. There are no senior water rights from this point of appropriation.

Department Actions

1. The application was determined to be complete and not defective..
2. The Department determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, **namely an UNNAMED CREEK TRIBUTARY TO STAG HOLLOW.**
3. A technical review of the application was completed and a report of the results of that review was mailed to the applicant on November 30, 1993.

4. The technical review determined:
 - a. IRRIGATION AND NURSERY OPERATIONS ON 15.2 ACRES is allowed under the Willamette Basin Program.
 - b. The use is not prohibited by Statute.
 - c. Water for the proposed use is available in the amounts requested for the period YEAR ROUND.
 - d. The use would not injure existing water rights.

Assessment

1. In proceeding with evaluation of Application G-13146, the following criteria were found to be relevant by the Department.
 - a. The Willamette Basin Program (OAR Chapter 690, Division 502);
 - b. The Yamhill County Comprehensive Plan and Zoning Ordinance;
 - c. Groundwater availability as determined by the Groundwater/Hydrology staff (OAR Chapter 690, Division 9) for both wells;
 - d. The Scenic Waterway Act (ORS 390.835) (8) Groundwater related applications as amended by SB 1033 and enacted by the 68th Legislative Assembly;
 - e. The established rate and duty for the proposed use;
 - f. Amended application submitted by CWRE and received May 3, 1994.
 - g. Pending, senior applications and existing water rights of record;
 - h. Outstanding balance of \$210 due from applicant.
 - i. Letter from the Department of Environmental Quality regarding instream water quality in the Yamhill River basin;
 - j. Comments received.

CONCLUSIONS OF LAW

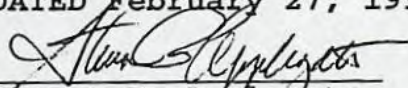
1. Based upon continued evaluation, the Department finds the determinations of the technical review requires modification to include second well.
2. Based on data received, the Department has determined that at this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.
3. The period of allowed use is year around for nursery operation and March 1 through October 31 for irrigation.
4. The Department finds that no more 42 gallons per minute would be necessary for the proposed use. The amount of water requested, 42 GALLONS PER MINUTE, is allowable for the proposed use.
5. Yamhill County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Yamhill Comprehensive Land Use Plan.

6. The proposed use would not conflict with existing water rights, and, if exercised in accordance with law, rule, and the proposed conditions would not result in injury to existing water users.
7. The proposed use complies with all other rules of the Commission.
8. Pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly, and given the findings listed above, a rebuttable presumption has been established that the use will not impair or be detrimental to the public interest if exercised in the manner described in the attached draft permit.
9. Therefore, the proposed use, as conditioned, and described in the attached draft permit, would not impair or be detrimental to the public interest.

PROPOSED ORDER

IT IS PROPOSED that upon receipt of \$210 owed, Application G-13146 in the name of WILLIAM AND MARGARET EDELL be approved for IRRIGATION AND NURSERY OPERATIONS ON 15.2 ACRES as provided in the attached draft permit.

DATED February 27, 1996


Steven P. Applegate
Administrator
Water Rights and Adjudications Division

NOTICE:

This Proposed Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

To seek changes in this proposed final order, you must file a formal protest.

Formal protests to this proposed final order must be made in proper form and accompanied by the statutory fee in the amount of \$200. Note: The applicant is not subject to this fee.

For other than the applicant, if you agree with the findings in this proposed order, but wish to maintain your right to participate in any contested case proceeding or judicial review, you must file a written request for standing. Requests for standing in proceedings relating to this application must be made in the proper form and accompanied by the statutory fee in the amount of \$50.

Protests or requests for standing, along with the appropriate fees must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on April 12, 1996.

Only the applicant and any persons who timely file a protest or request for standing may participate in further proceedings before the Department or the Commission which deal with this Application.

DRAFT
STATE OF OREGON
COUNTY OF YAMHILL

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

WILLIAM AND MARGARET EDELL
P.O. Box 393
YAMHILL, OREGON 97148-0393

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

APPLICATION FILE NUMBER: G-13146

SOURCE OF WATER: TWO WELLS IN NORTH YAMHILL RIVER BASIN WITHIN THE WILLAMETTE BASIN

PURPOSE OR USE: IRRIGATION AND NURSERY OPERATIONS ON 15.2 ACRES

RATE OF USE: 42 GALLONS PER MINUTE (0.094 CUBIC FEET PER SECOND)

PERIOD OF ALLOWED USE: YEAR AROUND FOR NURSERY OPERATIONS AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: October 5, 1992 FOR WELL #1 AND MAY 3, 1994 FOR WELL #2

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 26, T 2S, R4W, W.M.;
WELL #1 1320 FEET SOUTH & 1100 FEET EAST FROM NE CORNER OF J.J. BURTON
DLC NO. 50;
WELL #2 225 FEET EAST FROM CENTER OF SECTION 26.

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4	9.3 ACRES
SW 1/4 NW 1/4	0.7 ACRE
NW 1/4 SE 1/4	4.9 ACRES
NW 1/4 SE 1/4	0.3 ACRE

SECTION 26

TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M. .

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of (Generally March). Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun
Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of Generally 3 Ft. or more feet per year for five consecutive years; or
- (B) A water level decline of Generally 15 Ft. or more feet in fewer than five consecutive years; or
- (C) A water level decline of Generally 25 Ft. or more feet; or
- (D) Hydraulic interference leading to a decline of Generally 25 Ft. or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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

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

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

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

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

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

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

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

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

Issued _____, 199_

DRAFT

Water Resources Department
Director

Application No. C-13146

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water



Applicant(s) William and Margaret. Edell
(Please print or type - use dark ink)

Mailing Address: 21780 Sunset Knoll Road N.E.
Yamhill OR 97148 (503) 320-4209
City State Zip Daytime Phone No.
(619) 449-8622

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

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

*Application amended
5/3/94 to add
a second well.
and 25 gpm
for a total of 42 gpm
from 2 wells
per letter CWRE 5/2/94*

one mile from a natural stream, give the following:

Development to stream: 1100'

Distance between streambed and development: 110 feet

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Well Log Attached

Diameter of well: _____ Depth in feet: _____

Type and size of well casing: _____ No. of feet: _____

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

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

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: _____ cubic feet per second, OR 17 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

Application No. C-13146

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water



Applicant(s) William and Margaret Edell
(Please print or type - use dark ink)

Mailing Address: 21780 Sunset Knoll Road N.E.
Yamhill OR 97148 (503) 320-4209
City State Zip Daytime Phone No.
(619) 449-8622

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

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

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 1100'

Elevation difference between streambed and development: 110 feet

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Well Log Attached

Diameter of well: _____ Depth in feet: _____

Type and size of well casing: _____ No. of feet: _____

Estimated depth to water: _____

Type of access port or measuring device: _____

Wells to be drilled by: _____

Address: _____

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: _____ cubic feet per second, OR 17 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

3. **INTENDED USE(s) OF WATER:** (1) Field irrigation of grape plants for root stock; (2) Nursery operations use including irrigation for containerized root cuttings.

If for more than one use, give the quantity of water from each source for each use; 17 gpm
irrigation, 17 gpm nursery operations use.

If for DOMESTIC use, state the number of households to be supplied; N/A

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

N/A

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; N/A

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation	<u>14.9 acres</u>
Other (describe)	<u>0.3 ac shade houses</u>
	<u></u>
	<u></u>

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** *Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).*

1 hp electric submersible pump. Buried PVC mainline to field and shade houses.
Field plants will be irrigated with drip system. Containerized plants will be
hand watered, or watered with overhead sprinkler system.

5. **PROJECT SCHEDULE:** *(List month and year)*

Proposed date construction work will begin June 1993

Proposed date construction work will be completed June 1994

Proposed date water use will be completed Oct. 1995

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

W. RICHARD VERBOORT - CIVIL ENGINEER
PLANNING - DESIGN - INSPECTION
CIVIL - WATER RESOURCES - AGRICULTURE
666 S.E. 36TH AVENUE, HILLSBORO, OR 97123
(503) 648-6180

RECEIVED

MAY - 3 1994

WATER RESOURCES DEPT.
SALEM, OREGON

DEPARTMENT OF WATER RESOURCES
158 12TH STREET N.E.
SALEM, OR 97310
ATT: Mr. Jake Szramek

May 2, 1994

Dear Mr. Szramek:

RE: File G-13146

The following information is a follow up on our phone conversation of this morning.

William and Margarete Edell have authorized me to request a change in their groundwater application referenced above.

They have concerns about the long term production of well 1 and have had a second well (well 2) drilled. They would like to ammend their application to include the second well and the additional 25 gpm expected to be produced from the well.

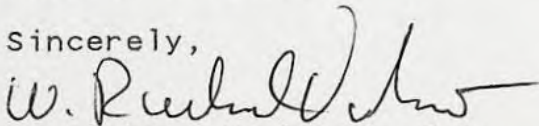
A revised copy of the original application map is enclosed which shows the location of well #2.

There has been no change in the area to be irrigated. Mr. and Mrs. Edell understand that the second well will have a later priority date than the first well.

A copy of the well log for the second well is enclosed. The material encountered is generally quite similar to that of the first well.

Please let me know if you have any questions or if any additional data is required.

Sincerely,



W. Richard Verboort, P.E.
Civil Engineer

ENCLS: Revised Map

CC: Mr. and Mrs. Edell, w/copy revised map

5/2/94

• 1558 PLANTATION WAY, EL CAJON, CA 92019

MARGARET EDELL, R.D.

TO: JAKE SZRAMEK

FAX: (503) 378-8130

MESSAGE:

PLEASE BE ADVISED THAT RICHARD
VERBOORT IS AUTHORIZED TO ACT IN
OUR BEHALF TO REVISE OUR GROUND
WATER APPLICATION G-13146 TO
INCLUDE THE SECOND WELL.

SINCERELY,

Bill + Margaret Edell

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

_____ Applicant ☒ CWRE _____ Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

_____ Applicant ☒ CWRE _____ Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

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

REMARKS: _____

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

[Signature]
Signature of Applicant

Oct 1, 1992
Date

Margaret K Edell
Signature of Co-Applicant, if any

Oct 1, 1992
Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 5th day of Oct., 19 92, at 8:00 o'clock, A M.

APPLICATION NO: G-13146

November 30, 1993

WILLIAM EDELL
MARGARET EDELL
21780 SUNSET KNOLL RD NE
YAMHILL, OR 97148

Reference: File G 13146

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public



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

interest.

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

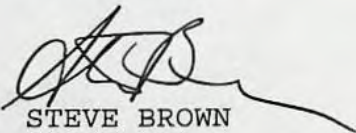
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before February 7, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures

Report Date: November 30, 1993

OREGON WATER RESOURCES DEPARTMENT
SATISFACTORY REPORT OF TECHNICAL REVIEW
FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: February 7, 1994

1. APPLICATION FILE NUMBER - G 13146
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

WILLIAM EDELL
MARGARET EDELL
21780 SUNSET KNOLL RD NE
YAMHILL, OR 97148
YAMHILL COUNTY 503-320-4209

Date application received for filing and/or tentative date of priority: 10/ 5/1992

SOURCE: A WELL
A WELL

TRIBUTARY TO: N YAMHILL R
N YAMHILL R

Purpose and/or use: IRRIGATION.
NURSERY USES.

Flow: 17 gpm Alternate
17 gpm

Point of Diversion Location:

NW 1/4 SE 1/4 SECTION 26, T 2 S, R 4 W, W.M.; 1320 FEET SOUTH AND 1100 FEET EAST FROM THE NORTHEAST CORNER OF THE J.J. BURTON DLC NO. 50 IN SECTION 26

Place of use:

SWNW	0.7 Acre
SENW	9.3 Acres
NWSE	4.9 Acres
NWSE	0.3 Acre

Section 26
T 2 S, R 4 W, W.M.

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal **will not** have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported that groundwater for the proposed **can, if properly conditioned**, avoid injury to existing rights or to the groundwater resource.

CONFLICTS WITH OTHER WATER RIGHTS:

There **are no** existing rights from this point of diversion.

There **are no** existing water rights appurtenant to the lands described in the application.

REPORT CONCLUSIONS:

Water in the amount of 17 gpm is likely available for 12 months of the 12 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 13146

The following conditions will apply to water use under the permit, and will appear in the permit.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: year around
3. Rate of use: 17 gpm
4. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
5. Measurement recording and reporting conditions:
 - A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
 - B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

6. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
7. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
9. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.
10. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
11. The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
12. The amount of water used for agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

13. The water user shall report a March static water level in the well(s) to the Groundwater/Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made and calculations detailed by a certified water rights examiner, registered professional geologist, certified engineering geologist, or professional engineer.

Use of water from the well(s) shall not be allowed if the well(s) displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water level in the well(s) are those of the initial March report. That is the level from which the cited declines in (A), (B) and (C) above will be referenced.

November 30, 1993

WILLIAM EDELL
MARGARET EDELL
21780 SUNSET KNOLL ROAD N.E.
YAMHILL, OR 97148

Reference: File G 13146

Dear Mr. and Mrs. Edell:

Under separate cover I have enclosed our report of technical review. This process is fairly new to staff and has taken more time to complete than anticipated; however, we believe that the process is more fair and will allow staff to deal with issues in a more timely manner. I truly apologize for the delay.

Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

Please send the following:

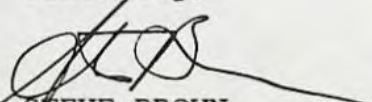
permit fees in the amount of \$225.00;

? 210 2/15/94

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,


STEVE BROWN
Manager
Water Rights Division

cc: W. Richard Verboort, CWRE

SB/eg



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

TECHNICAL REVIEW CHECKLIST

FORM-71393

(1) Application: G-13146

(2) Review Date: 11/8/93

- S Indicates information was completed or adequately addressed.
 U Indicates information is needed, or incomplete, or inadequately addressed
 N/A Indicates Not Applicable

SUMMARY

U Completeness ~~FEES~~,
S Land Use
S GW Interference (if potential interference with surface water, see results of water availability analysis)
S Conflicts
 — Water Availability

(3) S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

(4) N/A No oath is required because application was filed before June 5, 1992.

(5) U Application fees:

Examination fee:	\$ 200.00	200/
Recording fee:	\$ 212.00	210/
TOTAL REQUIRED	\$ 412.00	410
TOTAL SUBMITTED	\$ 200.00	200
AMOUNT DUE prior to issuance of permit	\$ 212.00	210
AMOUNT OVERPAID		
refund due applicant	\$ —	

IRR
 ✓ 1st 10 - \$100
 ✓ 5 more - 10

AG
 ✓ 7/95
 ✓ 10/21/94
 "Nursery Ops" - 100
 210

(6) S Proposed dates of beginning and completion of construction, and complete application of water.

(7) S MAP: X Prepared by a CWRE
 — Exempt under OAR 690-11-150(3)
 — A map or drawing included (non-CWRE)
 — No map or drawing in file

- (8) N/A A CWRE map is not required for applications filed before November 9, 1987.
- (9) S A written copy of the legal description of the property on which the water is to be used.
- (10) N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) S IRR. & NURSERY OPERATIONS use(s) is/are classified uses(s) under the WILLAMETTE Basin Program, OAR 690 - 502.
- (14) U The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

- (15) As expressed by the Planning Department of YAMHILL CO.
- (16) S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 402 & 403 of Y.C.2.O.).
- (17) N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- (18) N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

- (20) S A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) U The report from groundwater section has been received.

For reservoir applications:

- (22) N/A Plans, specifications and supporting information for the dam and impoundment area.

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13/46

ROUTED TO: Donna Miller

TOWNSHIP/

RANGE-SECTION: 25/4W-26

APPLICATION ACCEPTED? ☐ yes ☐ no

CONDITIONS ATTACHED? ☒ yes ☐ no

REMARKS OR FURTHER INSTRUCTIONS:

Continue 4E per 1993 Memo

Reviewer: Donna Miller

new 7D
4/14/96

MEMO

Feb 6, 1996

FROM GW: Donn Miller
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

☐ Yes

The source of appropriation is within or above a Scenic Waterway.

☒ No☐ Yes

Use the Scenic Waterway condition (Condition 7J).

☒ No

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)

At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

[illegible]

TO: Water Rights Section

Feb 6, 1996

FROM: Groundwater/Hydrology Section Don Miller

Reviewer's Name

SUBJECT: Application G- 13146 (2nd well considerations)

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE Willamette Basin rules, one or more of the proposed POA's is is not within 1/4 feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or have the potential for substantial interference with the nearest
 - b. will not surface water source, namely unnamed trib Stag Hollow or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 4E;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - d. will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. will, or likely be available in the amounts requested without injury to prior rights
 - b. will not and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 4E;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
4.
 - a. THE PERMIT should allow groundwater production from no deeper than ft. below land surface;
 - b. The permit should allow groundwater production from no shallower than ft. below land surface;
 - c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;
 - d. Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: Same analysis as Woodcock's original gw review of
well #1 only

(Well Construction Considerations on Reverse Side)

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit
_____, 199____.
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199____.
(Signature)

TO: Water Rights Section Sept 3, 1993
FROM: Groundwater/Hydrology Section Doug Woodcock
SUBJECT: Application G- 13146 Reviewer's Name

1. PER THE Basin rules, one or more of the proposed POA's is/is not within feet/mile of a surface water source () and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or have the potential for substantial interference with the nearest surface water
 - b. ☒ will not source, namely UNNAMED CR TRIB SAND HOLLOW; or
 - c. will, if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) ;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below; or
 - d. will, with well reconstruction, adequately protect the surface water from substantial interference.
3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. will, or likely be available in the amounts requested without injury to prior rights and/or
 - b. will not within the capacity of the resource; or
 - c. ☒ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
 - i. The permit should contain condition #(s) 4E;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below.
4.
 - a. THE PERMIT should allow groundwater production from no deeper than ft. below land surface;
 - b. The permit should allow groundwater production from no shallower than ft. below land surface;
 - c. The permit should allow groundwater production only from the groundwater reservoir between approximately ft. and ft. below land surface;
 - d. Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 1993.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1993.

(Signature)

(WRFORM8\91)

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## 13146

ROUTED TO: T. Sitook

TOWNSHIP/

RANGE-SECTION: 25/4W-26

CONDITIONS ATTACHED? [☒]yes [☐]no

REMARKS OR FURTHER INSTRUCTIONS:

4E CONDITION

Reviewer: D. Woodcock

Yamhill 29826

0111 2

(START CARD) # 58189

(1) OWNER:

Name Bill & Margaret Edell
Address 1558 Plantation Way
City El Cajon State CA Zip 92020

Well Number 834

(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 120 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10"	0'	38'	Cement	0'	38'	11 Sacks
6"	39'	120'				

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

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

Gravel placed from _____ ft. to _____ ft. Material _____

(6) CASING/LINER:

Casing: Diameter 6" From +1' To 39' Ga. 2

Liner: Diameter 4" From -2' To 120' Ga. 160#

Final location of shoe(s) 39'

(7) PERFORATIONS/SCREENS:

☒ Perforations Method Grinding Wheel
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Title/pipe size	Casing	Liner
60'	90'	1/2" x 10"	27	4"		☐	☒
110'	120'	1/2" x 10"	9	4"		☐	☒

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing
☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
25 GPM		120'	1 hr.

Temperature of Water 52° Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Yamhill Latitude _____ Longitude _____
Township 2S N or S. Range 4W E or W. WM.
Section 26 1/4 _____ 1/4 _____
Tax Lot 500 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 21780 Sunset Knoll,
Yamhill, OR 97148

(10) STATIC WATER LEVEL:

45' ft. below land surface. Date 11/12/93

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 50'

From	To	Estimated Flow Rate	SWL
50'		5 GPM	n/a
75'	100'	25 GPM	n/a

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
Top Soil	0	1	
Brown Clay	1	10	
Light Brown Clay	10	30	
Hard Gray Shale	30	120	4

RECEIVED

MAY - 3 1994

WATER RESOURCES DEPT
SALEM, OREGON

Date started 11/1/93 Completed 11/2/93

(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 645

Signed [Signature] Date 11/26/93

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT

SECOND COPY - CONSTRUCTOR

THIRD COPY - CUSTOMER

9809C 10/91

Yamhill 29826

2111 2

(START CARD) # 58189

(1) OWNER:

Name Bill & Margaret Edell
Address 1558 Plantation Way
City El Cajon State CA Zip 92020

Well Number 834

(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 120 ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10"	0'	38'	Cement	0'	38'	11 Sacks
6"	39'	120'				

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

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	+1'	39'	.25	☒	☐	☒	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
				☐	☐	☐	☐
Liner: 4"	-2'	120'	160#	☐	☒	Glued	☐
				☐	☐	☐	☐

Final location of shoe(s) 39'

(7) PERFORATIONS/SCREENS:

☒ Perforations Method Grinding Wheel
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tile/pipe size	Casing	Liner
60'	90'	1/2"x10"	27	4"		☐	☒
110'	120'	1/2"x10"	9	4"		☐	☒
						☐	☐
						☐	☐

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing
☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
25 GPM		120'	1 hr.

Temperature of Water 52° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County Yamhill Latitude Longitude
Township 2S N or S. Range 4W E or W. WM.
Section 26 1/4 1/4
Tax Lot 500 Lot Block Subdivision
Street Address of Well (or nearest address) 21780 Sunset Knoll,
Yamhill, OR 97148

(10) STATIC WATER LEVEL:

45' ft. below land surface. Date 11/12/93
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 50'

From	To	Estimated Flow Rate	SWL
50'		5 GPM	n/a
75'	100'	25 GPM	n/a

(12) WELL LOG:

Ground elevation

Material	From	To	SWL
Top Soil	0	1	
Brown Clay	1	10	
Light Brown Clay	10	30	
Hard Gray Shale	30	120	45'

RECEIVED

MAY - 3 1994

WATER RESOURCES DEPT
SALEM, OREGON

Date started 11/1/93 Completed 11/2/93

(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 645

Signed [Signature] Date 11/26/93

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT

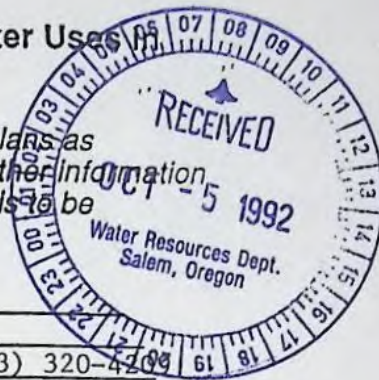
SECOND COPY - CONSTRUCTOR

THIRD COPY - CUSTOMER

9809C 10/91

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.**



Applicant's Name: William and Margaret Edell
Address: 21780 Sunset Knoll Road N.E.
City: Yamhill State: OR Zip: 97148 Day Phone: (503) 320-4200
(619) 449-8622

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
TL 803	2S, 4W, 26			X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. Yamhill

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402 & 403 of Y.C.C.O. Go to section b) on reverse side.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

Application No. G-13146Planning Official Initials: H-G-L

Description of Water Use

Permit No. _____

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: William and Margaret Edell
Address: 21780 Sunset Knoll Road N.E.
Yamhill, OR 97148
Phone: (503) 320-4209 (619) 449-8622



Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): Vineyard - Plants for root stock, nursery - root stock in containers.
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.): _____
- ☐ Fish and Wildlife (pond, hatchery, etc.): _____
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
☐ Surface Water Name sources: _____ _____ _____	_____ Cubic feet per second. _____ 17 Gallons per minute. _____ Acre-Feet
☐ Reservoir or pond	
☐ Ground Water	

BARGAIN AND SALE DEED-STATUTORY FORM

KENNETH J. GREENMAN AND BARBARA G. GREENMAN, Husband and Wife and
 WILLIAM C. EDELL AND MARGARET K. EDELL, Husband and Wife
 conveys to ---BERNARD J. LACROUTE AND RONNI S. LACROUTE, Husband and
 Wife---
 Grantor, 5 1992
 Grantee, the following real property situated in Yamhill County, Oregon, to-wit:

---SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF---

This conveyance is made solely as an adjustment of common boundary between adjoining lands and real property owners. The intent of this conveyance is to combine adjoining properties or portions thereof, into one parcel. All interested parties now and in the future are made aware by this language that such transaction is not being undertaken for the purpose of creating a separate parcel.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true consideration for this conveyance is \$ lot line Adjustment. (Here comply with the requirements of ORS 93.030)

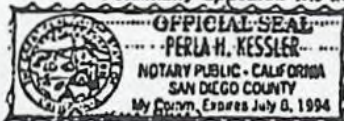
Dated this 18th day of April, 1991

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

California

STATE OF California, County of San Diego

Personally appeared the above named William C. Edell and Margaret K. Edell



and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Charles Stern
 Notary Public for California My commission expires: July 8, 1994

BARGAIN AND SALE DEED

GRANTOR
GRANTEE
GRANTEE'S ADDRESS, ZIP
After recording return to:
LACROUTE
12832 STAR RIDGE COURT
SARATOGA, CA 95070
NAME, ADDRESS, ZIP
Until a change is requested, all tax statements shall be sent to the following address:
SAME AS ABOVE
NAME, ADDRESS, ZIP

003645

STATE OF OREGON,

County of Yamhill

STATE OF OREGON

COUNTY OF YAMHILL

I hereby certify that this instrument was received and duly recorded by me in Yamhill County records.

Instrument 003645
 By Charles Stern
 COUNTY CLERK

I certify that the within instrument was received for record on the 18th day of April, 1991, at 10 o'clock AM, and recorded in book/reel/volume No. 200 on page 10 or as fee/life/instrument/microfilm/reception No. 200.
 Record of Deeds of said county.
 Witness my hand and seal of County attized.

By Charles Stern Deputy

Application No. G-13146
 Permit No.

5-1-91

YAMHILL COUNTY TITLE & ESTATE, INC.

F251P06688

1991 MAY -1 PM 3:11

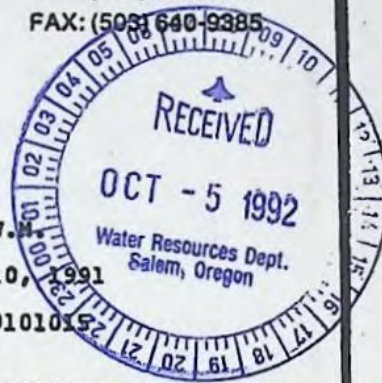


**DEVELOPMENT &
CONSTRUCTION
SERVICES**

1991 MAY -1 PH 3:11

F254P0670

434 S. First Ave., Suite 400
Hillsboro, Oregon 97123
(503) 648-4959
FAX: (503) 640-9385



PROPERTY DESCRIPTION: PORTION SEC. 26, T2S, R4W, W.M.

FOR: LACROUTE/EDELL

DATE: APRIL 10, 1991

LOCATION: COVE ORCHARD

JOB NUMBER: 91010152

FOR IDENTIFICATION PURPOSES ONLY TRANSFER TO LACROUTE

FOR USE ON LEGAL INSTRUMENT

A PORTION OF THOSE CERTAIN TRACTS OF LAND IN THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M., YAMHILL COUNTY, OREGON, DESCRIBED IN THAT CERTAIN CONTRACT OF SALE TO ALFRED NORDGREN RECORDED IN FILM VOLUME 249, PAGE 1861 DEED RECORDS OF YAMHILL COUNTY, OREGON, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD ON THE NORTH LINE OF THAT CERTAIN TRACT CONVEYED TO BERNARD J. LACROUTE AND RONNI S. LACROUTE BY DEED RECORDED IN FILM VOLUME 251, PAGE 1157 SAID DEED RECORDS, WHICH POINT BEARS SOUTH 00°03'45" WEST 783.33 FEET, SOUTH 89°47'12" EAST 638.48 FEET, SOUTH 01°13'16" EAST 366.24 FEET AND SOUTH 82°27'59" EAST 570.00 FEET FROM A FOUND 3/4" IRON PIPE AT THE NORTHEAST CORNER OF THE J.J. BURTON D.L.C. NO. 50, AND RUNNING THENCE NORTH 03°34'48" EAST 317.41 FEET TO AN IRON ROD; THENCE NORTH 89°35'27" EAST 151.20 FEET TO AN IRON ROD; THENCE NORTH 53°47'27" EAST 329.89 FEET TO AN IRON ROD; THENCE SOUTH 89°17'33" EAST 357.63 FEET; THENCE SOUTH 39°45'24" EAST 896.59 FEET TO A POINT ON THE NORTH LINE OF SAID LACROUTE TRACT; THENCE NORTH 82°27'59" WEST, ALONG SAID NORTH LINE, 1380.10 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.899 ACRES, MORE OR LESS.

TO BE COMBINED WITH THAT CERTAIN CONTIGUOUS TRACT TO THE SOUTH.

FOR BASIS OF BEARINGS AND ADDITIONAL INFORMATION SEE SURVEY BY DEVELOPMENT AND CONSTRUCTION SERVICES DATED MARCH 6, 1991.

Subdivisions • Planning • Design • L.I.D.s • Surveying • Mapping

5-1-91

1991 MAY -1 PM 3:10

F254P0664

WARRANTY DEED—STATUTORY FORM
Individual/Corporate

Escrow Number: 2910625

Alfred Nordgren

Grantor, conveys and warrants to

Kenneth J. Greenman and Barbara G. Greenman, Husband and Wife, as to an undivided 1/2 interest, and William C. Edell and Margaret K. Edell, Husband and Wife, as to an undivided 1/2 interest, as tenants in Common.
Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Yamhill County, Oregon:

See Attached Legal Description Exhibit "A".

As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm and forest use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied and the purchasers herein agree to pay for said amounts.

The above described property is free from encumbrances except covenants, conditions, restrictions, rights of way, easements and reservations now of record. Subject to Financing Statement recorded June 9, 1987, in Film Volume 213, Page 2094, from James A. Smejkal to Hampton Tree Farms (affects timber on this and additional property). Subject to financing statements (if any) filed in the office of the Secretary of State covering crops on the land.

The true and actual consideration for this conveyance is \$ 75,000.00

Dated this 17th day of April, 1991 ; if this deed is given by a corporate grantor, its name is signed by its authorized officers by authority of the Board of Directors.

Alfred Nordgren
Alfred Nordgren

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON, County of Washington
Personally appeared the above named Alfred Nordgren

STATE OF OREGON, County of
Personally appeared

and acknowledged the foregoing
instrument to be his voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires: May 15, 1991

who, being duly sworn,
each for himself and not one for the other, did say that the former is the
president and that the latter is the secretary of

a corporation, and that the said instrument was signed in behalf of said corporation
by authority of its board of directors; and each of them acknowledged said instrument
to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

After recording return to:

Mr. and Mrs. Kenneth Greenman
Mr. and Mrs. William C. Edell
1558 Plantation Way
El Cajon, CA 92019

Mr. and Mrs. Kenneth Greenman
Mr. and Mrs. William C. Edell
1558 Plantation Way
El Cajon, CA 92019

003644

STATE OF OREGON.

County of

STATE OF OREGON

COUNTY OF YAMHILL

SPACE RESERVED FOR

FOR

I hereby certify that the within instrument

was received and duly recorded

by me in Yamhill County records.

Instrument of

CHARLES STERN

COUNTY CLERK

I certify that the within instru-
ment was received for record on the
day of 19

o'clock A.M., and recorded in
book/reel/volume No. on
page or as fee/file/instrument/

microfilm/reception No.

records of Deeds of said county.

Witness my hand and seal of

County affixed.

NAME TITLE

Deputy



YAMHILL COUNTY TITLE & ESCROW, INC.

5-1-91

EXHIBIT "A"

A tract of land situated in Section 26, Township 2 South, Range 4 West, Willamette Meridian, being in a portion of the JOHN J. BURTON DONATION LAND CLAIM No. 50, Yamhill County, Oregon, being more particularly described as follows

Beginning at the northeast corner of the John J. Burton Donation Land Claim No. 50; thence along the east line of said Burton Donation Land Claim No. 50, said line also being the west line of Tract 258, "F.C. GRAHAM'S COVE ORCHARD", a duly recorded subdivision plat in Yamhill County Plat Records, South 0° 03' 45" West, 439.00 feet to the southwest corner of said Tract 258; thence, along the south line of said Tract 258, South 89° 56' 15" East, 630.54 feet to a point on the west line of the northeast one-quarter of said Section 26; thence, along the west line of the northeast one-quarter of said Section 26, North 1° 13' 16" West, 43.93 feet to an angle point on the south line of that tract of land conveyed by deed to David L. Stiller et. al., recorded January 25, 1982 in Film Volume 167, Page 246, Yamhill County Deed Records; thence, along the south line of said Stiller tract the following courses: South 35° 39' 35" East, 405.38 feet; thence South 50° 02' 23" East, 197.05 feet; thence, North 89° 35' 27" East, 345.06 feet; thence, North 53° 47' 27" East, 330.54 feet; Thence, South 89° 17' 33" East, 326.38 feet to the southeast corner of said Stiller tract; thence, leaving said Stiller tract and running South 39° 45' 24" East, 975.44 feet to a point on the north line of that tract of land conveyed by deed to Bernard J. Lacroute and Ronnie S. Lacroute recorded January 25, 1991, in Film Volume 251, Page 1157, Yamhill County Deed Records; thence, along the north line of said Lacroute tract, North 82° 27' 59" West, 1950.00 feet to a point on the east line of U.S. Government Lot 3 of said Section 26; thence, along the east line of said Government Lot 3, North 1° 13' 16" West, 366.24 feet to the northeast corner of said Government Lot 3; thence, along the north line of said Government Lot 3, North 89° 47' 12" West, 638.30 feet to a point on the east line of said Burton Donation Land Claim; thence, along the east line of said Burton Donation Land Claim, South 0° 03' 45" West, 422.88 feet; thence, parallel with the south line of Lot 7 of the Burton Donation Land Claim subdivision recorded in Survey Record C.S. 751 1/2, Yamhill County Survey Records, South 89° 55' 02" West, 734.47 feet; thence, parallel with the east line of said Burton Donation Land Claim, North 0° 03' 45" East, 1204.41 feet to a point on the north line of said Burton Donation Land Claim; thence, along the north line of said Donation Land Claim, North 89° 44' 55" East, 734.48 feet to the Point of Beginning.

EXCEPTING THEREFROM A ROADWAY DESCRIBED AS FOLLOWS:

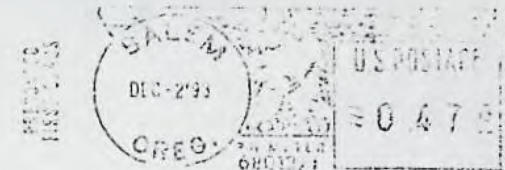
(continued on Page 2)



5-1-91

URCES DEPT.
ND ROAD N.E.
ION 97310

CONSERVE WATER
FOR
OREGONS FUTURE



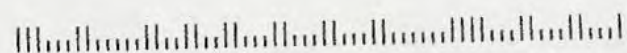
FILE#: G 13146

WILLIAM EDELL
EDELL, MARGARET
21780 SUNSET KNOLL RD NE
YAMHILL, OR 97148

EDEL780 971483022 1992 12/04/93
FORWARDING TIME EXPIRED

EDELL
PO BOX 393
YAMHILL OR 97148-0393
RETURN TO SENDER

← RE-mail
Done 12/9/93



RECEIVED

DEC - 6 1993

WATER RESOURCES DEPT.
SALEM, OREGON

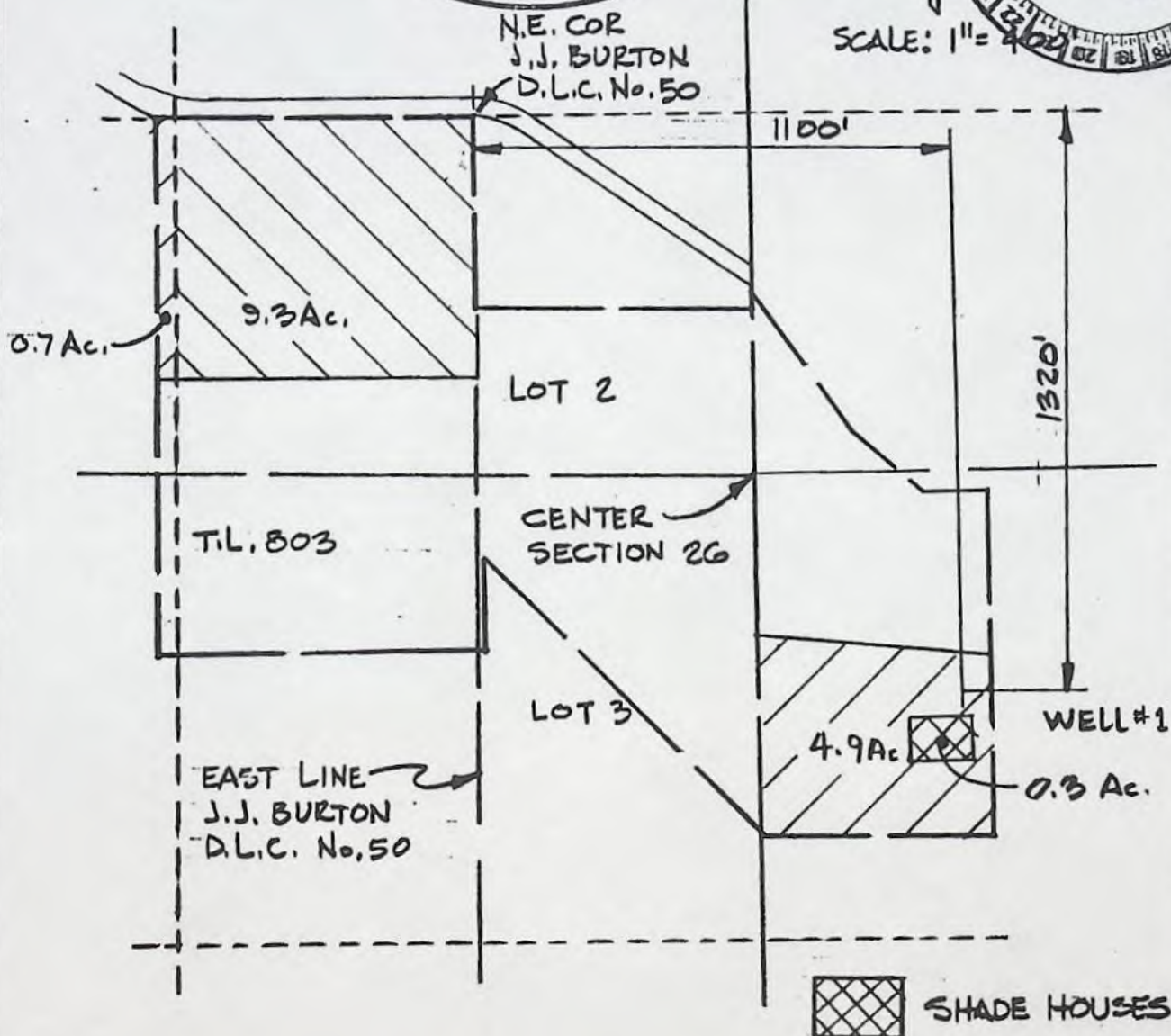
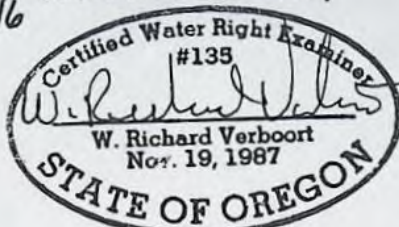
CLASS

SECTION 26 T.2S., R.4 W., W.M.

YAMHILL COUNTY

Application No: G-13146

Permit No:



WATER RIGHT APPLICATION MAP

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

VERBOORT ENGINEERING
AGRICULTURE • CIVIL • WATER RESOURCES
HILLSBORO, OREGON

by date
designed WRV 9/92
drawn JER 9/92
checked WRV 9/92
drawing no. 92-A-11
sheet no. 1/1

WILLIAM & MARGARET EDELL
21780 SUNSET KNOLL ROAD NE
YAMHILL, OR 97148

Mailbox
2/96

Superseded
Maps

ie does not
have the
second will
as amended
by request

SECTION 26 T.2S., R.4 W., W.M.

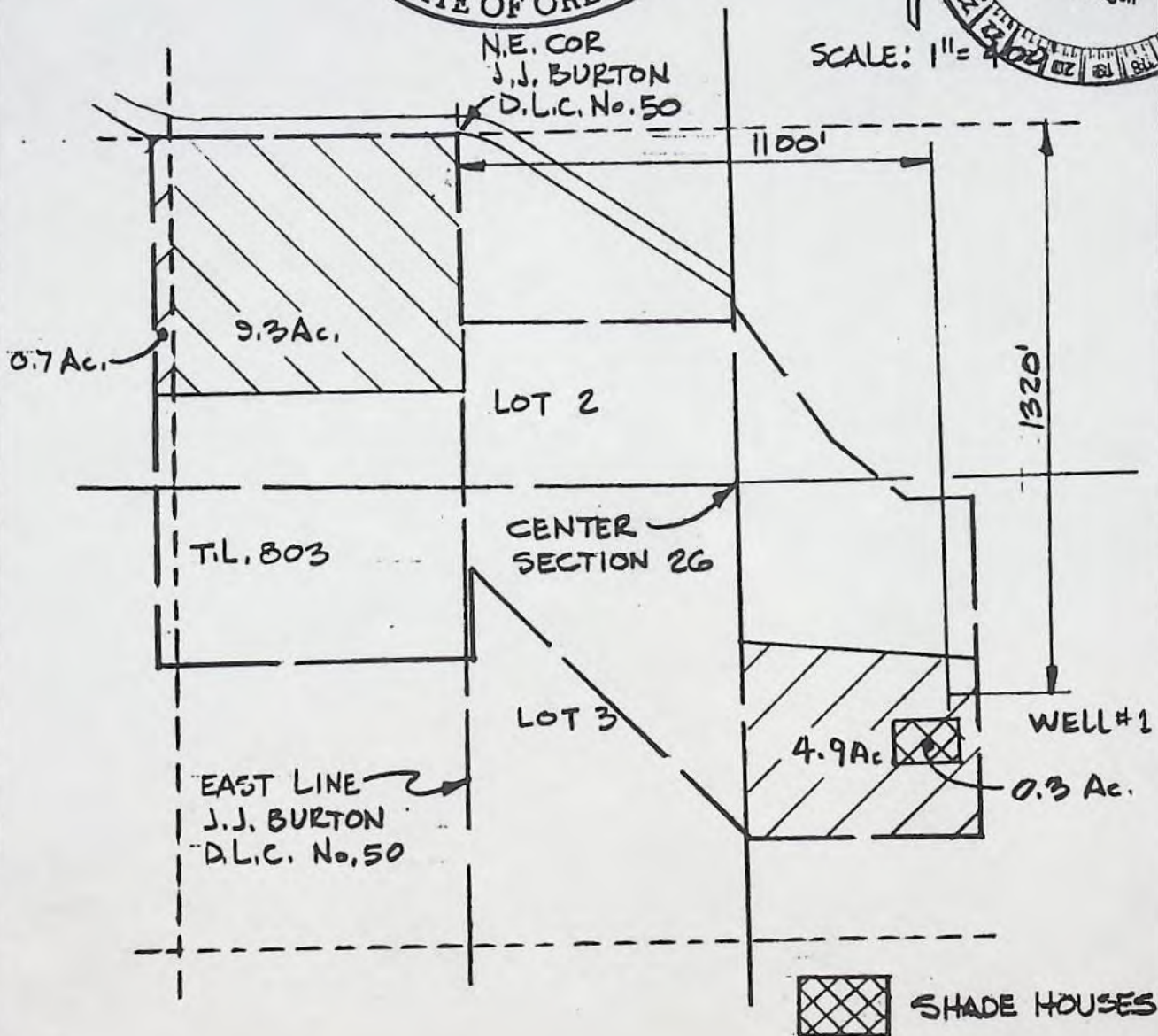
YAMHILL COUNTY

Application No: G-13/46

Permit No:



SCALE: 1" = 400'



WATER RIGHT APPLICATION MAP

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VERBOORT ENGINEERING
AGRICULTURE • CIVIL • WATER RESOURCES
HILLSBORO, OREGON

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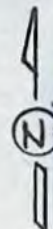
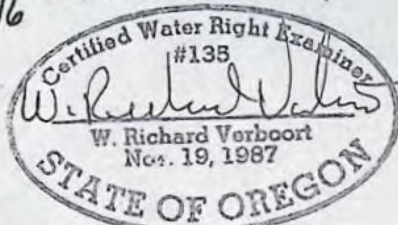
WILLIAM & MARGARET EDELL
21780 SUNSET KNOLL ROAD NE
YAMHILL, OR 97148

SECTION 26 T.2S., R.4 W., W.M.

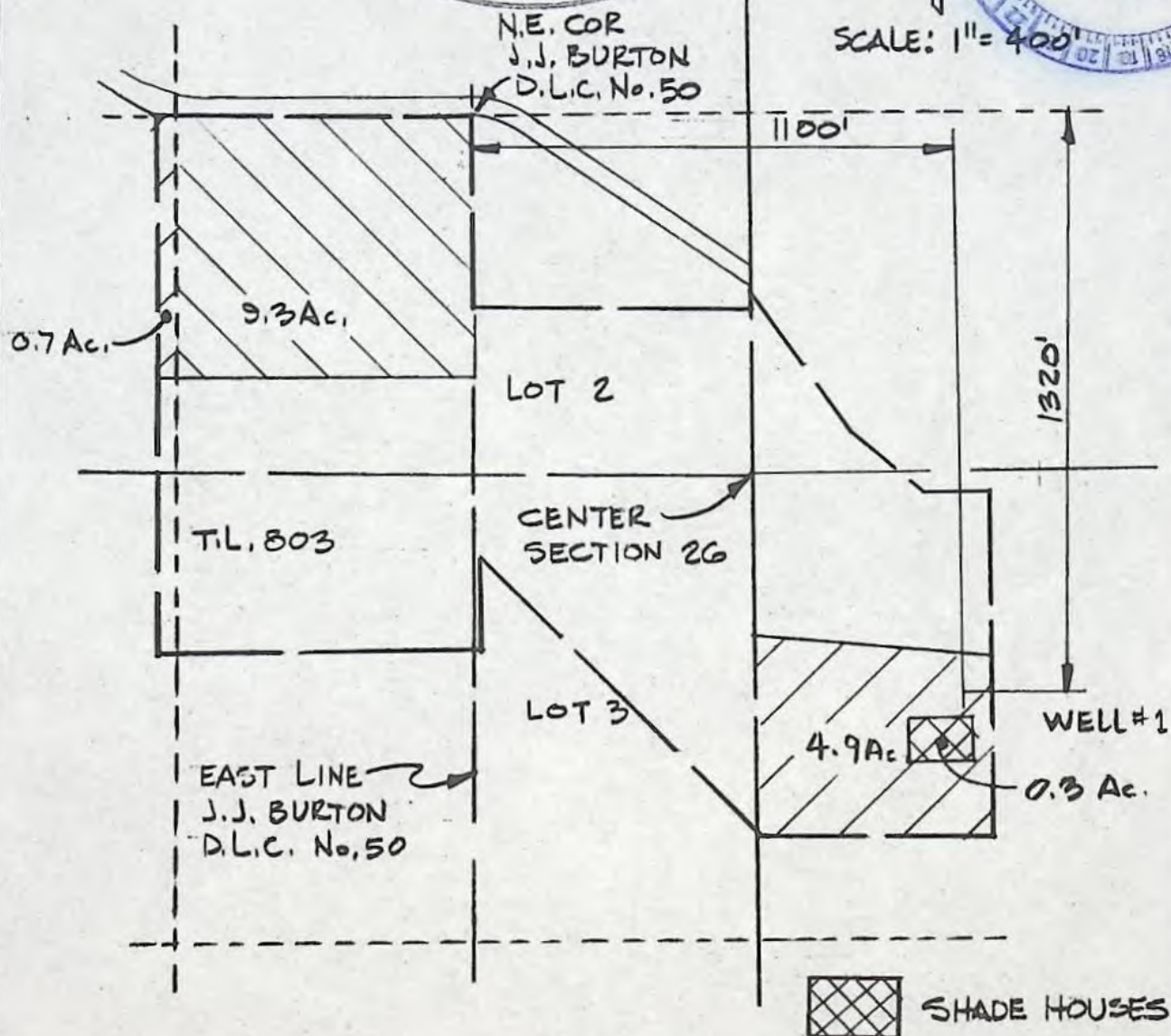
YAMHILL COUNTY

Application No: G-13/46

Permit No:



SCALE: 1" = 400'



WATER RIGHT APPLICATION MAP

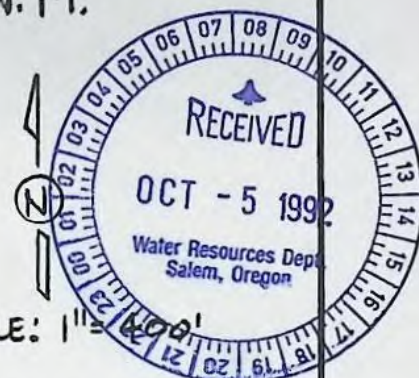
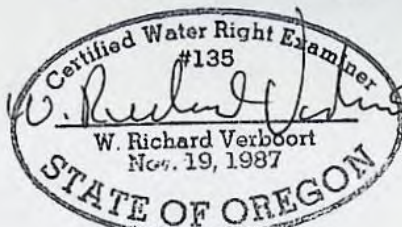
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VERBOORT ENGINEERING
AGRICULTURE • CIVIL • WATER RESOURCES
HILLSBORO, OREGON

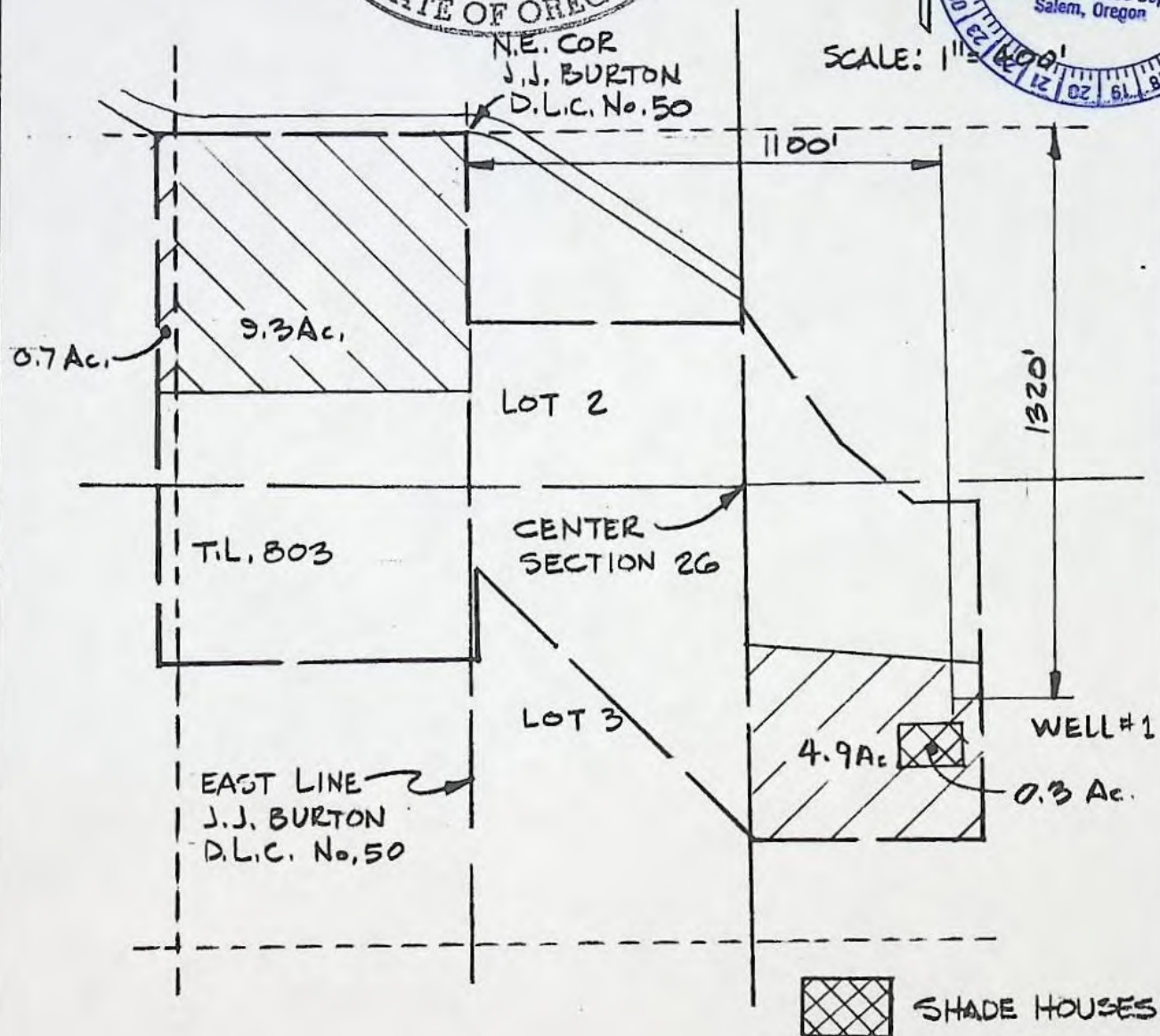
by date
designed WRV 9.92
drawn JER 9.92
checked WRV 9.92
drawing no. 92-A-11
sheet no. 1/1

WILLIAM & MARGARET EDELL
21780 SUNSET KNOLL ROAD NE
YAMHILL, OR 97148

SECTION 26 T.2S., R.4 W., W.M. YAMHILL COUNTY



SCALE: 1" = 400'



WATER RIGHT APPLICATION MAP

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VERBOORT ENGINEERING
AGRICULTURE • CIVIL • WATER RESOURCES
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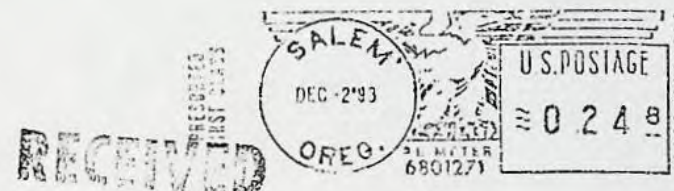
WILLIAM & MARGARET EDELL
21780 SUNSET KNOLL ROAD NE
YAMHILL, OR 97148

Oregon

WATER RESOURCES
DEPARTMENT

3850 Portland Rd NE
Salem OR 97310

WILLIAM EDELL
MARGARET EDELL
21780 SUNSET KNOLL ROAD N.E.
YAMHILL. OR 97148



DEC - 6 1993

WATER RESOURCES DEPT.
SALEM, OREGON

G-13146

EDEL780 971483049 1992 12/04/93
FORWARDING TIME EXPIRED

EDELL
PO BOX 373
YAMHILL OR 97148-0393
RETURN TO SENDER

|||||

12-9- Re mail after confirmation from Yamhill
PO of PO Box 393 or 373; Yamhill wait
give that info. over the phone so called Salem PO
back & they checked on it for me; called me back &
said PO Box 393 was right.

TCB



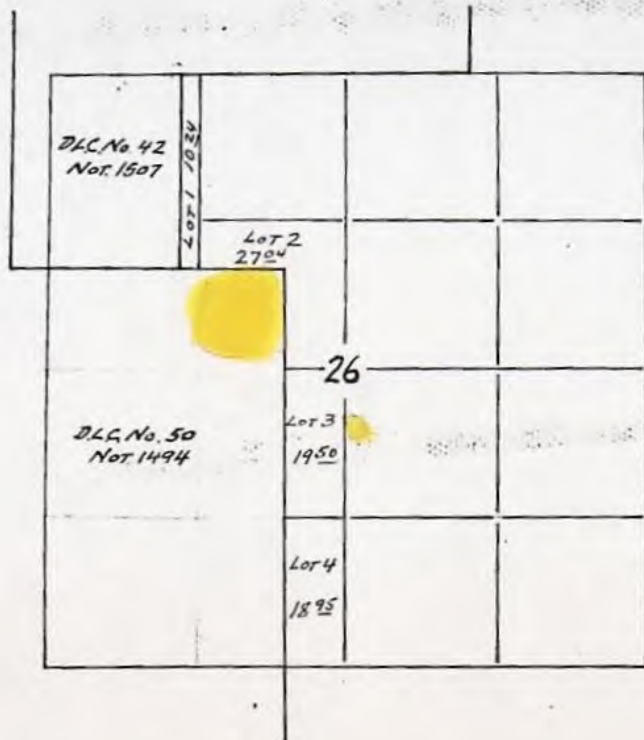
NUMBER

88638

Check 200⁰⁰ NO _____ Cash _____ Surface Application Reservoir Application ✓ Ground Water Application Transfer Application Power Claim Hydroelectric Examination Hydroelectric License Copying To: Dave Assignment

Marcel

 Extension of Time Other P-6200.⁰⁰ - Exam Quadrangle Basin Protest Constructors Examination Constructors License Adjudication



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

5377

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

INVOICE # _____

RECEIVED FROM: Margaret Cole

BY: _____

APPLICATION	13146
PERMIT	
TRANSFER	

CASH: ☐

CHECK: #

16

OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 212.22

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY) _____

\$

OTHER: (IDENTIFY) _____

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY) _____

\$

TC165

DEPOSIT LIAB. (IDENTIFY) _____

\$

WATER RIGHTS:

0201

SURFACE WATER

0203

GROUND WATER

0205

TRANSFER

0218

WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

EXAM FEE

\$

\$

\$

EXAM FEE

\$

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

0437 WELL CONST. START FEE

0211

WELL CONST START FEE

0210

MONITORING WELLS

\$

\$

CARD #

CARD #

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302

LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

0231

HYDRO LICENSE FEE (FW/WRD)

\$

\$

HYDRO APPLICATION

\$

RECEIPT #

5377

DATED: 8-13-96

BY: JLO-L

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

7483

NUMBER _____

Check 212⁰⁰ Mo _____ Cash _____

_____ Surface Application

_____ Reservoir Application

☒ Ground Water Application

_____ Transfer Application

_____ PFO Request

_____ Research

_____ Hydroelectric Fees

_____ Copying

_____ Assignment

_____ Extension of Time

_____ Protest

_____ Other

212

FD

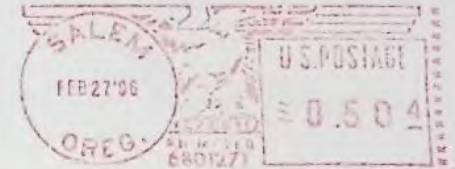
26-4

WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12th STREET NE
SALEM, OR 97310-0210

CONSERVE WATER
FOR
OREGON'S FUTURE



REGISTERED
FIRST CLASS



RETURNED
TO
SENDER
NO MAIL RECEPTACLE

PFO remailed
3/6/96 to PO Box 393
G13146 JB

NOT FOR R.R. 2

G 13146
WILLIAM EDELL
EDELL, MARGARET
~~21780 SUNSET KNOLL RD NE~~ PO Box 393
YAMHILL OR ~~97148~~

FIRST CLASS

7-1-50 jh

WILLIAM EDELL

EDELL, MARGARET

~~21780 SUNSET KNOLL RD NE~~

YAMHILL, OR

97148

Application No.

613146
612706

Permit No.

PO Box 893

Assigned

Address

Beginning construction

AUG 21 1997

Completion of construction

Extended to

OCT 01 1999

Complete application of water

Extended to