



# Oregon

Theodore R. Kulongoski, Governor  
December 1, 2008

## Water Resources Department

SOUTH CENTRAL REGION

Watermaster, District 17

5170 Summers Lane

Klamath Falls, OR 97603

Ph: 541-883-4182

Fax: 541-885-3324

www.wrd.state.or.us

Martha O. Pagel  
Equitable Center  
530 Center ST, NE, Suite 400  
Salem, OR 97301

Re: Audric Enterprises, Inc. – Use of Supplemental Ground water

Dear Martha,

I am writing to first thank you for the comprehensive letter and attached material related to the understanding of the phytophthora pathogens and secondly acknowledging that Oregon Water Resources Department concurs with your terms and conditions as described in your November 11, 2008, letter.

The following will apply to water use under Permit G-16071 only,

- A. The permit holder will provide notice to the Watermaster at least 60 days prior to the start of the irrigation season each year as to the number of acres to be planted for **strawberry nursery stock only**, up to a maximum of 150 acres per year, and the specific location of those acres.
- B. The permit holder will measure ground water use during the irrigation season and will provide an annual report of water use to the Watermaster/Groundwater Section by December 1<sup>st</sup> of each year.
- C. The permit holder will pursue the substitution process pursuant to OAR 690-380-2330 at the earliest opportunity.
- D. Ground water application G-16939 will be withdrawn.

I wish to thank you again for your efforts in researching this unusual situation and providing a workable solution for us and your client. If we can be of further assistance, please don't hesitate to contact me or Kyle Gorman at the regional office in Bend.

Sincerely,

Vernon L. Church  
Klamath Basin Water Manager

xc Kyle Gorman, Region Manager  
Debbie Colbert, Administrator, Field Services  
Doug Woodcock, Manager, Groundwater  
Juno Pandian, Manager, Enforcement



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December 2, 2008

## FINAL ORDER

Martha O. Pagel  
Equitable Center  
530 Center ST, NE, Suite 400  
Salem, OR 97301

Re: Audric Enterprises, Inc. – Use of Supplemental Ground water

Dear Martha,

I am writing to first thank you for the comprehensive letter and attached material related to the understanding of the phytophthora pathogens. The Oregon Water Resources Department concurs with your November 11, 2008 letter.

Consistent with the information provided in your letter, annual use of supplemental water right Permit G-16071 will be subject to the following:

- A. The permit holder will provide notice to the Watermaster at least 60 days prior to the start of the irrigation season each year as to the number of acres to be planted for **strawberry nursery stock only**, up to a maximum of 150 acres per year, and the specific location of those acres.
- B. The permit holder will measure ground water use during the irrigation season and provide an annual report of water use to the Watermaster and Groundwater Section in Salem by December 1<sup>st</sup> of each year.
- C. The permit holder will pursue a substitution pursuant to OAR 690-380-2330 at the earliest opportunity.
- D. Ground water application G-16939 will be withdrawn.

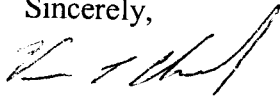
### NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

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Pagel, Martha O.

I wish to thank you again for your efforts in researching this unusual situation and providing a workable solution for us and your client. If we can be of further assistance, please don't hesitate to contact me or Kyle Gorman at the regional office in Bend.

Sincerely,



Vernon L. Church  
Klamath Basin Water Manager

xc Kyle Gorman, Region Manager  
Debbie Colbert, Administrator, Field Services  
Doug Woodcock, Manager, Groundwater  
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