



Oregon Water Resources Department 725
 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

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**WATER RESOURCES DEPT
SALEM, OREGON**

A. Individuals

Applicant: _____
First Last

Mailing Address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *Email Address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: Carlton Nursery Company, LLC

Name and Title of Person Applying: Allan Elliott

Mailing Address or Organization: P.O. Box 398

Dayton Oregon 97114
City State Zip

Phone : 503.868.7971
Day Evening

*Fax: 503.868.7503 *Email Address: aelliott@carltonplants.com

*Optional

| For Department Use | | |
|-------------------------|------------------|------------|
| App. No. <u>G-17248</u> | Permit No. _____ | Date _____ |

2. PROPERTY OWNERSHIP

Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

- There are no encumbrances
This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below)

- I have a recorded easement or written authorization permitting access.
I do not currently have written authorization or easement permitting access.
Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

Not Applicable
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3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Willamette River

Distance from well(s) to nearest stream or lake:

1) 5,820 feet 2) 3) 4)

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) Not Applicable 2) 3) 4)

B. Well Characteristics

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 constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

Blue Water Drilling

Mailing Address: 16303 Wallace Rd.

Dayton OR 97114
City State Zip

Completion Date: 9/12/2008

Please provide a description of your well development. *(Attach additional sheets if needed.)*

| Well No. | Diameter | Type and size of casing | No. of feet of casing | Intervals casing is perforated (in feet) | Seal depth | Est. depth to water | Est. depth to water bearing stratum | Type of access port or measuring device | Total well depth |
|----------|----------|-------------------------|-----------------------|--|------------|---------------------|-------------------------------------|---|------------------|
| | See | YAMH | 55313 | | | | | | |
| | | | | | | | | | |
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Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

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

Not Anticipated

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

| Well No. | Source or aquifer | Type of use | Total rate of water requested (in gpm) | Total annual quantity (in gallons) | Production rate of well (in gpm) |
|----------|-------------------|-------------|--|------------------------------------|----------------------------------|
| Well | Alluvium | Nursery | 140 | 16,780,000 | 140 |
| | | | | | |
| | | | | | |
| | | | | | |

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 140 gpm (0.31 cfs)
 (The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: Year Round for Nursery Operations
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 20.6
 (This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): To be determined
- other means (describe): _____

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B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):
 Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

- Pipe (give diameter and total length):

Diameter To be determined Length To be determined

- other, describe: _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

The equipment used to irrigate the land will depend on the crop. A hard hose traveler will be used when there is a cover crop, and drip or hand lines will be used for nursery stock.

Irrigation or land application method (check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Flood | <input type="checkbox"/> High pressure sprinkler | <input type="checkbox"/> Low pressure sprinkler |
| <input checked="" type="checkbox"/> Drip | <input checked="" type="checkbox"/> Water Cannons | <input type="checkbox"/> Center pivot system |
| <input checked="" type="checkbox"/> Hand Lines | <input checked="" type="checkbox"/> Wheel Lines | |
| <input type="checkbox"/> Siphon tubes or gated pipe with furrows | | |
| <input type="checkbox"/> other, describe: _____ | | |

Distribution method

- Direct pipe from source In-line storage (tank or pond) Open Canal

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Water will be applied to the plants when they need it.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: 9/14/2008

Proposed date construction will be completed: 6/1/2010

Proposed date beneficial water use will begin: 6/1/2010

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Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

This water right is for nursery rights to cover land that already has primary surface water rights and a supplemental ground water right for irrigation. See T-9812 for the ground water right and T-8741 for the surface water rights.

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:

Carlton Nursey Co. LLC.

by *Allan Elliott*

Signature of Applicant (If more than one applicant, all must sign.)

7/20/2009

Date

Before you submit your application be sure you have:

- ✓ ● Answered each question completely.
- ✓ ● Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- ✓ ● Included a Land Use Information Form or receipt stub signed by a local official.
- ✓ ● Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- ● Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:

www.wrd.state.or.us

YAMH 55313

State of Oregon
WATER WELL REPORT (as required by ORS 537.765)

Page 1 of 1

State Well ID L96544
Start Card # 1004864

(1) OWNER: Well No. 2612
Name CARLTON PLANTS
Address 14301 SE WALLACE RD
City DAYTON St OR Zip 97114

(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 117 ft
Explosives used NO Type Amount
HOLE SEAL
Diam. From To Material From To Amount
12 0 40 BENTONITE CHIP 0 40 41 SAX
8 40 142

Seal placement method POURED/HYDRATED
Backfill: from 117 ft to 142 ft Material CAVING GRAVEL
Gravel: from ___ ft to ___ ft Size

(6) CASING/LINER:
Casing 8 +2 118 .25 STEEL WELDED
Liner

Final Location of shoe(s) 118 O/S

(7) PERFORATIONS/SCREENS:
[] Perf. Method
[] Screens Type Material
Slot Tele/pipe
From To Size Number Diam. Size Casing/liner

(8) WELL TESTS: Minimum testing time is 1 hour
Test type AIR
Yield GPM Draw-down Drill stem at Time
140 117 1 hr.
140 110 3
Temperature of water 54F 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 YAMHILL Lat. ' ' ' Long. ' ' '
Township 5 S Range 3 W WM.
Section 28 SE 1/4 SW 1/4
Tax Lot 100 Lot Block Subdivision
Street Address of Well (or nearest Address)
21811 SE WALLACE RD DAYTON, OR

(10) STATIC WATER LEVEL:
71 ft. below land surface. Date 09/12/08
Artesian pressure ___ lb per square in. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 71
From To Est Flow Rate SWL
71 142 140 71

(12) WELL LOG:
Material Ground elevation From To SWL
TOP SOIL 0 5
CLAY, BROWN 5 31
CLAY, BLUE/GRAY 31 50
SAND, BLACK W/SOME CLAY 50 81
SAND, BLACK, W/OCC FINE GRAVEL/OCC CLAY 81 98
CLAY, BROWN W/BLUE STRATS 98 102
SAND, BLACK FINE TO MED W/SOME CLAY 102 112
GRAVEL, LOOSE FINE/CRSE W/SOME SAND/CLAY 112 142

Borehole Cased 118-142

DAVE PAYSINGER, BLUE WATER DRILLING CO.
(503) 868-7878

Date started 09/10/08 Completed 09/12/08

(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 *David H. Paysinger* WWC Number 1438
Date 09/14/08

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Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

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1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 20.6 Acres

Secondary: 0 Acres

List the permit or certificate number of the primary water right: No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. Nursery Full season Partial season (from: _____ to _____)
- 2. _____ Full season Partial season (from: _____ to _____)
- 3. _____ Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

 51.5 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours
- Other, explain: _____

TICOR TITLE INSURANCE COMPANY

LIEN AND ENCUMBRANCE REPORT

YAMHILL TITLE PLANT

829 N. Hwy 99 West
P.O. Box 267 • McMinnville OR 971280267
(503) 472-6101 • FAX: (503) 434-5311

March 2, 2004

Pacific Hydrogeology
Malia Kupillas
18477 S. Valley Vista Road
Mulino OR 97042

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SALEM, OREGON

Title Number: 816472
Regarding: Carlton Nursery Company, LLC
Property Address: 22125 Wallace Rd NW
Dayton, OR 97114
County: Yamhill
Fee: \$85.00

We have searched our Tract Indices as to the following described real property:

COMMENCING at the Northwest corner of the Daniel Matheny Donation Land Claim No. 38 in Section 28, Township 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon; thence South 00°04'00" East along the West line of said Donation Land Claim, 624.03 feet to a point in State Highway No. 221, being the point of beginning; thence South 00°04'00" East 605.15 feet; thence South 89°51'30" East 33.86 feet to an iron rod; thence continuing South 89°51'30" East 1492.50 feet to an iron rod; thence South 82°05'20" East 97.47 feet to an iron rod; thence South 3°19'00" West 1259.52 feet to an iron rod set on the Division Line of said Claim; thence South 89°44'06" East along said division line, 2656.30 feet to an iron pipe set in County Survey No. 3256; thence North 00°01'44" East 1248.06 feet to an iron bar set in said County Survey No. 3256; thence continuing North 00°01'44" East 624.03 feet; thence North 89°43'42" West 4208.00 feet to said point of beginning.

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For Local Government Use Only

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the 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): Section 402.02 of the YCU

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

| Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Land-Use Approval: | |
|---|---|--|--|
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| RECEIVED | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| JUL 21 2009 | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| WATER RESOURCES DEPT | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |
| SALEM, OREGON | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued |

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Stephanie Armstrong Title: Planner
 Signature: [Signature] Phone: 503-434-7516 Date: 7/13/09
 Government Entity: Yamhill County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant Name: _____

City or County: _____ Staff Contact: _____

Signature: _____ Phone: _____ Date: _____



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Carlton Nursery Company, LLC

First

Last

Mailing Address: P.O. Box 398

Dayton

City

OR

State

97114

Zip

Daytime Phone: 503.868.7971

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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.

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g. Rural Residential/RR-5) | Water to be: | Proposed Land Use: |
|----------|-------|---------|-----|------------|--|--|--------------------|
| 5 S | 3 W | 28 | | 5 3 33 100 | AFLH (EF-80) | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Nursery |
| | | | | | | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used | |
| | | | | | | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used | |
| | | | | | | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used | |

List all counties and cities where water is proposed to be diverted, conveyed, or used:

Yamhill County

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water-Right Transfer
 Exchange of Water
 Allocation of Conserved Water
 Limited Water Use License
 Permit Amendment of Ground Water Registration Modification

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 140 _____ cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)

Municipal Quasi-municipal Instream Other _____

Briefly describe:

Water will be used to irrigate nursery stock.

Note to applicant: *If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.*

Receipt for Request for Land Use Information

State of Oregon Water
Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266