

Application for a Permit to Use Ground Water



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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

SALEM, OR

NAME TYLER SPURGEON		PHONE (HM) (503)502-6483	
PHONE (WK) (503)213-2087	CELL	FAX (503)634-2166	
ADDRESS 32905 S. MORCOM ST.			
CITY WOODBURN	STATE OR	ZIP 97071	E-MAIL* SPURGEON@DOW.COM

Organization Information

NAME DOW AGROSCIENCES		PHONE (503)213-2087		FAX (503)634-2166	
ADDRESS 32905 S. MORCOM ST.				CELL	
CITY WOODBURN	STATE OR	ZIP 97071	E-MAIL*		

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

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

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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.)

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.
- I cannot use water legally until the Water Resources Department issues a permit for this new use.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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.

Tyler Spurgeon
Applicant Signature

Tyler Spurgeon, Site Leader
Print Name and title if applicable

30 May 2013
Date

Applicant Signature

Print Name and title if applicable

Date

Site is currently legally using water under the exemption and is in compliance with current law.

For Department Use		
App. No. <u>G-17713</u>	Permit No. _____	Date _____

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.

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

N/A

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
L111238	The Pudding River	.82 miles	70 ft change to river Both wells at same elevation
L111239	The Pudding River	.69 miles	70 ft change to river Both wells at same elevation

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

Site map of wells relative to nearest surface water source also shows elevation change

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Willamette Basin

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Total maximum rate requested: 1cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

51721-5

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE- FEET)
Site Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L111238	<input type="checkbox"/>	6 "	UNKN	UNKN	UNKN	40' on 4-11-91	Willamette Basin	76'	100 GPM	N/A
High Cap. Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L111239	<input type="checkbox"/>	8 "	UNKN	UNKN	UNKN	38' on 4-11-91	Willamette Basin	115'	349 GPM	N/A
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. Assign a well log ID to each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	All Year Long	12
Potable Water	All Year Long	Exempt

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: 10 Acres Supplemental: Acres
 List the Permit or Certificate number of the underlying primary water right(s): None
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:

If the use is **mining**, describe what is being mined and the method(s) of extraction:

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

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Pump (give horsepower and type): Est. 2 Hp submersible 145 GPM and Est. 1/2 Hp 14 GPM Electric

Other means (describe):

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

B. Application Method

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

Drip Irrigation and Irrigation Hoses

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 aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

Water is needed to periodically supplement natural rainfall to ensure plant health and growth. Amount of water will only be used to obtain objective of plants. Water will not be used in access to where it will cause excessive runoff and pollute local stream or cause any local depletion of water resources. Potable water is ran through a septic system and seepage field. There will be no anticipated discharge of contaminated water. Thus there will be no adverse impact to adjacent surface waterways or local water needs.

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SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

N/A

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SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

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Reservoir name: N/A Acreage inundated by reservoir: _____

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Use(s): _____

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Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): N/A

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Not Applicable, We are applying for water rights to secure rights for water that will be used for irrigation purposes and to have the ability to expand greenhouse water use if needed. Current water use is below the 5000 gal/day industrial threshold.

Date construction will be completed: Existing Well

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Date beneficial water use will begin: June 2013

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SECTION 9: WITHIN A DISTRICT

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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 N/A	Address	
City	State	Zip

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: Dow AgroSciences SALEM, OR
First Last

Mailing Address: 32905 S. Morcom St.

Woodburn OR 97071 Daytime Phone: (503)213-2087
City State Zip

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:
5 South	1 West	14	SE-SE	2601	Industrial	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation /Potable Water
5 South	1 West	14	SE-SE	1901	Industrial	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation /Potable Water
						<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:

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Clackamas County
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B. Description of Proposed Use

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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) _____

Estimated quantity of water needed: 1 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 plants in greenhouses when needed year round and to water nearby 10 acre field. The water will also be used as potable water for the office and other commercial activities.

GI-773

Land Use Information Form



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725 Summer Street NE, Suite A
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(503) 986-0900
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NOTE TO APPLICANTS

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In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.
- 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:	
400		<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
		<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, OR SALEM, OR

Name: Clay City Title: Planner
 Signature: _____ Phone: 742452 Date: 7-3-13
 Government Entity: Clackamas Co.

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: Clackamas County Staff contact: Clay Glasgow
 Signature: _____ Phone: 503 7424520 Date: 7-3-13
not in groundwater limited area

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.

See bottom of Page 3. →

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After recording, return to:



\$53.00

01628264201200715110020021

10/30/2012 03:44:42 PM

Sandy Cortopassi
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, Indiana 46268
Tyler P. Spurgeon

D-FFDR Cnt=1 Stn=1 JANISKEL
\$10.00 \$16.00 \$17.00 \$10.00

FARM/FOREST LAND DEED RESTRICTION

GRANTOR: Agrigenetics Inc., a Delaware Corporation

GRANTEE: Clackamas County

As a condition of approval for a land use permit for a dwelling or other land use in an Agriculture or Forest zoning district approved by Clackamas County under Planning Division file number Z0035-11-C and/or pursuant to ORS 215.293, I/we, Agrigenetics, Inc., as owner/owners of property described as:

PARCEL I – Lot 46, WOODBURN ORCHARD TRACTS PLAT B, in the County of Clackamas and State of Oregon, excepting therefrom that portion as conveyed to Eulace H. and Ellen K. Morrison, his wife, by deed recorded February 23, 2000 as Fee No. 2000-011208.

PARCEL II – Lot 51, WOODBURN ORCHARD TRACTS PLAT C, in the County of Clackamas and State of Oregon.

hereby recognize and agree to the rights of adjacent and nearby landowners to conduct farm operations consistent with accepted farm practices and forest operations consistent with the Forest Practices Act and Rules, and recognize upon recording of this document that the landowner, and landowner's successors in interest, are prohibited from pursuing a claim for relief or cause of action alleging injury from farming and forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Agrigenetics, Inc.,
a Delaware Corporation

By: 

Printed: Rolando Meninato

Title: President

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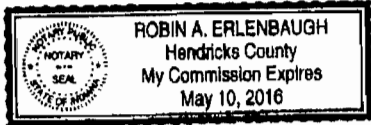
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Reserved for Notary Use

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, Robin A. Erlenbaugh, a notary public for said county and state, on this day personally appeared Rolando Meninato, known to me to be President of Agrigenetics, Inc., and executed the attached document.

Given under my hand and seal, this 26th day of October, 2012.



Robin A. Erlenbaugh
Robin A. Erlenbaugh, Notary Public

My Commission Expires: May 10, 2016

My County of Residence: Hendricks

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OUR INVOICE NUMBER	INVOICE AMOUNT	DISCOUNT / REDUCTION	NET AMOUNT	INVOICE DATE	OUR DOCUMENT NUMBER

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SALEM, OR

812742

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