

**CLAIM OF  
BENEFICIAL USE  
for Groundwater Permits  
claiming more than 0.1 cfs**



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

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**A fee of \$345 must accompany this form for permits  
with priority dates of July 9, 1987, or later.**

**Enter the date the priority date of the permit:**

**11/1/2005**

**A separate form shall be completed for each permit.**

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-986-0900.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

**SECTION 1**

**GENERAL INFORMATION**

**1. File Information:**

| APPLICATION #  | PERMIT # (IF APPLICABLE) | PERMIT AMENDMENT # (IF APPLICABLE) |
|----------------|--------------------------|------------------------------------|
| <b>G-16561</b> | <b>G-16114</b>           | <b>T-</b>                          |

**2. Property Owner (current owner information):**

|                                                                               |                    |                                  |                                             |
|-------------------------------------------------------------------------------|--------------------|----------------------------------|---------------------------------------------|
| APPLICANT/BUSINESS NAME<br><b>Verna Jean Nursery, LLC; Attn: Larry Bailey</b> |                    | PHONE NO.<br><b>503-663-4486</b> | ADDITIONAL CONTACT NO.                      |
| ADDRESS<br><b>8325 SE Altman Road</b>                                         |                    |                                  |                                             |
| CITY<br><b>Gresham</b>                                                        | STATE<br><b>OR</b> | ZIP<br><b>97080</b>              | E-MAIL<br><b>larry@vernajeannursery.com</b> |

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each permit holder of record must sign this form.***

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

|                                                           |                    |                     |
|-----------------------------------------------------------|--------------------|---------------------|
| PERMIT HOLDER OF RECORD<br><b>Verna Jean Nursery, LLC</b> |                    |                     |
| ADDRESS<br><b>8325 SE Altman Road</b>                     |                    |                     |
| CITY<br><b>Gresham</b>                                    | STATE<br><b>OR</b> | ZIP<br><b>97080</b> |

|                                    |       |     |
|------------------------------------|-------|-----|
| ADDITIONAL PERMIT HOLDER OF RECORD |       |     |
| ADDRESS                            |       |     |
| CITY                               | STATE | ZIP |

**4. Date of Site Inspection:**

|                  |
|------------------|
| <b>4/21/2026</b> |
|------------------|

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

| NAME                | DATE             | ASSOCIATION WITH THE PROJECT |
|---------------------|------------------|------------------------------|
| <b>Larry Bailey</b> | <b>4/21/2026</b> | <b>Landowner</b>             |
|                     |                  |                              |

**6. County:**

|                                         |
|-----------------------------------------|
| <b>Multnomah and Clackamas Counties</b> |
|-----------------------------------------|

**7. If any property described in the place of use of the permit is excluded from this report, identify the owner of record for that property (ORS 537.230(5)): [See Attachment 5](#)**

|                 |       |     |
|-----------------|-------|-----|
| OWNER OF RECORD |       |     |
| ADDRESS         |       |     |
| CITY            | STATE | ZIP |

Add additional tables for owners of record as needed

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## SECTION 2

### SIGNATURES

#### CWRE Statement, Seal and Signature

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



|                                                                    |                                           |                               |
|--------------------------------------------------------------------|-------------------------------------------|-------------------------------|
| <b>CWRE NAME</b><br><b>Theodore R. Ressler, RG, CWRE</b>           | <b>PHONE No.</b><br><b>(503) 701-4535</b> | <b>ADDITIONAL CONTACT No.</b> |
| <b>ADDRESS</b><br><b>4784 SE 17<sup>th</sup> Avenue, Suite 111</b> |                                           |                               |
| <b>CITY</b><br><b>Portland</b>                                     | <b>STATE</b><br><b>OR</b>                 | <b>ZIP</b><br><b>97202</b>    |
| <b>E-MAIL</b><br><b>tressler@summitwr.com</b>                      |                                           |                               |

#### Permit Holder of Record Signature or Acknowledgement

**Each** permit holder of record must sign this form in the space provided below.

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

| SIGNATURE | PRINT OR TYPE NAME  | TITLE                                     | DATE           |
|-----------|---------------------|-------------------------------------------|----------------|
|           | <b>Larry Bailey</b> | <b>Manager of Verna Jean Nursery, LLC</b> | <b>9/14/26</b> |

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## SECTION 3

## CLAIM DESCRIPTION

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## 1. Point of appropriation name or number:

| POINT OF APPROPRIATION<br>(POA) NAME OR NUMBER<br>(CORRESPOND TO MAP) | WELL LOG ID #<br>FOR ALL WORK PERFORMED ON THE WELL<br>(IF APPLICABLE) | WELL TAG #<br>(IF APPLICABLE) |
|-----------------------------------------------------------------------|------------------------------------------------------------------------|-------------------------------|
| Well 1                                                                | CLAC 63486                                                             | 88044                         |

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

## 2. Point of appropriation source, if indicated on permit:

| POA<br>NAME OR NUMBER | SOURCE<br>BASIN LOCATED WITHIN | TRIBUTARY |
|-----------------------|--------------------------------|-----------|
| Well 1                | Johnson Creek Basin            | -         |

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

| POA<br>NAME OR NUMBER        | USES        | IF IRRIGATION,<br>LIST CROP TYPE | SEASON OR MONTHS<br>WHEN WATER<br>WAS USED | ACTUAL RATE OR VOLUME<br>USED<br>(CFS, GPM, OR AF) |
|------------------------------|-------------|----------------------------------|--------------------------------------------|----------------------------------------------------|
| Well 1                       | Nursery Use | Nursery Stock                    | Year round                                 | 0.45 cfs                                           |
| Total Quantity of Water Used |             |                                  |                                            | 0.45 cfs                                           |

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

Groundwater is appropriated from Well 1 using a 30 HP submersible pump that is conveyed by a 4" buried mainline connected to various laterals, handlines, sprinklers and drip tape that apply water to the Place of Use.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

## 5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

YES

(e.g. "The permit allowed three points of appropriation. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

POA

The permit authorized four Points of Appropriation (POA). The water user only developed one POA. Well 1's location was redescribed based on updated survey information.

POU

The permit authorized 24.0 acres of Nursery Use. The water user only developed 19.98 acres.

## 6. Claim Summary:

| POA<br>NAME OR # | MAXIMUM RATE<br>AUTHORIZED | CALCULATED<br>THEORETICAL RATE<br>BASED ON SYSTEM | AMOUNT OF<br>WATER<br>MEASURED | USE         | # OF ACRES<br>ALLOWED | # OF ACRES<br>DEVELOPED |
|------------------|----------------------------|---------------------------------------------------|--------------------------------|-------------|-----------------------|-------------------------|
| Well 1           | 0.45 cfs                   | 0.708 cfs                                         | 0.466 cfs                      | Nursery Use | 24                    | 19.98                   |



**SECTION 4**  
**SYSTEM DESCRIPTION**

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Are there multiple POAs?

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NO

If "YES" you will need to copy and complete a separate Section 4 for each POA.

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

Well 1

**A. Place of Use**

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

| TWP                   | RNG | MER  | SEC | QQ   | GLOT | DLC | USE         | IF IRRIGATION, #<br># PRIMARY<br>ACRES | IF IRRIGATION, #<br>SUPPLEMENTAL<br>ACRES |
|-----------------------|-----|------|-----|------|------|-----|-------------|----------------------------------------|-------------------------------------------|
| 1S                    | 4E  | W.M. | 21  | SWSW | -    | -   | Nursery Use | 14.35                                  | N/A                                       |
| 1S                    | 4E  | W.M. | 22  | NWNW | -    | -   | Nursery Use | 5.63                                   | N/A                                       |
| Total Acres Irrigated |     |      |     |      |      |     |             | 19.98                                  | N/A                                       |

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

**B. Groundwater Source Information (Well)**

1. Is the appropriation from a well?

YES

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

2. Describe the access port (type and location) or other means to measure the water level in the well:

A 1" access tube and cap is located on the East side of the well head and provides access to measure the water level.

3. If well logs are not available, provide as much of the following information as possible:

| CASING<br>DIAMETER | CASING<br>DEPTH | TOTAL<br>DEPTH | COMPLETION<br>DATE OF<br>ORIGINAL WELL | COMPLETION<br>DATES OF<br>ALTERATIONS | WHO THE WELL<br>WAS DRILLED FOR | WELL DRILLED BY |
|--------------------|-----------------|----------------|----------------------------------------|---------------------------------------|---------------------------------|-----------------|
|--------------------|-----------------|----------------|----------------------------------------|---------------------------------------|---------------------------------|-----------------|

See well log (Attachment 3)

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

See well log (Attachment 3)

**C. Groundwater Source Information (Sump)**

1. Is the appropriation from a dug well (sump)?

NO



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

## D. Diversion and Delivery System Information

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

### 1. Is a pump used?

YES

If "NO" items 2 through item 9 may be deleted.

### 2. Pump Information:

| MANUFACTURER | MODEL     | SERIAL NUMBER | TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE) | INTAKE SIZE | DISCHARGE SIZE |
|--------------|-----------|---------------|--------------------------------------------|-------------|----------------|
| Berkeley     | 6T-30-155 | Unknown       | Submersible                                | Unknown     | 3"             |

### 3. Motor Information:

| MANUFACTURER      | HORSEPOWER |
|-------------------|------------|
| Franklin Electric | 30         |

### 4. Theoretical Pump Capacity – Pump at Well:

| HORSEPOWER | OPERATING PSI     | LIFT FROM SOURCE TO GROUND SURFACE<br>(THE DEPTH TO WATER FROM THE GROUND SURFACE MEASURED AT THE WELL DURING PUMPING) | LIFT TO PLACE OF USE<br>(THE LIFT FROM THE GROUND SURFACE AT THE WELL TO THE PLACE OF USE) | TOTAL PUMP OUTPUT<br>(IN CFS) |
|------------|-------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------|
| 30         | 23.6 <sup>A</sup> | 238.4 <sup>B</sup>                                                                                                     | 0 <sup>C</sup>                                                                             | 0.54                          |

#### Notes

<sup>A</sup> Operating pressure measured on discharge mainline just downstream of pump discharge.

<sup>B</sup> Depth to water below land surface measured during pumping.

<sup>C</sup> Lift downstream of pump discharge is a component of the measured operational pressure.

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

### 5. Provide pump calculations:

$$Q_{\text{Pump}} = \frac{(\text{horsepower})(\text{conversion factor})}{(\text{lift} + \text{pressure}) \text{ total head in feet}} = \text{cfs}$$

Conversion Factor: Turbine & Submersible Pumps, 80% eff.  $\frac{(550 \text{ ft lb/sec/Hp})(.80)}{(62.4 \text{ lb/cu ft})} = 7.04 \text{ ft}^4/\text{sec/Hp}$

#### Well 1

$$Q_{\text{Pump}} = \frac{(30)(7.04)}{[238.4 + (23.6 \times 2.54)]} = 0.708 \text{ cfs}$$

\*Assumed minor frictional losses (pump column) accounted for by the 2.54 ft/psi conversion factor (versus 2.31 ft/psi). Frictional losses in the transmission pipeline and additional lift downstream of the well discharge are a component of the pressure measured at the wellhead.



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

| INITIAL METER READING | ENDING METER READING | DURATION OF TIME<br>OBSERVED | TOTAL PUMP OUTPUT<br>(IN CFS) |
|-----------------------|----------------------|------------------------------|-------------------------------|
| 2,379,700 gallons     | 2,379,909 gallons    | 1 minute                     | 0.466                         |

**7. Theoretical Pump Capacity – Pump at Sump:**

| HORSEPOWER | OPERATING PSI | LIFT FROM SOURCE TO GROUND<br>SURFACE<br>(THE LIFT FROM THE WATER SURFACE<br>TO THE PUMP) | LIFT TO PLACE OF<br>USE<br>(THE LIFT FROM THE<br>PUMP TO THE PLACE<br>OF USE) | TOTAL PUMP<br>OUTPUT<br>(IN CFS) |
|------------|---------------|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|----------------------------------|
| Not Used   |               |                                                                                           |                                                                               |                                  |

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

**8. Provide pump calculations:**

|          |
|----------|
| Not Used |
|----------|

**9. Measured Pump Capacity (using meter if meter was present and system was operating):**

| INITIAL METER READING | ENDING METER READING | DURATION OF TIME<br>OBSERVED | TOTAL PUMP OUTPUT<br>(IN CFS) |
|-----------------------|----------------------|------------------------------|-------------------------------|
| Not Used              |                      |                              |                               |

**10. Is the distribution system piped?**

YES

If "NO" items 11 through item 16 may be deleted.

**11. Mainline Information:**

| MAINLINE SIZE | LENGTH | TYPE OF PIPE    | BURIED OR ABOVE GROUND |
|---------------|--------|-----------------|------------------------|
| 4"            | 1885'  | CL200/SCH40 PVC | Buried                 |

**12. Lateral or Handline Information:**

| LATERAL OR HANDLINE SIZE | LENGTH | TYPE OF PIPE | BURIED OR ABOVE GROUND |
|--------------------------|--------|--------------|------------------------|
| 3" Lateral               | 1,220' | CL200 PVC    | Buried                 |
| 3" Handline              | 1800'  | Aluminum     | Above Ground           |
| 2" Lateral               | 250'   | CL200 PVC    | Buried                 |
| 2" Handline              | 4000'  | Aluminum     | Above Ground           |
| 2" to 1" Lateral         | 5,665' | CL200 PVC    | Buried                 |

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**13. Sprinkler Information:**

| SIZE               | OPERATING PSI | SPRINKLER OUTPUT (GPM) | TOTAL NUMBER OF SPRINKLERS | MAXIMUM NUMBER USED | TOTAL SPRINKLER OUTPUT (CFS) |
|--------------------|---------------|------------------------|----------------------------|---------------------|------------------------------|
| 5/32"              | 65*           | 5.8                    | 250                        | 28                  | 0.362 cfs                    |
| 9/64"              | 65*           | 4.8                    | 90                         | 34                  | 0.364 cfs                    |
| 1/18"              | 65*           | 0.307                  | 190                        | 118                 | 0.08 cfs                     |
| 3/32"              | 65*           | 3.5                    | 50                         | 40                  | 0.312 cfs                    |
| Nelson Big Gun 150 | 65*           | 0.078 – 0.294 cfs*     | 3                          | 1                   | 0.078 – 0.294 cfs**          |

\*The irrigation system is pressure-actuated and runs at 65 psi

\*\*Various orifice sizes depending on application, never exceeding authorized instantaneous rate of 0.45 cfs.

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

**14. Drip Emitter Information:**

| SIZE | OPERATING PSI | EMITTER OUTPUT (GPM) | TOTAL NUMBER OF EMITTERS | MAXIMUM NUMBER USED | TOTAL EMITTER OUTPUT (CFS) |
|------|---------------|----------------------|--------------------------|---------------------|----------------------------|
| N/A  | 65            | 0.015                | 4300                     | 4300                | 0.145 cfs                  |

**15. Drip Tape Information:**

| DRIPPER SPACING IN INCHES | GPM PER 100 FEET | TOTAL LENGTH OF TAPE | MAXIMUM LENGTH OF TAPE USED | TOTAL TAPE OUTPUT (CFS) | ADDITIONAL INFORMATION |
|---------------------------|------------------|----------------------|-----------------------------|-------------------------|------------------------|
| 12"                       | 0.33 gpm         | 7,700 feet           | 7,700 feet                  | 0.57 cfs                |                        |

**16. Pivot Information:**

| MANUFACTURER | MAXIMUM WETTED RADIUS | OPERATING PSI | TOTAL PIVOT OUTPUT (GPM) | TOTAL PIVOT OUTPUT (CFS) |
|--------------|-----------------------|---------------|--------------------------|--------------------------|
| Not Used     |                       |               |                          |                          |

**E. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

NO

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

**F. Gravity Flow Pipe**

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

1. Does the system involve a gravity flow pipe?

NO

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

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## G. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

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

H. Additional notes or comments related to the system:

**Note: The system is designed to run incrementally, with various zones running simultaneously, never exceeding the authorized rate of 0.45 cfs.**

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SECTION 5  
CONDITIONS

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

**1. Time Limits:**

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

|                                   | DATE FROM PERMIT | DATE ACCOMPLISHED* | DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS |
|-----------------------------------|------------------|--------------------|---------------------------------------------------------------------------|
| ISSUANCE DATE                     | 10/26/2006       |                    |                                                                           |
| BEGIN CONSTRUCTION (A)            | N/A              | 4/20/2007          | Construction of CLAC 63486                                                |
| COMPLETE CONSTRUCTION (B)         | 10/01/2026       | 10/2024            | Construction of water distribution system                                 |
| COMPLETE APPLICATION OF WATER (C) | 10/01/2026       | 4/21/2026          | Claim of Beneficial Use Survey                                            |

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

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

YES

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

a. Did the Extension Final Order require the submittal of Progress Reports?

YES

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

b. Were the Progress Reports submitted?

YES

**Permit G-16114 was fully developed prior to October 1<sup>st</sup> 2025 due date of the second Progress Report per Extension Conditions.**

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

**3. Initial Water Level Measurements:**

a. Was the water user required to submit an initial static water level measurement?

YES

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

b. What month was the initial measurement to be taken in?

c. Was the measurement submitted to the Department?

YES

**See GWIS entry for CLAC 63486 on March 8, 2011**

d. If the initial measurement was not submitted, provide that measurement now, if available:

| DATE OF MEASUREMENT | MEASUREMENT MADE BY | METHOD | MEASUREMENT |
|---------------------|---------------------|--------|-------------|
| N/A                 |                     |        |             |



#### 4. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **YES**

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

b. Provide the month, or months, the static water level measurement(s) were to be made:

**March**

c. Were the static water level measurements taken in the month(s) required? **YES**

d. If "YES", were those measurements submitted to the Department? **YES**

e. If the annual measurements were not submitted, provide the measurements now:

| DATE OF MEASUREMENT | MEASUREMENT MADE BY | METHOD | MEASUREMENT |
|---------------------|---------------------|--------|-------------|
| <b>N/A</b>          |                     |        |             |

#### 5. Pump Test:

a. Did the permit require the submittal of a pump test? **YES**

Ground water permits with priority dates on or after **December 20, 1988**, require the submittal of a pump test prior to issuance of a certificate. In some cases, the permit holder may qualify for a multiple well exemption or an unreasonable burden exemption.

For additional information regarding pump tests see:

<https://www.oregon.gov/OWRD/programs/GWWL/GW/Pages/PumpTestProgram.aspx>

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

b. Has the pump test been previously submitted to the Department? **YES**

c. Is the pump test attached to this claim? **NO**

d. Has the pump test been approved by the Department? **NO\***

**\*The pump test was submitted to OWRD on 4/7/2026.**

e. Has a pump test exemption been approved by the Department? **N/A**

**\*\* Claims will not be reviewed until a pump test or exemption has been approved by the Department**

#### 6. Measurement Conditions:

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

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

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

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

c. Meter Information

| POD/POA<br>NAME OR # | MANUFACTURER      | SERIAL #          | CONDITION<br>(WORKING OR NOT) | CURRENT METER<br>READING | DATE INSTALLED |
|----------------------|-------------------|-------------------|-------------------------------|--------------------------|----------------|
| <b>Well 1</b>        | <b>McCrometer</b> | <b>06-06188-0</b> | <b>Working</b>                | <b>2379909 gallons</b>   | <b>6/2007</b>  |

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



**7. Recording and reporting conditions:**

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

YES

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

b. Have the reports been submitted?

YES

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

**8. Other conditions required by some permits, permit amendment final orders, or extension final orders:**

a. Were there special well construction standards?

YES

b. Was submittal of a ground water monitoring plan required?

NO

c. Was submittal of a water management and conservation plan required?

NO

d. Was a Well Identification Number (Well ID tag) assigned and attached to the well?

YES

| WELL ID # | DATE ATTACHED TO WELL |
|-----------|-----------------------|
| 88044     | 4/20/2007             |

e. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s) in the box below. If the condition required the approval of a plan, submit documentation that the plan was approved.

**Per condition 1 of the Measurement, recording and reporting conditions, "Groundwater production shall be from no shallower than 210 feet for Well 1 and shall be only produced from the Deep Troutdale groundwater reservoir". Well 1 (CLAC 63486) was developed to produce water from 300 to 380 feet deep out of the Troutdale sandstone aquifer. See the well log for more information (Attachment 3)**

**SECTION 6****ATTACHMENTS**

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

| ATTACHMENT NAME | DESCRIPTION                      |
|-----------------|----------------------------------|
| Attachment 1    | Claim of Beneficial Use Map      |
| Attachment 2    | Water Right Information          |
| Attachment 3    | Well Logs                        |
| Attachment 4    | Proof of Signatory Authority     |
| Attachment 5    | Water Right Conveyance Agreement |

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**SECTION 7**



## CLAIM OF BENEFICIAL USE MAP

In order to properly examine your claim, the Department must have an accurate map that meets the criteria described in OAR 690-014-0170 and OAR 690-305-0010, which are provided below for your convenience:

### OAR 690-014-0170 Minimum Requirements for Maps for Permit or Transfer Final Order Claims of Beneficial Use

- (1) Maps submitted by a CWRE as part of the Claim of Beneficial Use shall meet the standards in OAR chapter 690, division 305. In addition, the map shall meet the following criteria:
  - (a) Horizontal accuracy is required only to ten feet for the purpose of locating and quantifying water rights. Maps shall be developed from any standard survey method. Traverse closures are not required.
  - (b) Maps shall clearly designate the place of use and point of diversion or appropriation for each source and use.
  - (c) The map shall indicate by description, in relation to the point of diversion or appropriation, the location of any fish screens, by-pass devices, and measuring devices required by the permit or transfer final order.
  - (d) The following statement shall be placed on the map: "This map is not intended to provide legal dimensions or locations of property ownership lines."
- (2) A CWRE may make a written request to the Director for a waiver of one or more mapping standards. The Director will determine whether the waiver shall be allowed and will respond to such requests in writing.

### OAR 690-305-0010 General Map Criteria

Each map submitted to the Department shall meet the following general criteria in addition to any specific criteria identified in the rules for the relevant water right transaction:

- (1) Drawing
  - (a) The map shall be drafted on paper or polyester film with ink or otherwise printed in an indelible form with sufficient clarity so as to be easily reproduced or scanned. Maps may be submitted electronically in portable document format (pdf) and must be prepared consistent with, and include the same information as, a paper map.
  - (b) The preferred paper size is 8.5 inches by 11 inches and should be no larger than 30 inches by 30 inches. A map greater than 30 inches by 30 inches may be submitted if the Department grants, by mail or electronic means, advance approval of the larger size.
  - (c) Beginning April 1, 2029, regardless of whether the map is submitted electronically, on paper, or on polyester film, for any map that OAR chapter 690 requires be prepared by a Certified Water Right Examiner, a digital file containing the coordinate system and geospatial features of the map as specified by the Department shall be submitted in addition to the map, unless the Department provides a waiver. The digital file shall be submitted as a shapefile or other approved format in a manner required by the Department.

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- (d) A platted and recorded subdivision map, deed description survey map, or county assessor map may be submitted as the application map if all of the required information included in sections (2) and (3) of this rule is clearly shown.
  - (e) An aerial image may be provided in addition to the map to aid the Department in understanding the proposal.
  - (f) The map submitted under subsection (a) shall be the official record of the water right. An aerial image or digital file shall not be the official record of the water right.
- (2) Scale
- (a) The map shall be drawn to a standard, even-numbered scale and one-inch shall not exceed 1320 feet.
  - (b) The map scale may exceed 1320 feet per inch if the Department grants, by mail or electronic means, advance approval of the requested scale.
  - (c) Notwithstanding subsection (a) and (b), for maps identifying the location of a municipal use place of use, one-inch can exceed 1320 feet; provided that the scale is sufficient to identify the quarter-quarters involved in the place of use.
- (3) Features: Features shall be clearly identified and labeled. Unless otherwise indicated in rule, the following features must be included in each map submitted to the Department:
- (a) Mapping scale.
  - (b) North directional symbol.
  - (c) Legend.
  - (d) General location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features used to transport water from the point(s) of diversion or appropriation to the place use and to include the delivery features at the place of use.
  - (e) Other topographical features such as rivers, creeks, streams, lakes, reservoirs, ponds, roads, or railroads that may be helpful to clarify and identify the location of points of diversion, wells, dams, and places of use.
  - (f) Location and flow direction of the water way if the source is surface water. If multiple water ways exist in the area of the proposed diversion and use, the map must identify the location and flow direction of the additional water ways.
  - (g) Township, range, section, quarter-quarter, and tax lot(s), donation land claims, or government lots where water will be or has been diverted, conveyed, and used. If the map is for municipal use the map:
    - (A) Must identify but does not need to label the quarter-quarters,
    - (B) Does not need to identify or label tax lots, donation land claims, or government lots.
  - (h) Location of each proposed or developed diversion point, well (point of appropriation), or dam by reference to a recognized public land survey corner. For a reservoir without a dam, the center of the reservoir shall be referenced to a recognized public land survey corner.
    - (A) The locations shall be shown by distance and bearing, or by coordinates (distance north or south and distance east or west from the corner). In

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addition, they shall also include latitude and longitude as established by a global positioning system.

- (B) Latitude and longitude coordinates shall be expressed as degrees-decimal with five or more digits after the decimal (e.g., 42.53764<sup>o</sup>). The datum used to establish the coordinates shall be indicated on the map. Examples of datums include NAD 83, NAD 27 and WGS84.
- (i) Location of the proposed or developed place of use by township, range, section, and nearest quarter-quarter section.
  - (A) For irrigation or nursery use, the map shall additionally indicate the place of use in each quarter-quarter of a section by shading or hatchuring and indicate the number of acres in each quarter-quarter section, donation land claim, government lot, or other recognized public land survey lines.
  - (B) For places of use that are limited to a point, such as a stock watering tank, the location may also be identified by distance and bearing, or by coordinates (distance north or south and distance east or west from the corner). In addition, they shall include latitude and longitude as established by a global positioning system.
  - (C) Latitude and longitude coordinates shall be expressed as degrees-decimal with five or more digits after the decimal (e.g., 42.53764<sup>o</sup>). The datum used to establish the coordinates shall be indicated on the map. Examples of datums include NAD 83, NAD 27 and WGS84.
  - (D) Where more than one point of diversion or well is included, the map must clearly identify the place(s) of use served by each point of diversion or well.
- (j) If for a supplemental irrigation application or claim of beneficial use, the location and water right reference number of the underlying primary right, registration or claim.
- (k) Any other information the Department requests and considers necessary to evaluate the water right transaction.

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Attachment 1  
Maps

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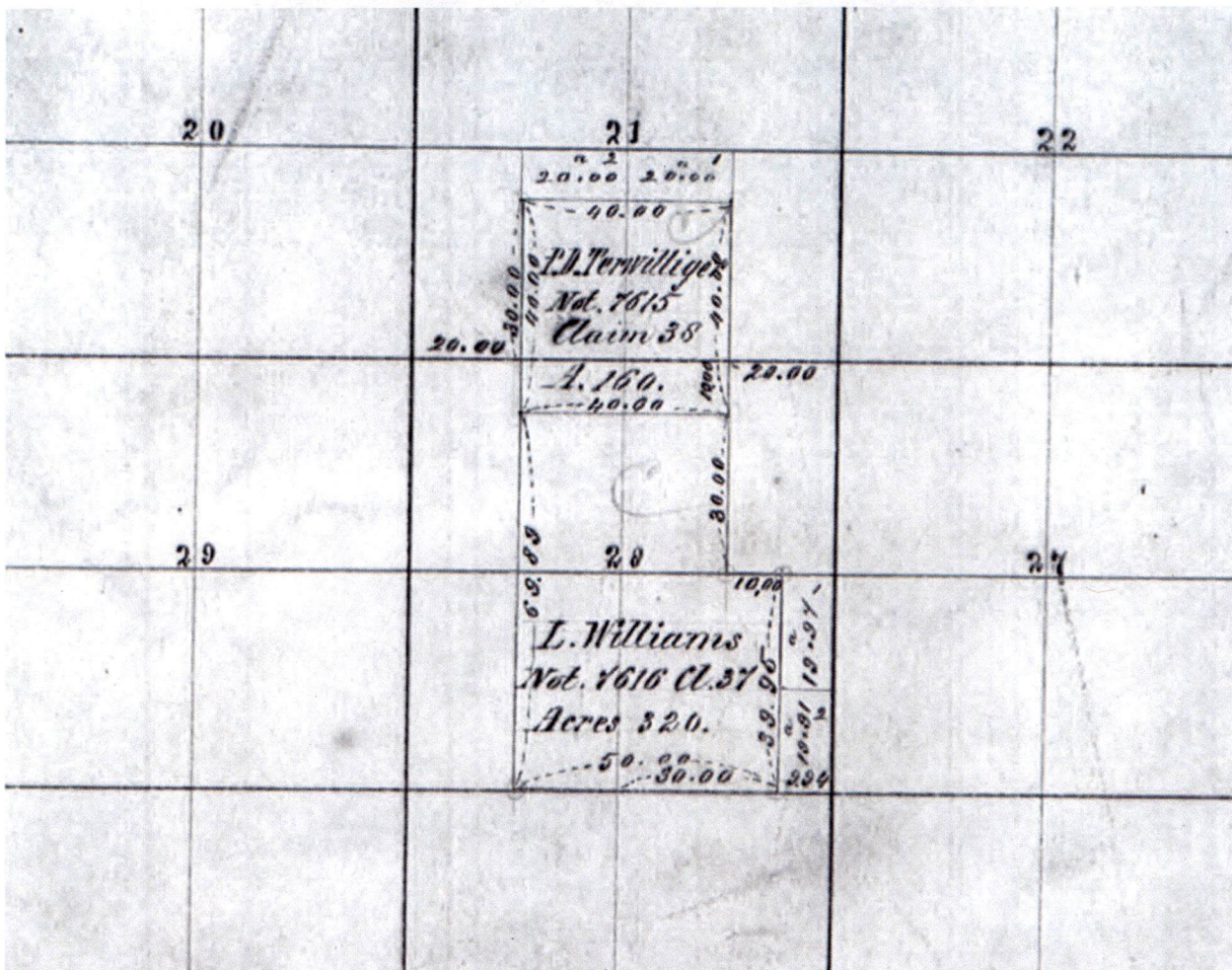
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BLM Cadastral Survey

[https://www.blm.gov/or/landrecords/landsurvey/gPlatView1\\_2.php?path=POR&name=t010s040e\\_002.jpg&tr=001-0S004-0E](https://www.blm.gov/or/landrecords/landsurvey/gPlatView1_2.php?path=POR&name=t010s040e_002.jpg&tr=001-0S004-0E)





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**Attachment 2**  
**Water Right Information**

---



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

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**Application for Extension of Time**

|                                                             |   |             |
|-------------------------------------------------------------|---|-------------|
| In the Matter of the Application for an Extension of Time   | ) |             |
| for Permit G-16114, Water Right Application G-16561, in the | ) | FINAL ORDER |
| name of Verna Jean Nursery LLC; Larry Bailey JR             | ) |             |

---

**Permit Information**

|                   |                                                                        |
|-------------------|------------------------------------------------------------------------|
| Application:      | G-16561                                                                |
| Permit:           | G-16114                                                                |
| Basin:            | 2 – Lower Willamette / Watermaster District 20                         |
| Date of Priority: | November 1, 2005                                                       |
| Source of Water:  | Four wells in Johnson Creek Basin                                      |
| Purpose or Use:   | Nursery uses on 24.0 acres (including irrigation and agriculture uses) |
| Maximum Rate:     | 0.45 cubic foot per second (cfs)                                       |

---

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

**Appeal Rights**

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

**Application History**

Permit G-16114 was issued by the Department on October 26, 2006. The permit called for completion of construction by October 1, 2011 and complete application of water to beneficial use by October 1, 2011. On September 23, 2016, Verna Jean Nursery LLC submitted an Application for Extension of Time for Permit G-16114. In accordance with OAR 690-315-0050(2), on November 1, 2016, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2026, and the time to fully apply water to beneficial use to October 1, 2026. The protest period closed December 16, 2016, in accordance with OAR 690-315-0060(1). No protest was filed.



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## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated November 1, 2016.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

## CONDITIONS

**1. Last Extension Condition**

This is to be the last extension of time granted for Permit G-16114. Any future extensions of time requests will be denied.

**2. Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2020 and 2025. A form will be enclosed with your Final Order.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

## CONCLUSION OF LAW

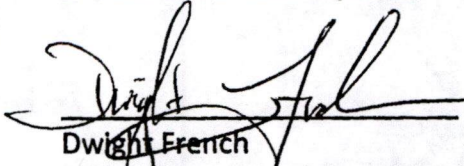
The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).



**ORDER**

The extension of time for Application G-16561, Permit G-16114, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2011 to October 1, 2026. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2011 to October 1, 2026.

DATED: December 23, 2016



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

- 
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0825.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



STATE OF OREGON

COUNTIES OF CLACKAMAS AND MULTNOMAH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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SEP 24 2026

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THIS PERMIT IS HEREBY ISSUED TO

VERNA JEAN NURSERY, LLC  
8325 SE 327TH AVE  
GRESHAM, OR 97080

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

APPLICATION FILE NUMBER: G-16561

SOURCE OF WATER: FOUR WELLS IN JOHNSON CREEK BASIN

PURPOSE OR USE: NURSERY USES ON 24.0 ACRES (INCLUDING IRRIGATION AND AGRICULTURE USES)

MAXIMUM RATE: 0.45 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 1, 2005

WELL LOCATIONS:

WELL 1 - NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 28, T1S, R4E, W.M.; 70 FEET SOUTH & 1250 FEET EAST FROM NW CORNER, SECTION 28

WELL 2 - NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SECTION 28, T1S, R4E, W.M.; 70 FEET SOUTH & 550 FEET EAST FROM NW CORNER, SECTION 28

WELL 3 - SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 21, T1S, R4E, W.M.; 400 FEET NORTH & 300 FEET EAST FROM SW CORNER, SECTION 21

WELL 4 - SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 21, T1S, R4E, W.M.; 800 FEET NORTH & 300 FEET EAST FROM SW CORNER, SECTION 21

The amount of water used for nursery use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.



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SEP 24 2026

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  17.0 ACRES  
SECTION 21

NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  7.0 ACRES  
SECTION 28

TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Ground water production shall be from no shallower than 210 feet for Well 1; 200 feet for Well 2; 230 feet for Well 3; and 245 feet for Well 4, all below land surface.

Ground water shall be produced only from the Deep Troutdale ground water reservoir.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
  - (a) An average water level decline of three or more feet per year for five consecutive years; or
  - (b) A total water level decline of fifteen or more feet; or
  - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.



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

**STANDARD CONDITIONS**

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.



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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

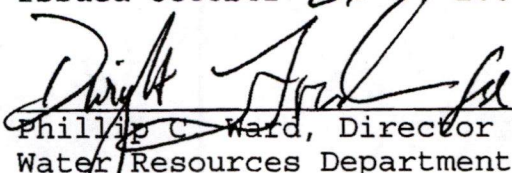
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued October 26 2006

  
Phillip C. Ward, Director  
Water Resources Department

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Application G-16561    Water Resources Department  
Basin 2                      Volume 18B JOHNOSN CR

PERMIT G-16114  
20



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**Attachment 3**

**Well Logs**

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(1) OWNER: Well No. L88044  
Name Verna Jean Nursery, LLC  
Address 8325 SE 327TH AVE  
City GRESHAM St OR Zip 97080

(2) TYPE OF WORK: NEW WELL  
(3) DRILL METHOD: ROTARY AIR  
(4) PROPOSED USE: IRRIGATION

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval NO Depth of Compl. Well 384 ft  
Explosives used NO Type Amount  
HOLE SEAL  
Diam. From To Material From To Amount  
14 0 32 CEMENT 0 32 70 SACKS  
12 32 217 CEMENT 145 217 20 SACKS  
10 217 384  
Seal placement method C&SET PLUG&PUSH  
Backfill: from ft to ft Material  
Gravel: from ft to ft Size

(6) CASING/LINER:  
Diam. From To Gauge Material Connection  
Casing 10 +2 217 .250 STEEL WELDED  
8 0 384 .250 STEEL WELDED  
Liner  
Final Location of shoe(s) 217'10" & 384'8" TUBEX

(7) PERFORATIONS/SCREENS:  
[X] Perf. Method AIR KNIFE  
[\_] Screens Type Material  
Slot Tele/pipe  
From To Size Number Diam. Size Casing/liner  
300 380 1/8X2 800 8" CASING

(8) WELL TESTS: Minimum testing time is 1 hour  
Test type AIR  
Yield GPM Draw-down Drill stem at Time  
225 380 1 hr.  
Temperature of water 53F Depth Artesian Flow Found  
Was water analysis done? NO By whom  
Reason for water not suitable for use  
Depth of strata

(9) LOCATION OF WELL by legal description:  
County CLACK Lat. ° ' " Long. ° ' "  
Township 1 S Range 4 E WM.  
Section 28 NW 1/4 NW 1/4  
Tax Lot 1100 Lot Block Subdivision  
Street Address of Well (or nearest Address)  
327TH (ALTMAN ROAD) AVE GRESHAM, OR 97080

(10) STATIC WATER LEVEL:  
206 ft. below land surface. Date 04/20/07  
Artesian pressure lb per square in. Date

(11) WATER BEARING ZONES:  
Depth at which water was first found 15  
From To Est Flow Rate SWL  
15 19 11 GPM 12  
300 380 225 GPM 206

(12) WELL LOG:  
Material Ground elevation From To SWL  
TOP SOIL 0 2  
BROWN CLAY 2 8  
GRAVEL & BOULDERS 8 22 12  
MULTI-COLORED CEMENT GRAVEL 22 87  
MULTI-COLORED LARGE GRAVEL 87 124  
MEDIUM MULTI-COLORED GRAVEL 124 182  
CEMENTED GRAVEL 182 284 206  
BLACK & BROWN GRAVEL 284 384

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT  
SALEM OREGON

Date started 04/03/07

Completed 04/20/07

(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 water supply well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed WWC Number  
Date

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

Signed Vance Wagner WWC Number 1738  
Date 05/14/07



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**SEP 24 2026**

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**Attachment 4**

**Proof of Signatory Authority**

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HOME

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**Corporation Division**

Business Xpress **business name search** oregon business guide

license directory business registry/renewal forms/fees notary public

uniform commercial code uniform commercial code search documents & data services

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### Business Name Search

| <a href="#">New Search</a> |             | <a href="#">Printer Friendly</a> |              | Business Entity Data |                   | 12-22-2025<br>14:14 |
|----------------------------|-------------|----------------------------------|--------------|----------------------|-------------------|---------------------|
| Registry Nbr               | Entity Type | Entity Status                    | Jurisdiction | Registry Date        | Next Renewal Date | Renewal Due?        |
| 296755-92                  | DLLC        | ACT                              | OREGON       | 07-15-2005           | 07-15-2026        |                     |
| Entity Name                |             | VERNA JEAN NURSERY LLC           |              |                      |                   |                     |
| Foreign Name               |             |                                  |              |                      |                   |                     |

|                            |                   |                                  |       |                  |                          |
|----------------------------|-------------------|----------------------------------|-------|------------------|--------------------------|
| <a href="#">New Search</a> |                   | <a href="#">Printer Friendly</a> |       | Associated Names |                          |
| Type                       | PPB               | PRINCIPAL PLACE OF BUSINESS      |       |                  |                          |
| Addr 1                     | 8325 SE ALTMAN RD |                                  |       |                  |                          |
| Addr 2                     |                   |                                  |       |                  |                          |
| CSZ                        | GRESHAM           | OR                               | 97080 | Country          | UNITED STATES OF AMERICA |

Please click [here](#) for general information about registered agents and service of process.

|        |                   |                  |        |  |            |                          |             |  |
|--------|-------------------|------------------|--------|--|------------|--------------------------|-------------|--|
| Type   | AGT               | REGISTERED AGENT |        |  | Start Date | 06-22-2021               | Resign Date |  |
| Name   | LARRY             | E                | BAILEY |  |            | JR                       |             |  |
| Addr 1 | 8325 SE ALTMAN RD |                  |        |  |            |                          |             |  |
| Addr 2 |                   |                  |        |  |            |                          |             |  |
| CSZ    | GRESHAM           | OR               | 97080  |  | Country    | UNITED STATES OF AMERICA |             |  |

|        |                   |                 |       |  |         |                          |
|--------|-------------------|-----------------|-------|--|---------|--------------------------|
| Type   | MAL               | MAILING ADDRESS |       |  |         |                          |
| Addr 1 | 8325 SE ALTMAN RD |                 |       |  |         |                          |
| Addr 2 |                   |                 |       |  |         |                          |
| CSZ    | GRESHAM           | OR              | 97080 |  | Country | UNITED STATES OF AMERICA |

|        |                   |        |       |        |         |                          |  |
|--------|-------------------|--------|-------|--------|---------|--------------------------|--|
| Type   | MEM               | MEMBER |       |        |         | Resign Date              |  |
| Name   | ANGELA            |        |       | BAILEY |         |                          |  |
| Addr 1 | 8325 SE ALTMAN RD |        |       |        |         |                          |  |
| Addr 2 |                   |        |       |        |         |                          |  |
| CSZ    | GRESHAM           | OR     | 97080 |        | Country | UNITED STATES OF AMERICA |  |

|        |                   |         |       |        |         |                          |             |  |
|--------|-------------------|---------|-------|--------|---------|--------------------------|-------------|--|
| Type   | MGR               | MANAGER |       |        |         |                          | Resign Date |  |
| Name   | LARRY             |         |       | BAILEY |         |                          |             |  |
| Addr 1 | 8325 SE ALTMAN RD |         |       |        |         |                          |             |  |
| Addr 2 |                   |         |       |        |         |                          |             |  |
| CSZ    | GRESHAM           | OR      | 97080 |        | Country | UNITED STATES OF AMERICA |             |  |

| <a href="#">New Search</a> |  | <a href="#">Printer Friendly</a> |  | Name History              |                             |            |          |
|----------------------------|--|----------------------------------|--|---------------------------|-----------------------------|------------|----------|
| Business Entity Name       |  |                                  |  | <a href="#">Name Type</a> | <a href="#">Name Status</a> | Start Date | End Date |
| VERNA JEAN NURSERY LLC     |  |                                  |  | EN                        | CUR                         | 07-15-2005 |          |



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**Attachment 5**  
**Water Right Conveyance Agreement**

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Verna Jean Nursery, LLC does not own portions of land appurtenant to the place of use as described in this COBU, specifically being those portions located on Tax Lot 700 and Tax Lot 800; however, ownership of the portion of Permit G-16114 (and any resulting certificate) appurtenant to these tax lots has been conveyed to Verna Jean Nursery, LLC as per the recorded water conveyance agreements attached.

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SEP 24 2026  
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**AFTER RECORDING RETURN TO:**

Angela and Larry Bailey  
8325 SE Altman Road  
Gresham, OR 97080



03384774202600616730080087

\$126.00

09/01/2026 08:34:28 AM

AGR-AGR

Pgs=8 Stn=1 ATHE

\$40.00 \$5.00 \$11.00 \$60.00 \$10.00

**Send Tax Statements To:**

No Change

**WATER RIGHT ASSIGNMENT AND LICENSE AGREEMENT**

This WATER RIGHT ASSIGNMENT AND LICENSE AGREEMENT (hereinafter, "Agreement") is entered into by and between FLORIAN PASC AND ANA PASC, as Trustees of the FLORIAN AND ANA PASC REVOCABLE LIVING TRUST DATED MARCH 15, 2021 (hereinafter, "Pasc"), ANGELA R BAILEY AND LARRY E BAILEY, husband and wife (together, "Bailey"), and VERNA JEAN NURSERY LLC, an Oregon limited liability Company (hereinafter, "Nursery").

**RECITALS**

- A. Pasc owns certain real property located at 8308 SE 322<sup>nd</sup> Place in Gresham, Oregon, Multnomah County, which is described in EXHIBIT A ("Pasc Property").
- B. Bailey owns certain real property located at 8325 SE Altman Road in Gresham, Oregon, Multnomah and Clackamas Counties, which is described in EXHIBIT B ("Bailey Property").
- C. Bailey is the owner of Nursery, which operates a nursery business at the Bailey Property and a property directly south of and adjacent to the Bailey property.
- D. Nursery applied for and obtained a water right permit ("Permit G-16114") from the Oregon Water Resources Department ("OWRD") to use groundwater for nursery uses on 24 acres (the "Place of Use").
- E. The Place of Use for Permit G-16114 includes the Pasc Property, the Bailey Property, and the property south of the Bailey Property.
- F. Nursery has historically irrigated nursery plants on the Pasc Property, the Bailey Property, and the property south of the Bailey Property using groundwater for irrigation under Permit G-16114.

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G. Nursery is currently in the process of perfecting Permit G-16114 and will submit a Claim of Beneficial Use to OWRD for issuance of a water right certificate that will include the entire Place of Use.

H. Prior to issuance of the water right certificate, Pasc, Bailey, and Nursery (each, a "Party," and together, the "Parties") desire to enter into this Agreement to clarify ownership of Permit G-16114 and establish continued access to maintain Permit G-16114 in good standing.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants set forth in this Agreement, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

### **AGREEMENT**

1. Assignment. Pasc assigns, grants, and conveys to Nursery and Nursery's successors and assigns all of Pasc's right, title, and interest in and to Permit G-16114 and the well associated with Permit G-16114, including any water right certificate or transfer issued in the future for Permit G-16114. By this assignment, grant, and conveyance, Pasc intends that Nursery and Nursery's successors and assigns shall own all rights and interests in Permit G-16114, including but not limited to the right to remove or transfer Permit G-16114 from the Pasc Property in the future, at Nursery's sole discretion.

2. License. Pasc grants to Nursery and Nursery's agents, successors, and assigns a non-exclusive license to enter upon the Pasc Property at least once every five years on a date or dates mutually agreed to by the Parties to irrigate and otherwise use water on the Place of Use as set forth under Permit G-16114, including any water right certificate or transfer issued in the future for Permit G-16114 (the "License").

3. Term. The License shall remain in full force and effect, and shall be binding to successors, heirs, and assigns, so long as Permit G-16114, including any water right certificate or transfer issued in the future for Permit G-16114, remains associated with or appurtenant to the Pasc Property. The License shall automatically terminate if Nursery or Nursery's successors or assigns remove or transfer Permit G-16114 from the Pasc Property. In the case where Permit G-16114 is only partially removed or transferred from the Pasc Property, the License shall terminate proportionately with the portion of Permit G-16114 that is removed or transferred, and shall remain in full force and effect with regard to the remainder that is not removed or transferred. The License to irrigate or otherwise use water under Permit G-16114 shall survive and not be impacted by any lease between the Parties related to Nursery's use of the Pasc Property.

4. Indemnification. Nursery shall indemnify and hold harmless Pasc from and against any and all losses, claims, demands, fines, damages, obligations, and liabilities, to the extent arising out of and caused by Nursery's or use of the Pasc Property under the License.

5. Miscellaneous. This Agreement constitutes the entire agreement among the Parties relating to the subject hereof and supersedes any and all prior understandings between the parties relating to the subject hereof, whether written or oral. The Parties shall cooperate fully with each other in the performance of the obligations set forth herein, including without limitation with



respect to any and all further documents as may be reasonable or necessary to carry out the intent of this Agreement. If any Party commences legal action to enforce the terms of this Agreement, the prevailing party shall be entitled to an award of their reasonable attorney fees. The Parties to this Agreement had the opportunity to review and edit this Agreement and seek the advice of legal counsel, and this Agreement shall not be construed in favor of any Party. This Agreement may be signed in two or more counterparts, each of which shall be deemed an original, whether signed in electronic or hard copy format, and all of which together shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the Parties have signed this Agreement, effective as of the last date of execution below.

*[Signatures Follow on Next Page]*

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FLORIAN AND ANA PASC REVOCABLE LIVING TRUST DATED MARCH 15, 2021

[Signature]  
Florian Pasc, Trustee

Date: 8-13-26

STATE OF OREGON       )  
                                  ) ss.  
County of Multnomah )



On this 13 day of August, 2026, personally appeared Florian Pasc and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the Florian and Ana Pasc Revocable Living Trust dated March 15, 2021.

Mariana Magda  
Notary Public for Oregon  
My Commission Expires: November 27, 2027

Ana Pasc  
Ana Pasc, Trustee

Date: 8-13-26

STATE OF OREGON       )  
                                  ) ss.  
County of Multnomah )

On this 13 day of August, 2026, personally appeared Ana Pasc and acknowledged the foregoing instrument to be her voluntary act and deed on behalf of the Florian and Ana Pasc Revocable Living Trust dated March 15, 2021.

Mariana Magda  
Notary Public for Oregon  
My Commission Expires: November 27, 2027



[Signatures Continue on Next Page]

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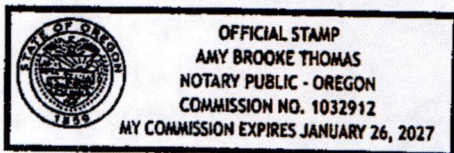


Angela R Bailey  
Angela R Bailey

Date: 8.12.26

STATE OF OREGON       )  
                                  ) ss.  
County of Multnomah )

On this 12<sup>th</sup> day of August, 2026, personally appeared Angela R Bailey and acknowledged the foregoing instrument to be her voluntary act and deed.



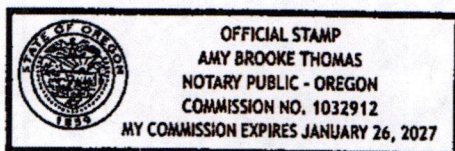
[Signature]  
Notary Public for Oregon  
My Commission Expires: 01/26/2027

Larry E Bailey  
Larry E Bailey

Date: 8/12/26

STATE OF OREGON       )  
                                  ) ss.  
County of Multnomah )

On this 12<sup>th</sup> day of August, 2026, personally appeared Larry E Bailey and acknowledged the foregoing instrument to be his voluntary act and deed.



[Signature]  
Notary Public for Oregon  
My Commission Expires: 01/26/2027

[Signatures Continue on Next Page]

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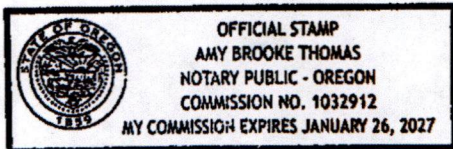
VERNA JEAN NURSERY LLC

Larry E Bailey  
Larry E Bailey, Manager

Date: 8/12/22

STATE OF OREGON )  
 ) ss.  
County of Multnomah )

On this 12<sup>th</sup> day of August, 2026, personally appeared Larry E Bailey and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of Verna Jean Nursery LLC.



Amy Brooke Thomas  
Notary Public for Oregon  
My Commission Expires: 01/26/2027

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## EXHIBIT A

A tract of land situated in the Southwest one-quarter Section 21, Township 1 South, Range 4 East of the Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Commencing at a point on the West line of the P.O. Terwilliger D.L.C. No. 38 at the centerline intersection of SE Miller Road (County Road No. 414) with SE Altman Road (County Road No. 733), said intersection bears North 00°05'00" West, a distance of 877.16 feet from a 4-1/2" brass disk found marking the intersection of said West D.L.C. line with the South line of said Section 21; thence North 89°43'09" West along the centerline of said SE Miller Road, a distance of 527.46 feet to the true point of beginning; thence continuing along said centerline North 89°43'09" West, a distance of 628.45 feet to a 3/4" iron pipe found at the centerline of SE 332nd Place; thence along said centerline South 00°31'42" West, a distance of 423.91 feet to the northwest corner of that tract of land conveyed to George Hale by deed recorded March 14, 1967 in Book 551, Page 1369, Multnomah County records; thence along the northerly line of said Hale tract South 89°42'29" East, a distance of 15.00 feet to a found 3/4" iron pipe; thence continuing along said northerly line, South 89°42'29" East, a distance of 617.98 feet to a set 5/8" iron rod with yellow plastic cap stamped "Andy Paris & Assoc., Inc."; thence North 00°05'00" West, parallel with the centerline of said SE Altman Road, a distance of 409.04 feet to a 5/8" iron rod with yellow plastic cap stamped "Andy Paris & Assoc., Inc." set on the southerly right-of-way line of said SE Miller Road; thence continuing North 00°05'00" East, a distance of 15.00 feet to the true point of beginning.

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## **EXHIBIT B**

A tract of land in Section 21, Township 1 South, Range 4 East of the Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

**BEGINNING** at the intersection of the Easterly line of the Benjamin Claggett Donation Land Claim, with the Southerly line of said Section 21; thence running Northerly along the Easterly line of said Benjamin Claggett Donation Land Claim also being along the center line of Altman Road (Road No. 733) a distance of 53 rods to the center line of Miller Road (Road No. 414); thence Westerly along the center line of Miller Road, a distance of 70 rods, more or less, to a point where said Miller Road turns to the South; thence Southerly along the center line of Miller Road; 618 feet to the intersection with the center line of Bluff Road (Road No. 535); thence South 45°09' East along the center line of said Bluff Road, 363.5 feet to the Southerly line of said Section 21; thence Easterly along the Southerly line of said Section 21, a distance of 904.3 feet to the place of beginning, except that certain rectangular portion of the above described tract being the Northerly 424 feet of said tract and being bounded on the North and the West by Miller Road and on the East by Road No. 733.

**EXCEPTING THEREFROM** that portion deeded to Multnomah County for road purposes described in deed recorded May 4, 1988, Book 2100, Page 2467.

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