

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME GRACE DINSDALE		PHONE (HM)	
PHONE (WK) 503-207-0265	CELL 503-707-4997	FAX 503-357-2932	
ADDRESS P.O. BOX 1130			
CITY CORNELIUS	STATE OR	ZIP 97113	E-MAIL * GHDINSDALE@BLOOMINGNURSERY.COM

Organization Information

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME PACIFIC HYDRO-GEOLOGY INC. (MALIA KUPILLAS)		PHONE	FAX
ADDRESS 18487 S. VALLEY VISTA RD			CELL 503-310-5553
CITY MULINO	STATE OR	ZIP 97042	E-MAIL * PHG@BCTONLINE.COM

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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APR 25 2013

By my signature below I confirm that I understand:

WATER RESOURCES DEPT
SALMON, OREGON

- 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.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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 cancelled.
- 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 (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Grace Dinsdale
Print Name and title if applicable

2/20/2012
Date

Applicant Signature

Print Name and title if applicable

Date

Revise

APP No. S-03072	For Department Use Permit No.	Date
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SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- 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 irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: <u>Pond</u>	Tributary to: <u>Diffuse surface water to Dairy Creek</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A above?

- Yes.
- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Pond	Nursery	Year Round	9.2 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only: NA

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: _____ Acres Supplemental: **48** Acres

List the Permit or Certificate number of the underlying primary water right(s): **Being applied for at the same time**

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: **9.2**

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: NA
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

NA

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 WR

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type): 60 HP submersible or other size and type if more appropriate

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water will be diverted from the pond with a submersible or centrifugal pump placed in or near the deepest part of the pond. The water will be conveyed through buried and above ground mainlines that have not been installed at this time. A companion storage permit is being submitted with this application that contains the details for constructing the pond.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Drip, spray sticks, high-pressure nozzles, or other method consistent with best management practices

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Water will be applied to the plants as necessary for growth and health using best management practices.

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SECTION 6: RESOURCE PROTECTION

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In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: Pond is off channel, not applicable

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Pond is off channel, not applicable

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: Pond is off channel, not applicable

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Primary purpose for pond is erosion and run-off control, not applicable

SECTION 7: PROJECT SCHEDULE

Date construction will begin: May 2013

Date construction will be completed: July 2013

Date beneficial water use will begin: July 2013

SECTION 8: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name Tualatin Valley Irrigation District	Address 2330 Elm St.	
City Forest Grove	State OR	Zip 97113

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

Primary purpose for this pond is for erosion and run-off control. The pond will also serve as a bulge in the system for storing ground water pumped under a ground water permit. Because the pond will capture diffuse surface water, a surface water right is needed to use that component of the stored water.

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SALEM, OREGON

Land Use

Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant: GRACE DINSDALE
First Last

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Mailing Address: P.O. BOX 1130

APR 25 2013

CORNELIUS OR 97113 Daytime Phone: 503.707.4997 CELL
City State Zip

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A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
1N	3W	15		1N3150300	Ag	<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, and/or used or developed:

Washington County

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
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

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

Estimated quantity of water needed: 0.8
 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 Nursery

Briefly describe:

Water will be pumped from the wells into the reservoir, and the reservoir will serve as a bulge in the system. In addition, surface water will also be stored and pumped from the reservoir for nursery use.

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

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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): NURSERY - AG USE
- Land uses to be served by the 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 checked="" type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<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.

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SALEM, OREGON

Name: JONATHAN CZERNIAK Title: GIS ANALYST

Signature: [Signature] Phone: 503-846-8106 Date: 2.13.12

Government Entity: WASHINGTON 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: _____

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APR 25 2008

RECORDING REQUESTED BY:
GRANTOR'S NAME:
Phyllis J. Bockelmann, Successor Trustee of the
Magdalene E. Salzwedel Living Trust dated
August 1, 1997
GRANTEE'S NAME:
Grace Dinsdale
SEND TAX STATEMENTS TO:
Grace Dinsdale
P.O. Box 1130
Cornelius, OR 97113
AFTER RECORDING RETURN TO:
Grace Dinsdale
P.O. Box 1130
Cornelius, OR 97113

EXAMINED +
APPROVED
(x) GD

WATER RESOURCES DEPT
SALES OREGON

Escrow No: 20080007963-FTPOR08

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Phyllis J. Bockelmann, Successor Trustee of the Magdalene E. Salzwedel Living Trust dated August 1, 1997, Grantor, conveys and warrants to

Grace Dinsdale, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon:

Beginning at a stone on the West line of that tract of land in Sections 10, 11, 14, and 15, Township 1 North, Range 3 West, Willamette Meridian, conveyed to Gerhard Schwanke by deed as recorded at Page 67 of Volume 110 of Washington County, Oregon Deed Records, which beginning point is said to bear East 1652.0 feet and South 18°00' West 1360.3 feet from the Northwest corner of the Benj. Cornelius, Sr. D.L.C. No. 45; thence from the place of beginning South along the West line of said Schwanke tract 1683.0 feet to the Southwest corner thereof; thence North 72°52' East along the South line of said Schwanke tract 1533.8 feet to the Southeast corner thereof; thence North 11°40' East, along the East line of said Schwanke tract 1199.2 feet; thence North 88°06' West 25.0 feet to an iron pipe; thence continuing North 88°06' West 1684.1 feet to the place of beginning.

EXCEPTING THEREFROM that tract conveyed to George Zetzman and Herman Kamna, Trustees of the Evangelical Lutheran Zion Church by deed as recorded at Page 510 of Volume 88 of said Deed Records.

Subject to and excepting:

Property herein has been classified for farm use as disclosed by the tax roll. Rights of the public & governmental agencies in and to any portion of land lying within the boundaries of streets, roads and highways. Easements of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$864,000.00. (See ORS 93.030)

DATE: June 3, 2008

Phyllis J. Bockelmann, Successor Trustee of the
Magdalene E. Salzwedel Living Trust dated August
1, 1997

S-07892

BY: _____
Phyllis J. Bockelmann, Successor Trustee

State of OREGON
COUNTY of Clackamas

This instrument was acknowledged before me on _____, 20____
by Phyllis Bockelmann, Successor Trustee of the Magdalene E. Salzwedel Living Trust dated August 1,
1997.

_____ Notary Public - State of Oregon
My commission expires:

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APR 25 2010

WATER RESOURCES DEPT
SALE SECTION

S-87892