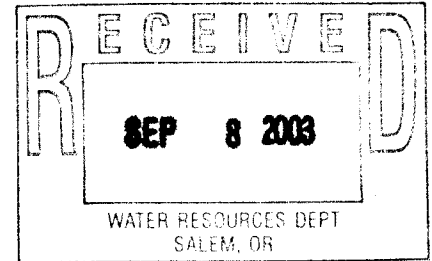


Site Report and Claim of Beneficial Use

Application #: G-14764

Permit #: G-13612

Larry & Dawn Monagon
1585 Chemawa Road N.
Keizer, Oregon 97303
Tel. #: 1-503-393-2128



Source:

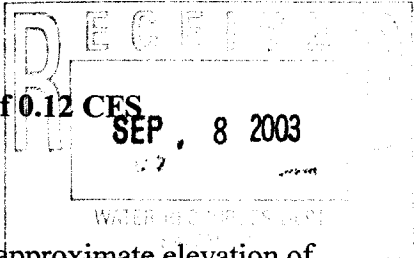
Water under this permit is being used for irrigation of Nursery Operations covering 4.6 acres. Irrigation water is being obtained from a well located in the Willamette River Basin and is described further as follows:

- **Well:** (8" dia. X 80' deep) is located 505'S & 525'W from the NE corner of Section 4. Well pump is a 5-HP submersible turbine pump capable of 55 GPM @ 60 PSI. Well is located approximately 50' west of a small building that houses the water meter, 2-WX 350 Hydrocell pressure tanks @ 119 gal. each, the irrigation system filter and system controls. The discharge piping is also equipped with a pressure gage.
- The well head uses a pitless adaptor and the discharge piping surfaces within the building. The pitless adaptor cover may be easily removed to measure well static and pumping water levels.
- **Water Meter:** An 1-1/2" Hersey compound water meter is located in the discharge piping inside the building. The water meter has an indicator reading in GPM & a totalizer reading in gallons. Meter reading at time of site visit was 148,500 gallons.
- Ties to well were located from field measurements.

Pipe:

Irrigation water is transported through approximately 890' of 2" & 2-1/2" PVC buried main line. Water is currently applied through a drip irrigation system that covers all the irrigated acreage (see attached system layout drawing). The drip system is made up of 5 blocks containing a total of 3,271 emitters. Each emitter is rated at 0.9 GPH while operating at 45 PSI. Based on this, water usage is computed to be as follows:

3,271 Emitters @ 0.90 G.P.H. = 49.10 G.P.M./ 0.12 C.F.S.



Water is being used to the full permitted duty of 0.12 CES

SEP 8 2003

Lift:

Topography of the area being irrigated is nearly flat, being at an approximate elevation of 135.0 USGS with the top of the well casing (pitless adapter) being 18" above the surrounding ground, at approximate elevation 136.5 USGS. Static water level in the well is approximately 28'; pumping water levels are approximately 50' (data obtained from a well log).

Permit Time Conditions:

Actual construction of the well shall begin on or before March 22, 2000. Complete application of the water to the permitted use shall be made on or before October 1, 2003. **Permit Time Conditions Met.**

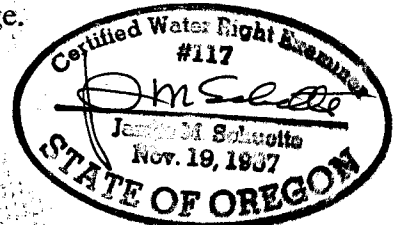
Well Pump Test:

The permittee is aware of the pump test requirement and anticipates completing a pump test in the fall of 2003 and will submit the results to Water Resources when completed.

Uses:

Water is being used to irrigate olive trees, artichoke plants and other nursery stock within the greenhouse.

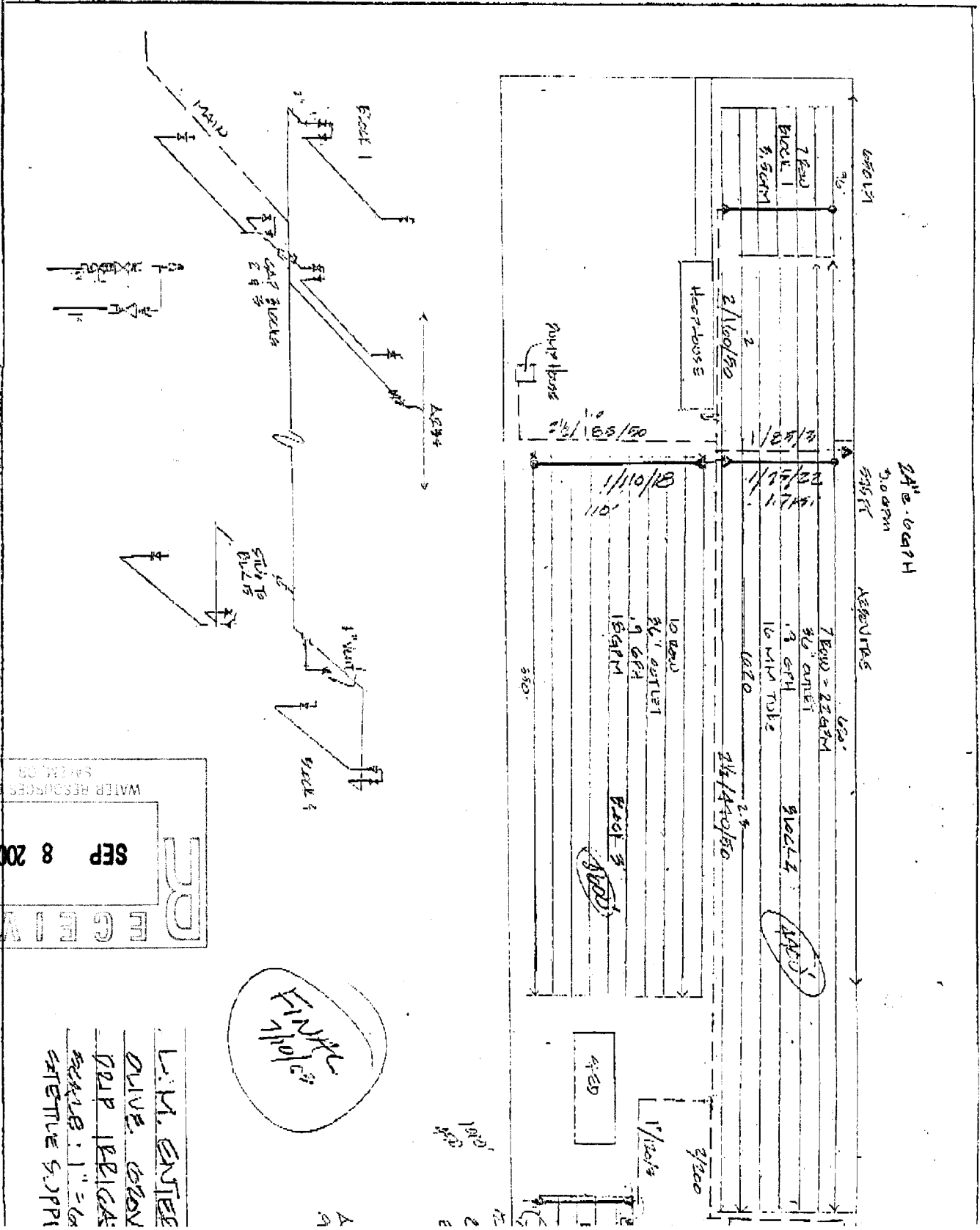
The final proof survey and inspection of use were found to be completed under the terms and conditions of Permit G-13612. This final proof survey and inspection were completed by me on July 7, 2003 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



We, Larry & Dawn Monagon, agree to the findings of the Certified Water Rights Examiner and do submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of Permit G-13612.

Larry Monagon

Dawn Monagon



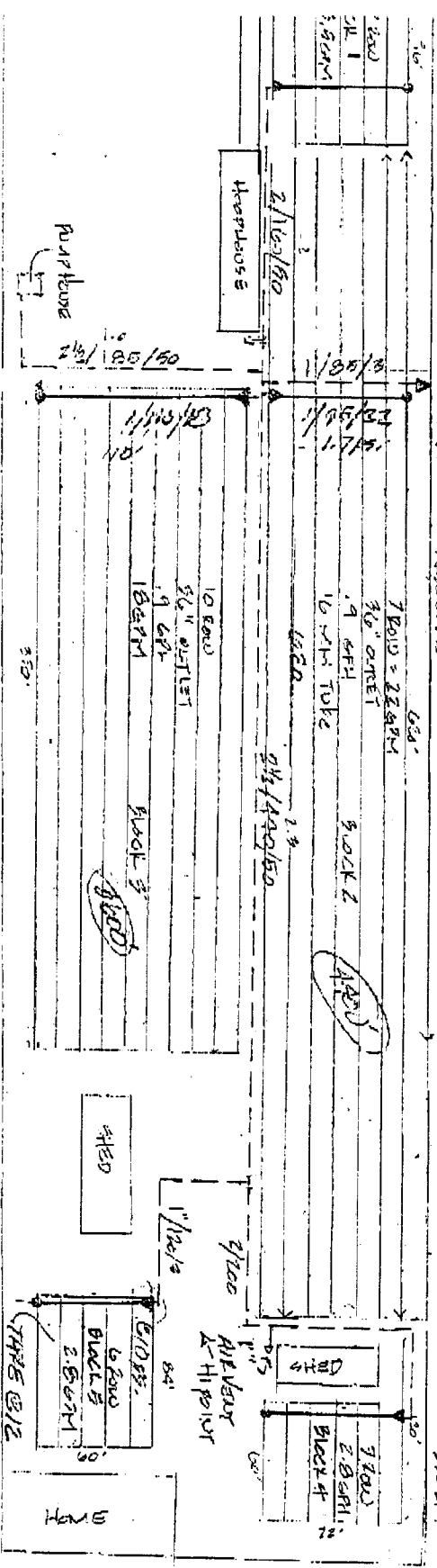
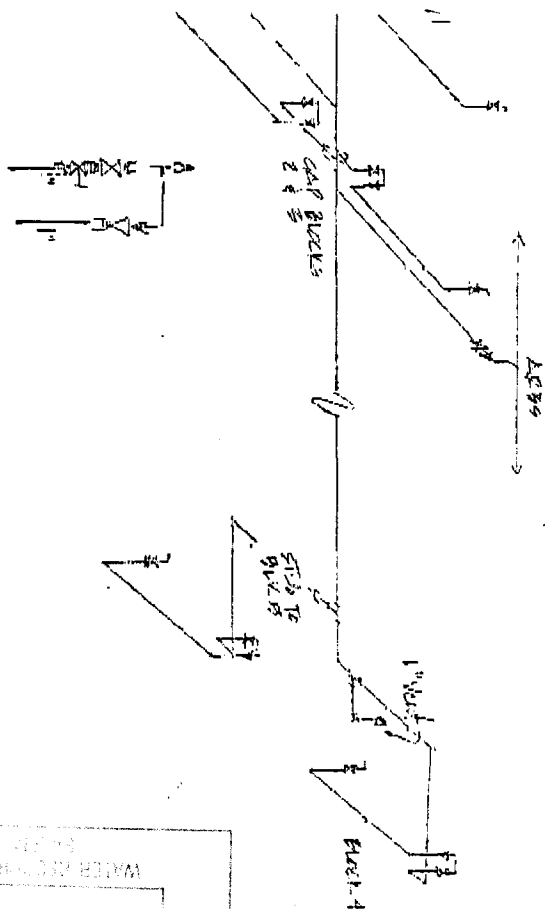
WATER RESOURCES DEPT
 SAFETY ON

R
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 2003

L.M. ENTER
 OLIVE GROVE
 PIPE PERIOD
 2003.08.11" = 6
 SATURDAY SUPPLY

FINISH
 1/10/03

10' 0"
 10' 0"
 10' 0"
 10' 0"



2 1/2" x 10' 4" PH
 7.00 PM
 5.75 FT
 4.50 FT

DE: JUNE 5TH
 2 PM

RECEIVED
 SEP 8 2003
 WATER DEPARTMENT

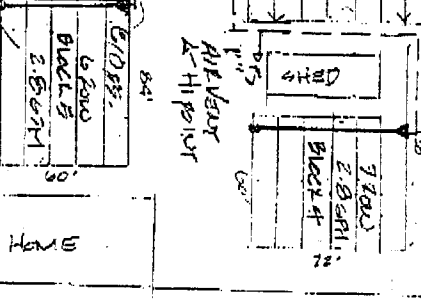
FINISH
 11/10/03

L.M. ENTERPRISES
 OLIVE GROVE
 DRIP IRRIGATION SYSTEM
 SCALE 1" = 100'-0"
 STETTLER SUPPLY CO 2002

APPLICATOR
 ASS/DATE
 SETS

SPM/ACRE 13.15

ROW 40' 8" PM
 OLIVE TREES
 5" 1/2" DIA ROW
 9' 6" PM
 36"





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

June 18, 1999

Larry V. Monagon
1585 Chemawa Road North
Keizer, Oregon 97303

Reference: Permit Amendment Application Form

Dear Mr. Monagon;

Enclosed is a Permit Amendment application form that David Paysinger requested that I send to you. I have also enclosed a copy of Water Right Permit G-13612 with the pertinent information that is needed for the permit amendment application form highlighted in yellow.

Along with a complete permit amendment application, other items that you will need to send include:

1. A map showing the permitted point of appropriation, the permitted place of use, and the proposed point of appropriation. I have enclosed a copy of your application map upon which you can show your proposed well location.
2. The appropriate fees. The fees for a permit amendment involving a change in point of appropriation is \$200.00. The check needs to be made payable to the Oregon Water Resources Department.

The completed permit amendment application form, map, and fees should be sent to:

Oregon Water Resources Department
Gloria Tolleson
158 Twelfth St. NE
Salem, Oregon 97310

If you have any questions, please call me, Kelly Starnes, at 378-8455 ext. 309.

Sincerely,

Kelly Starnes
Water Right Inspector

encs



From: "dp" <paydirt@att.net>
To: "Kelly Starnes" <Patrick.K.STARNES@wrd.state.or.us>
Cc: "Tom Paul" <Thomas.J.PAUL@wrd.state.or.us>
Subject: Re: Permit G-13612
Date: Fri, 18 Jun 1999 07:00:49 -0700
X-MSMail-Priority: Normal
X-Mailer: Microsoft Outlook Express 4.72.3110.1
X-MimeOLE: Produced By Microsoft MimeOLE V4.72.3110.3

6/18/99

Kelly,

Thank you for your reply. I spoke with Mr. Monagon last night after reading your email. He is disappointed about additional costs and delays. (I already have a drill rig there) At this time we are unable to find hard evidence of the septic drainfield exact location. This entire last minute effort is based solely on an old neighbor's misty recollection of septic installation at this residence where the Monagon's now reside. Marion County has poor records in this instance.

He is however considering a well site move. Before he pays the \$200 to WRD though he is going to contact PGE regarding power costs to relocate the well further from available power source.

In the mean time I would like to request that you forward (via snail mail) the permit amendment application to his home at 1585 Chemawa Rd. N. Keizer, 97303.

I hope that if Mr. Monagon chooses to pursue permit amendment that this process could be expedited in your office as I see no difference hydro-geologic difference anywhere on his property.

Thank you for attention.

dp

David Paysinger, Blue Water Drilling Co.
paydirt@att.net
" A hole is to drill "

-----Original Message-----

From: Kelly Starnes <Patrick.K.STARNES@wrd.state.or.us>
To: dp <paydirt@att.net>
Cc: Thomas.J.PAUL@wrd.state.or.us <Thomas.J.PAUL@wrd.state.or.us>
Date: June 17, 1999 8:53 AM
Subject: Permit G-13612

>Hi Dave,

>

>Tom Paul forwarded your e-mail to me regarding Mr. Monagon's well site.

>

>It sounds like a permit amendment for a change in point of appropriation

>will be needed to move the proposed well from its authorized location. Mr.

>Monagon will need to fill out a permit amendment application form and pay a

>\$200.00 permit amendment fee.

>

>I can either snail mail the permit amendment application form out to you or

>Mr. Monagon, or it can be picked up here at OWRD. Please let me know

>which you prefer.

>

>If you have any questions, please e-mail or call me. My number is 378-8455

>ext. 309.

>

>Sincerely,

>

>Kelly Starnes

>

TO: Water Rights Section 6/16, 1998
FROM: Groundwater/Hydrology Section Marc A Norton
SUBJECT: Application G- 14764 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

- 1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.

- 2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
a. ___ will, or _____ have the potential for substantial interference with the nearest
b. will not _____ surface water source, namely Williamette; or
c. ___ will if properly conditioned, adequately protect the surface water from interference:
i. ___ The permit should contain condition #(s) _____;
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below; or
d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

- 3. BASED UPON available data, I have determined that groundwater for the proposed use
a. ___ will, or _____ likely be available in the amounts requested without injury to prior rights
b. ___ will not _____ and/or within the capacity of the resource; or
c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
i. The permit should contain condition #(s) 7B;
ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ___ The permit should be conditioned as indicated in item 4 below; or

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

REMARKS: No change to review based on moving location of well. 3/5/99

(Well Construction Considerations on Reverse Side)

FO CHECKLIST

FILE # 614764
 PFO WEEK # 181

PFO TO FO CONVERSION

REVIEW DATE: 3/8/99
 INITIALS: RMK

In preparing to create the OF, you should check the following:

1. **N** Were comments or protests received? If so, **from whom and when?**
2. On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, **affected landowners**, and **those who paid the \$10 feet**.)
3. **NA** Have affected land owners been notified?
4. **N** Is the file lacking a signed oath of accuracy for the application?
5. **NA** Has ODFW asked for self certification of screening condition?
 If so, write "ODFW CERT" in the permit black on the front of the file.
6. **N** Is water use prohibited for one or more months of the normal use period?
7. **N** If #6 = "Y", is short season letter on file? Note: If short season letter is lacking, see item #10 below.
8. **N** Give applicant 60 days to submit required information.
 Verify Payment of recording fees (*circle the appropriate option*)

(1)	Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO.	250 BASE	<input checked="" type="radio"/>
		150 ICFS	
		175 RFC	
		575	
		AD 575	
9. **N** (2) Issue FO w/o permit if fees are lacking.
 Is further processing possible? If not state reason: _____
10. Notify applicant of additional information or fees required prior to permit issuance. (**SEND CERTIFIED LETTER** & use standard wording from M:\...\FO\TOOLS if possible)
11. Assign permit numbers to files with oaths, fees, and no protests or other issues. 613612
12. **N** Do the PFO conclusions require modification? Why? _____
 (If YES, circle FOMOD and one other type below)

FO Type: (circle types)	DENIAL	FO w/o PERMIT	<input checked="" type="radio"/> FO & PERMIT	<input checked="" type="radio"/> FOMOD
<u>MOVE LOCATION OF THE WELL</u>				MGMT. CODES <u>7B</u> <u>3EW</u>

- Once created, modify FO as needed to:
13. Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
 14. Include or exclude permit conditions and management codes.
 15. Correct PFO errors (such as POD or POU location (verify from map), Permit format)
- Once FO document is completed:
16. Save WordPerfect document in M:\GROUPS\WR\FO\WEEK 181 & delete duplicates.
 17. Print final draft of document and submit to team leader for review
 18. Team leader review completed m:\groups\wr\fo\forms\FO Check List.wpd

PFO CHECKLIST

Application #: E 14764

County Mason Basin: WILLAMETTE 2
Township 7S Range 3W Section 4 1/4 1/4 NE NE

- 1. Complete by Minimum Requirements Checklist? Y / N
- 2. Shortcomings (items needed before a permit and/or FO can be issued) Y / N
- 3. Should process continue Y / N (ie - shortcomings, missing vital info, on hold,...)
- 4. Groundwater Review A B C D River/Stream Name _____
 - a. Groundwater Availability A B C
 - b. Is second groundwater review necessary? (comments) Y / N
 - c. Is the well located in a GWLA or CA? (If applicable, include map with POD) Y / N
- 5. Is use from BOR / Doug Co. project? Y / N Contract in file? Y / N Contract # _____
- 6. Is the use allowed by the Basin Program? Y / N Limited? Y / N _____
- 7. Water Availability Data OK / REDONE / NA (80% live flow & 50% storage) _____
- 8. Is the source withdrawn or limited by statute or Department order? Y / N _____
- 9. Is the Proposed Use located in or above a SWW? Y / N _____
- 10. Division 33: Y / N / NA Above Bonn (after July 17, 1992) Y / N
Below Bonn (after April 8, 1994; June 3, 1994) Y / N
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- 11. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N
- 12. Have conflicts been addressed? Y / N / NA _____
- 13. Duty 10, 3 Irrigation Season _____
- 14. Period of Allowed Use YR RND _____
- 15. Allowed Rate REQ 0.446 (200GPM) _____

summary:

16. **Small** (≤ 0.1 cfs, ≤ 9.2 AF), **Medium** (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) Or **Large** (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal use ≤ 0.1 cfs require the **Large** condition

17. Conditions 7B
New River Basin? Y / N / NA (conditions found in M:\groups\wr\pfo\findings & other lang)

18. IR Date 9/11/98 Public Notice Date 9/29/98 Comment Rec'd _____

19. CWRE, representatives or Property owners to notify? Y / N JAMES SCHUBERT (CWRE)

Initials: RWK Date: 12/3/98

Mailing List for PFO Copies

Application #G-14764

PFO Date January 12, 1999

Original mailed to:

Applicant: LARRY V & DAWN MONAGON, 1585 CHEMAWA RD N, KEIZER, OREGON 97303

Copies sent to:

1. WRD - File # G-14764

PFO, Map, and Fact Sheet Copies sent to:

2. WRD - Watermaster # District 2
3. WRD - Regional Manager: NWR
4. ODFW District Biologist: Nancy Leibowitz

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. Jim Schuette

CASEWORKER : RWK- WEEK 181

Copies Mailed	
By: <u>HW</u>	
(SUPPORT STAFF)	
on: <u>1/12/99</u>	
(DATE)	

Application #: G 14764
Basin: 02-Willamette

WAB: _____ POU-WAB _____

County Marion Township 75 Range 34 Section 4 1/4 1/4

1. Complete by Minimum Requirements checklist. Y/N Items still required: _____
2. Indicators that the process should not continue (ie - items missing, letter to file indicating hold, or other) Y/N _____
3. Groundwater review A B C D River/Stream Name Willamette Conditions 7B
Water Availability A B C
1. Is the well located in a groundwater limited area? Y/N Name _____
4. Within or Above a Scenic Waterway Y/N conditions/restrictions Y/N
5. Allowed under Basin Program Y/N Limitations? Y/N 690-502-160 (2)
6. Withdrawn? Y/N season allowed _____
7. Basin Maps have been checked. Y/N Willamette. Will above Jamhill Conf.
8. Water Availability (50% < July 17, 1992 ** 80% [50% storage] > July 17, 1992) NA
9. Use N/A Period of Allowed Use YR.
10. For Irrigation: Rate 1/40 Duty 3 Season 3/1-10/31 ^{IRR} 7R _{YR}
11. Allowable Rate of Use: 5/40 = 0.125 (56.0GPM) ^{IRR} 5(0.15) 2.5 _{1122.0GPM}
12. Priority Date(s) 6-1-98 REQUEST 200.0 GPM (6.445 cfs)
13. B.O.R. project Y contract # _____
14. Subject to Division 33 (Above Bonn after July 17, 1992; Below Bonn after April 8, 1994 or June 3, 1994; or Statewide - in shaded areas on T, E, & S Map - After June 3, 1994) Y/N NA
15. Conflicts Y N
16. Conditions? (BOR, GW, other) Y N
17. Land use approval OK'd needs approval county notified NA
18. Watermaster Dist: (1 2 16) 18 - NWR (3 4 5 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (14 15 19 - SWR)
9. Letter will be Good Limited Bad Bad w/IRshort because _____

e: [Signature] Date: 8/28/98



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

September 11, 1998

LARRY V MONAGON
DAWN MONAGON
1585 CHEMAWA RD N
KEIZER, OREGON 97303

Reference: File G-14764

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN WILLAMETTE RIVER BASIN for NURSERY OPERATIONS ON 5.0 ACRES **is allowable** under OAR 690-502-160(2), the Willamette Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will not have the potential for substantial interference with the nearest surface water source, namely the Willamette River.
4. The Department has also determined, based upon available data, that the use of groundwater in the amount of 0.445 CUBIC FOOT PER SECOND (200.0 GALLONS PER MINUTE) for NURSERY OPERATIONS ON 5.0 ACRES **is available**, and if properly conditioned, will not injure existing rights or the groundwater resource.

Summary of Initial Determinations

The use of 0.445 CUBIC FOOT PER SECOND (200.0 GALLONS PER MINUTE) from A WELL IN WILLAMETTE RIVER BASIN for NURSERY OPERATIONS ON 5.0 ACRES is allowable year-round.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, September 25, 1998**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. 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.
 - 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.
 - C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director

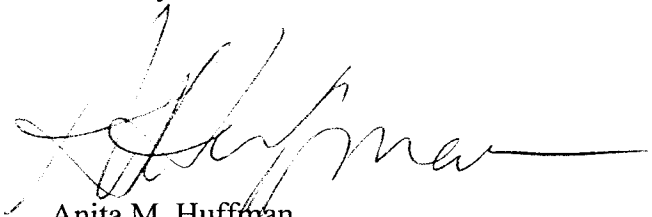
may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

2. 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.
3. The priority date for this application is June 1, 1998.

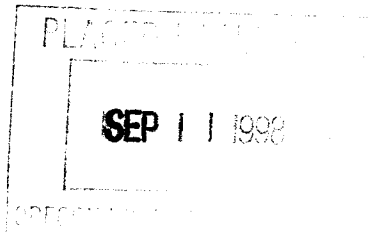
If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 499. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call.

Sincerely,



Anita M. Huffman
Water Rights Specialist



cc: Regional Manager, Watermaster District 2, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-14764
wab 02-
pou 02-
gwb

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this 6th day of June, 1996, by and between GLORIA JEAN RICE the duly appointed, qualified and acting personal representative of the estate of DARLENE M. ANDERSON, deceased, hereinafter called the first party, and LAWRENCE V. MONAGON and DAWN MONAGON, Husband and Wife hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the deceased at the time of decedent's death, and all the right, title and interest that the estate of the deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situated in the County of Marion, State of Oregon, described as follows, to-wit:

As described in the attached Exhibit A

Application No. G14764

Parcel No.

RECEIVED

JUN 01 1998

WATER RESOURCES DEPT.
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 182,000.00

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

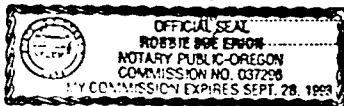
IN WITNESS WHEREOF, the first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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

Gloria Jean Rice
Gloria Jean Rice
Personal Representative
of the Estate of Darlene M. Anderson, Deceased.

NOTE—The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.

STATE OF OREGON, County of Marion) ss.
This instrument was acknowledged before me on June 6, 1996,
by Gloria Jean Rice
This instrument was acknowledged before me on _____, 19____,
by _____



Robbie Sue Erion
Notary Public for Oregon
My commission expires 9-28-98

ANDERSON ESTATE
Grantor's Name and Address
MONAGON
Grantor's Name and Address
After recording return to (Name, Address, Zip):
Mr. & Mrs. Lawrence V. Monagon
1585 Chemawa Rd. N
Keizer OR 97303
Until requested otherwise send all tax statements to (Name, Address, Zip):
Same as above

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of _____ } ss.
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said County.
Witness my hand and seal of County affixed.

By _____, Deputy

Fidelity National Title Co. 442380

1315
787

5362-7-3W-42500

RECEIVED

JUN 01 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Page No. 5
Order No. 642380-00V-KS

EXHIBIT A
6319.63

6-3W-34

Beginning on the South line of the John Ford Donation Land Claim No. 54, in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, at a point which is 95.752 chains North 89° 30' West from the Southeast corner thereof; thence North 0° 20' East 15.011 chains; thence North 89° 34' West 9.960 chains to the Northeast corner of a tract of land conveyed to J. W. Woodruff by deed recorded in Volume 118, Page 150, of the Deed Records, Marion County, Oregon; thence Southerly along the East line of said Woodruff Tract 15.095 chains to the Southeast corner thereof; thence South 89° 30' East 9.887 chains to the place of beginning.

657.36

996.27

990.07

6319.63

652.54

SAVE AND EXCEPT: Beginning on the South line of the John Ford Donation Land Claim No. 54, in Township 7 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, at a point which is 95.752 chains North 89° 30' West from the Southeast corner thereof; thence North 0° 20' East 15.011 chains; thence North 89° 34' West 6.649 chains; thence South 0° 20' West 15.011 chains, more or less, to the South line of said Ford Donation Land Claim; thence South 89° 30' West 6.649 chains to the place of beginning.

990.07

990.07

438.83

Application No. G 14764

Mailing List for IR Copies

Application #G-14764

IR Date: September 11, 1998

Original mailed to:

Applicant: LARRY V MONAGON MONAGON, DAWN, 1585 CHEMAWA RD N, KEIZER, OREGON 97303

Copies sent to:

1. WRD - File # G-14764
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 2
4. WRD - Regional Manager (not Bob Main): NWR
5. ODFW District Biologist: (MARION County) Nancy Leibowitz

Copies Mailed
By: <u>CMG</u>
(SUPPORT STAFF)
on: <u>9/11/98</u>
(DATE)

Copies sent to Other Interested Persons (CWRE, Agent, Weir, Driller, Commenter, etc.)

6. Jim Schu^{ETTE} ~~ck~~, CWRE _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

ID# AMM

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-14764

Applicant: LARRY V MONAGON MONAGON, DAWN

County: MARION

Watermaster: District 2

Priority Date: June 1, 1998

Source: A WELL IN WILLAMETTE RIVER BASIN

Use: NURSERY OPERATIONS ON 5.0 ACRES

Quantity: 200.0 GALLONS PER MINUTE

Basin Name & Number: Willamette, #02

Stream Index Reference: Volume 26 WILLAMETTE R & TRIBS

Point of Diversion Location: NENE, SECTION 4, T 7S, R3W, W.M.; 140 FEET SOUTH & 550
FEET WEST FROM NE CORNER, SECTION 4

Place of Use: SESE 1.0 ACRES, SECTION 33, TOWNSHIP 6 SOUTH, RANGE 3 WEST, W.M.
NENE 4.0 ACRES, SECTION 4, TOWNSHIP 7 SOUTH, RANGE 3 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, September 25, 1998

PUBLIC NOTICE DATE: Tuesday, September 29, 1998

30 DAY COMMENT DEADLINE DATE: Thursday, October 29, 1998

fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(3) Multnomah Channel and drainage waters originating within drainage districts are classified for domestic, livestock, municipal, industrial, irrigation, commercial, agricultural, mining, power, fish life, wildlife, recreation, pollution abatement, wetland enhancement and public instream uses.

(4) Except as specified in subsections (1)(a), (b) and (c) of this rule, all stream systems in the Columbia Subbasin and Columbia Slough are classified year-round only for domestic, commercial use for customarily domestic purposes not to exceed 0.01 cfs, livestock and public instream uses.

Stat. Auth.: ORS 536.300 & 536.340

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92

Groundwater Classifications and Conditions

690-502-160 (1) Use of groundwater from the basalt aquifer within the Cooper-Bull Mountain Critical Groundwater Area shall be as described in the State Engineer's order designating the Cooper-Bull Mountain Critical Groundwater Area dated May 17, 1974.

(2) Groundwater Classification: The ground-water resources of the Willamette Basin are classified for domestic, livestock, irrigation, municipal, industrial, agricultural, commercial, power, mining, recreation, fish life, wildlife, pollution abatement, wetland enhancement and statutorily exempt groundwater uses with the following exceptions:

(a) Groundwater from the *shallow* Troutdale aquifer and the specially designated portion of the *deep* Troutdale aquifer in the Sandy-Boring area is classified for exempt uses only. The Sandy-Boring Groundwater Limited Area is as described and shown in Exhibit 1. Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed and shall contain the Special Permit Conditions specified in section (4) of this rule. Applications may be rejected if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications;

(b) Groundwater from the basalt aquifers in the Damascus, Gladtidings, Kingston, Mt. Angel, Parrett Mountain, and Stayton-Sublimity areas, and the Troutdale aquifer in the Damascus area is classified for exempt uses only:

(A) The Damascus Groundwater Limited Area is as described and shown in Exhibit 2. The Gladtidings Groundwater Limited Area is as described and shown in Exhibit 3. The Kingston Groundwater Limited Area is as described and shown in Exhibit 4. The Mt. Angel Groundwater Limited Area is as described and shown in Exhibit 5. The Parrett Mountain Groundwater Limited Area is as described and shown in Exhibit 9. The Stayton-Sublimity Groundwater Limited Area is as described and shown in Exhibit 7;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water

Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply.

(c)(A) Except as provided in paragraph (B) of this subsection, groundwater from the basalt aquifers in the Sherwood-Dammasch-Wilsonville Groundwater Limited Area as described and shown in Exhibit 6 is classified for exempt uses only;

(B) Groundwater applications G-12155 (City of Sherwood) and G-13353 (Manke Lumber Co.) shall be processed according to the classifications in effect on the date the application was filed. Permits shall contain the Special Permit Conditions specified in Section (3) of this rule.

(d) Groundwater in the basalt aquifers in the Chehalem Mountain, Eola Hills and South Salem Hills Groundwater Limited Areas is classified for exempt uses, irrigation and rural residential fire protection systems only. Permits may be issued, for a period not to exceed five years, for fire protection and for drip or equally efficient irrigation provided the Director finds the proposed use and amount do not pose a threat to the groundwater resource or existing permit holders. The amount of water used for irrigation shall be further limited to one acre-foot per acre per year. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications may be rejected or permit or certificate extensions may be denied if the aquifer displays any of the adverse impacts defined in OAR 690-08:

(A) The Chehalem Mountain Groundwater Limited Area is as described and shown in Exhibit 8. The Eola Hills Groundwater Limited Area is as described and shown in Exhibit 10. The South Salem Hills Groundwater Limited Area is as described and shown in Exhibit 11;

(B) Groundwater applications pending on October 4, 1991 shall be processed according to the classifications in effect on the date the application was filed. Permits may be issued for a period not to exceed five years and shall contain the Special Permit Conditions specified in section (3) of this rule. Permits may be extended for additional five-year periods if the Director finds that the groundwater resource can probably support the extended use. Applications submitted after October 4, 1991 shall be processed according to the requirements of these rules and classifications. Within two years of permit issuance, the applicant shall prepare a plan for the Water Resources Commission which shall indicate the steps for obtaining an alternate long-term water supply;

(e) Groundwater — Surface water hydraulic connection: These rules are in addition to the requirements of OAR 690-09. Groundwater in unconfined alluvium within 1/4 mile of the banks of a stream or surface water source is presumed to be in hydraulic connection with the surface water source, unless the applicant or appropriator provides satisfactory information or demonstration to the contrary. This hydraulically connected groundwater shall be classified the same as the surface source. This section shall not apply to those groundwater uses exempted by ORS 537.545. Notwithstanding such classification, permits may be issued for the use of water from a well in an unconfined aquifer that is hydraulically connected to groundwater, within a quarter mile of a stream, provided that surface water impacts are mitigated through storage releases.

(3) Special Columbia River Basalt Group Aquifer Permit Conditions: New permits issued to appropriate groundwater from Columbia River Basalt Group aquifers shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) The permittee/appropriator install a meter or other suitable measuring device approved by the Director and submit an annual report of water used to the Department;

(c) Limits on acceptable amounts of depletion and interference with other users;

(d) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(e) The Department shall determine, from measurements submitted by the permittee/ appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(f) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/ appropriator;

(g) Any other conditions derived from OAR 690-08 as deemed necessary to protect the groundwater resource.

(4) Special Permit Conditions: New permits issued to appropriate groundwater from aquifers within the Sandy-Boring Groundwater Limited Area and the Troutdale aquifer in the Damascus Groundwater Limited Area shall be specially conditioned. The conditions shall specify:

(a) A static water level measurement be made and submitted before any use of water may commence at the well;

(b) Limits on acceptable amounts of depletion and interference with other users;

(c) Use of water from the well be controlled or shut off if limits specified in the permit to protect the resource from depletion, and prior appropriators from interference, are exceeded;

(d) The Department shall determine, from measurements submitted by the permittee/ appropriator, or other data on file in the department, the initial and subsequent water levels from which the previously cited declines are referenced;

(e) Following the issuance of a permit, the permittee/appropriator shall measure the water levels in the permitted well each year between March 1 and March 31 (spring high-water level) and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a certified water rights examiner, licensed water well driller, licensed pump installer, registered geologist, licensed land surveyor, registered professional engineer or the permittee/ appropriator;

(f) Any other conditions as specified in OAR 690-08 as deemed necessary to protect the groundwater resource.

[ED. NOTE: The Exhibit(s) referenced in this rule is not printed in the OAR Compilation. Copies are available from the Water Resources Department.]

Stat. Auth.: ORS Ch. 536 & 537

Hist.: WRD 4-1992, f. & cert. ef. 3-13-92; WRD 12-1993, f. & cert. ef. 9-9-92; WRD 3-1994, f. & cert. ef. 3-10-94, WRD - 1994, f. & cert. ef. 11-7-94

Application	Permit	Certificate Status	Lot	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
G 834	G 734			0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
				MU	MU	MU	MU	MU	MU	MU	MU	MU	M	M	MU	MU	MU	MU	MU
12/2/58																			
G 1019	G 900	28131	Cncl'd																
6/24/58			Gov't Lot: 4																
G 1019	G 900	47087																	
6/24/75			Gov't Lot: 4																
GR 1790	GR 1732																		
12/31/36																			
GR 2378	GR 2260																		
10/31/50																			
GR 3258	GR 3031																		
5/31/55																			
T 5476	CD 14901A			0															
12/31/56				MU															
G 6481	G 6103	47082																	
3/28/74			Gov't Lot: 4																
G 9054	G 8393	52406																	
12/14/78			Gov't Lot: 4																
G 10446	G 9771	56362		0															
7/13/81				MU															
G 11976																			
10/20/89																			

Notes: Primary is to be assumed. (S) indicates supplemental
Rights assumed non-canceled.

Type of Use >

Acres Status

< Supplemental indicator

PRE-IR APPLICATION PROCESSING OUTLINE

Application File # G-14764

MINIMUM REQUIREMENTS TO FILE

OAR 690-310-040

DATE

INITIAL

6-1-98

EMK

SURFACE AND GROUNDWATER APPLICATIONS

Name and mailing address of applicant

Source of water

Quantity of water

Map meeting requirements of OAR
690-310-050

Nature of proposed use

Names and addresses of legal owners

Easement/authorization statement

Legal description of POD/POU

Description of works and conveyance

Information on waste/measurement, etc

Land use approved pending

Signature/title of applicant

Oath

Estimated capacity of pump

Primary permit or certificate number
(if application is for supplemental)

Form M Q I R

Examination fee _____ Recording

CWRE map for dam >10ft AND storage >9.2 AF
(For standard reservoirs only)

ADDITIONAL FOR GROUNDWATER APPLICATIONS

Copy of well log (for existing wells)

Groundwater development

Well Characteristics

Rate of flow if no pumping required

HB 2376 Expedited Review Reservoir

Completed Application

Land use approved _____ pending _____

Map showing Township, Range, Section,
quarter-quarter section and tax lot info

HB 2376 exam fee \$10 per acre-foot

SUPPORT SERVICES

Stamp contents with application number

Place label on file and calendar card

Acknowledgment post card to applicant

Route to Initial Review

6-1-98

EMK