

Form C (690-9-77)

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

**NOTE:** In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. G-13272

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

I, Reardon Nursery Inc, the holder of Permit No. G 11611

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1st day of Apr, 1995.

Remarks: \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of Aug, 1995

Reardon Nursery Inc Thomas R Reardon 10136 SE 282nd Burny OR 97009

(Signature of Applicant)

(Address)

Form B (690-9-77)

Application No. G-13272

**NOTICE OF COMPLETION OF CONSTRUCTION**

I, Reardon Nursery Inc, the holder of Permit No. G 11611

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 1st day of Apr, 1994.

Remarks: \_\_\_\_\_

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of Aug, 1995

Reardon Nursery Inc Thomas R Reardon 10136 SE 282nd Burny OR 97009

(Signature of Applicant)

(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Form A (690-9-77)

Application No. G-13272

**NOTICE OF BEGINNING OF CONSTRUCTION**

I, Reardon Nursery Inc, the holder of Permit No. G 11611

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the 1st day of Oct, 1993

Remarks: construction is essentially complete now

The appropriator must state the manner of beginning of construction, the amount of work completed and the type of equipment acquired for the water system up to the date of this statement, and any additional information which shows a substantial beginning of construction as authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of Oct, 1994

Reardon Nursery Inc Thomas R Reardon - Pres 10136 SE 282nd Burny OR 97009

(Signature of Applicant)

(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

REARDON NURSERY INC.  
10136 SE 282ND AVE  
BORING OR 97003

confirms the right to use the waters of TWO WELLS in the Johnson Creek Basin for NURSERY OPERATIONS ON 36.37 ACRES.

This right was perfected under Permit G-11611. The date of priority is JANUARY 26, 1993. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 198 GALLONS PER MINUTE (GPM), BEING 120 GPM FROM WELL 1 AND 78 GPM FROM WELL 2, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	1 S	4 E	WM	30	SW SW	NORTH 52 DEGREES 35 MINUTES 41 SECONDS EAST, 1070.1 FEET FROM SW CORNER, SECTION 30
2	1 S	4 E	WM	30	SW SW	NORTH 49 DEGREES 40 MINUTES EAST, 734.8 FEET FROM SW CORNER, SECTION 30

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	4 E	WM	31	NE NW	17.00
1 S	4 E	WM	31	NW NW	19.37

**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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

Groundwater production shall be from no shallower than 160 feet below land surface.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the wells at all times.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- B. The water user 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 water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alternation of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

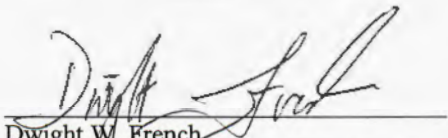
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued FEB 11 2011



Dwight W. French  
Administrator Water Rights and Adjudications, for  
Phillip C. Ward, Director  
Water Resources Department



# Oregon

John A. Kitzhaber, MD, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

**Date Mailed: February 11, 2011**

## **NOTICE OF CERTIFICATE ISSUANCE**

The attached certificate confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final 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 **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

# Mailing List for Certificate

Scheduled Mailing Date:

**Application:** G-13272

**Permit:** G-11611

**Certificate:** 86728

**Permit/Certificate Holder:**

REARDON NURSERY INC.  
10136 SE 282ND AVE  
BORING OR 97003

<b>Copies Mailed</b>	
by:	<u>Connie Vance</u> (STAFF)
on:	<u>FEB 11 2011</u> (DATE)

**Copies of Final Certificate to be sent to:**

1. Watermaster District 20, Sabrina M. White (include copy of map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault ✓
5. File

**Other persons to receive copies: (include map):**

1. J. H. Greenman, CWRE ✓

STATE OF OREGON

COUNTY OF CLACKAMAS

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86728

Groundwater production shall be from no shallower than 160 feet below land surface.

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In the event of a request for a change in point of appropriation, an additional point of appropriation or alternation of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued \_\_\_\_\_

**PROPOSED**

\_\_\_\_\_  
Dwight W. French  
Administrator Water Rights and Adjudications, for  
Phillip C. Ward, Director  
Water Resources Department

# Mailing List for Certificate

Scheduled Mailing Date:

**Application:** G-13272

**Permit:** G-11611

**Certificate:** \*\*\*\*\*

**Permit/Certificate Holder:**

REARDON NURSERY INC.  
10136 SE 282ND AVE  
BORING OR 97003 ✓

<b>Copies Mailed</b>
by: <u>Connie Vance</u> (STAFF)
on: <u>SEP 28 2010</u> (DATE)

**Copies of Final Certificate to be sent to:**

1. Watermaster District 20, Sabrina M. White (include copy of map) ✓
2. Data Center
3. Water Availability
4. Vault
5. File ✓

**Other persons to receive copies: (include map):**

1. J. H. Greenman, CWRE ✓





# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

DATE MAILED: SEP 28 2010

## NOTICE

Reference: Permit G-11611 Application G-13272

Enclosed is a proposed certificate of water right and a map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a Claim of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

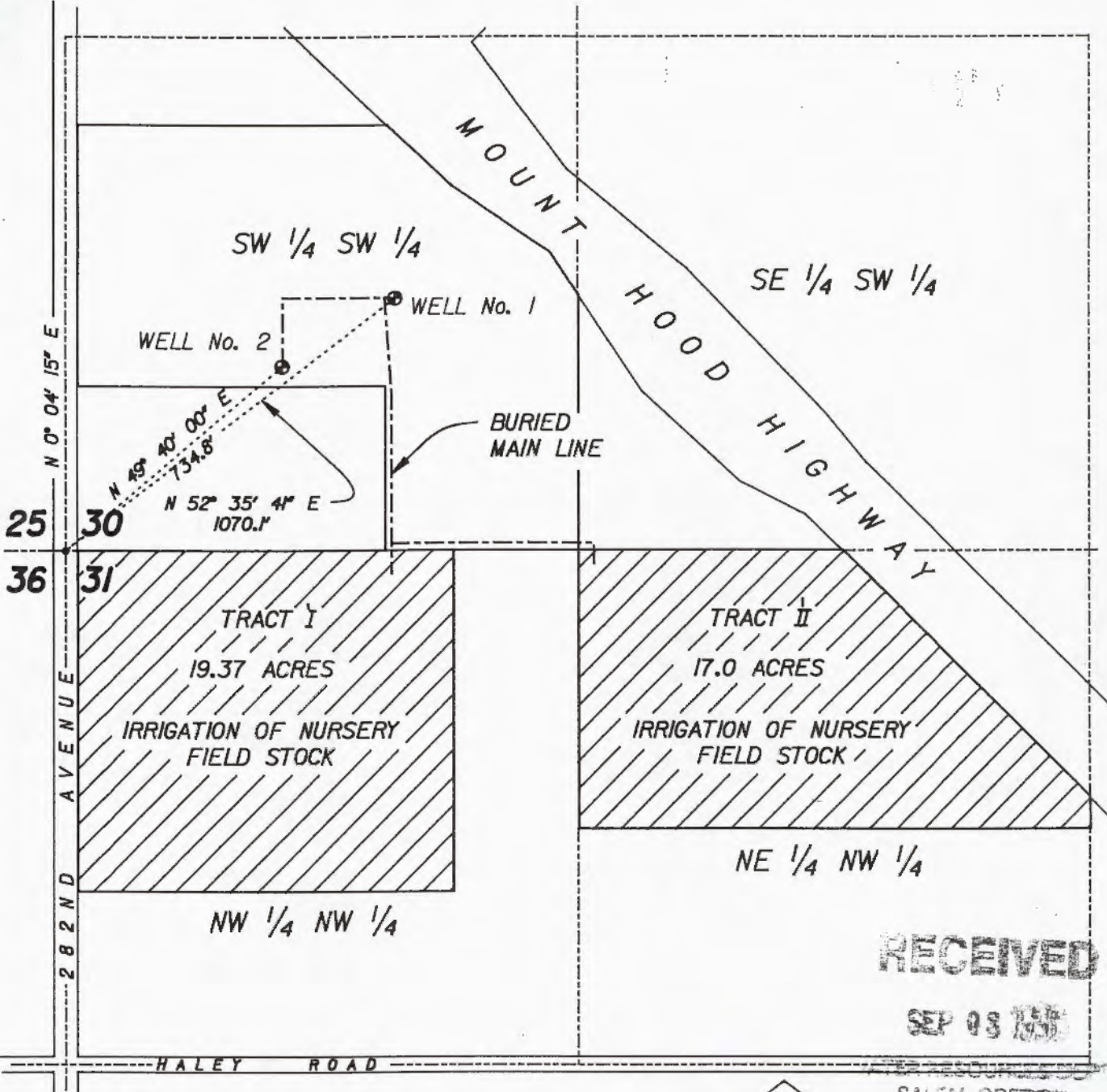
If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Jerry Sauter at 503-986-0817.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French  
Administrator  
Water Rights Division



This drawing is a Final Proof Survey for a Ground Water Right. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.

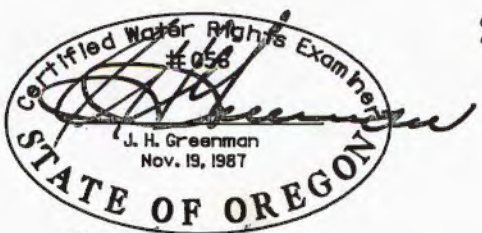


SCALE: 1" = 400'

**SECTIONS 30 & 31, T.1S., R.4E., W.M.  
CLACKAMAS COUNTY, OREGON**

Application No. **G-13272**

Permit No. **G-11611**



96/08/23

RECEIVED

SEP 03 1987

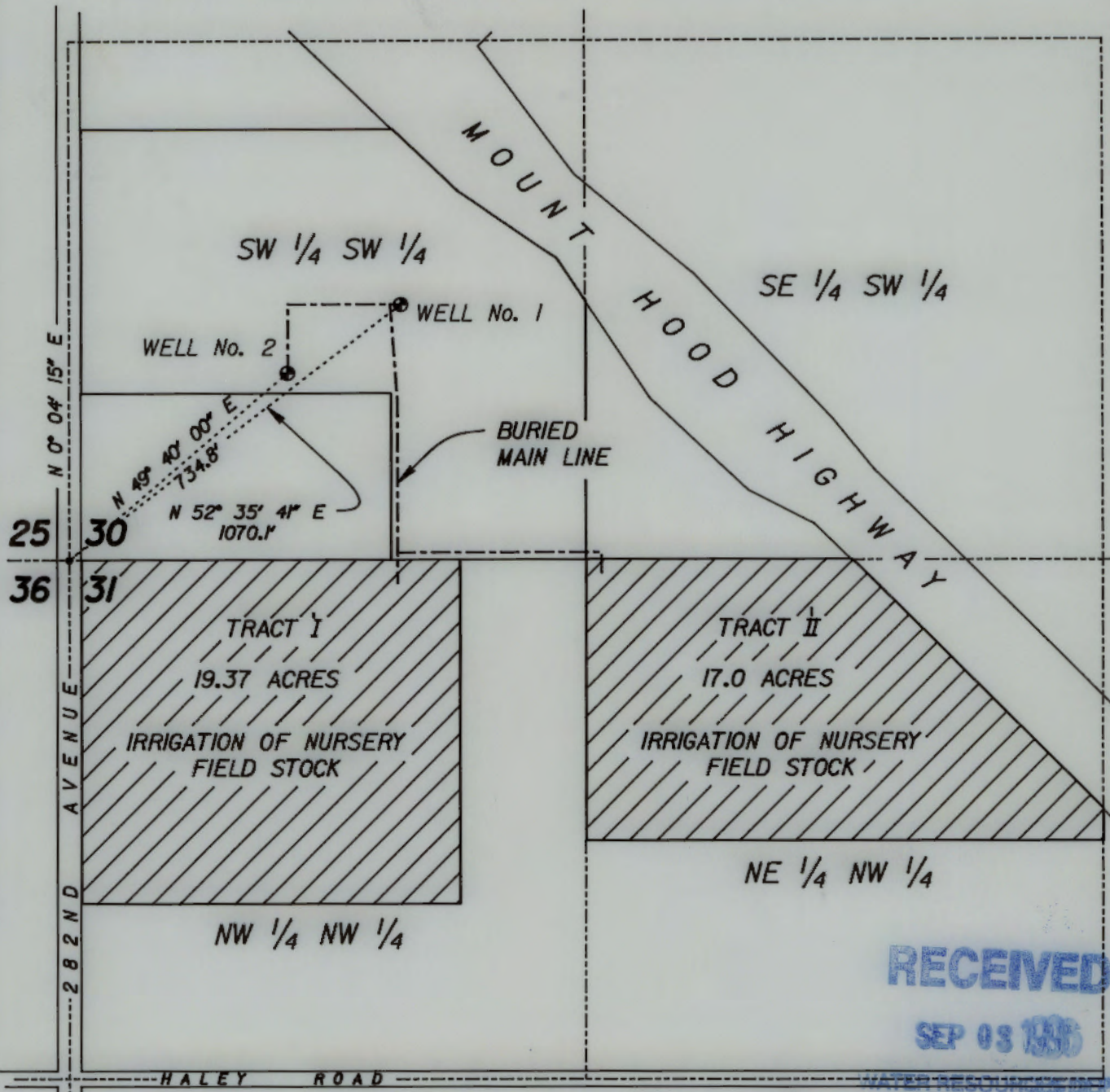
SALEM, OREGON



**HANER, ROSS &  
SPORSEEN, INC.**  
15 S.E. 82ND DRIVE  
GLADSTONE, OREGON 97027

**REARDON NURSERY INC.**  
**GROUND WATER RIGHT  
FINAL PROOF SURVEY**

630DD



RECEIVED  
 SEP 03 1988  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

This drawing is a Final Proof Survey for a Ground Water Right. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.

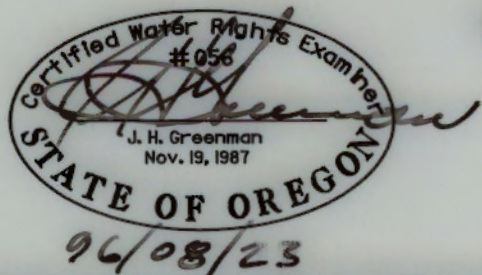


SCALE: 1" = 400'

**SECTIONS 30 & 31, T.1S., R.4E., W.M.  
 CLACKAMAS COUNTY, OREGON**

Application No. **G-13272**

Permit No. **G-11611**



**HANER, ROSS & SPORSEEN, INC.**  
 15 S.E. 82ND DRIVE  
 GLADSTONE, OREGON 97027

**REARDON NURSERY INC.**  
 GROUND WATER RIGHT  
 FINAL PROOF SURVEY

630DD

File C:\usr\trn\dgm\630dd.f.dgn edr 8/23/96

MAP REVIEW

- source and trib
- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use
- scale
- township, range, section
- north arrow
- CWRE stamp
- disclaimer
- date survey was performed
- P.O.B. of survey
- dimensions and capacity of diversion system
- "beneficial use" type title
- "permanent-quality" paper

REPORT

- permit conditions
- type of use
- extent of use
- rate and-duty
- time limits
- (A,B,C and transfers)
- crop type
- system capacity
- (with computations)

*Dumped  
APPROVED  
10/23/08*

# WhitePages

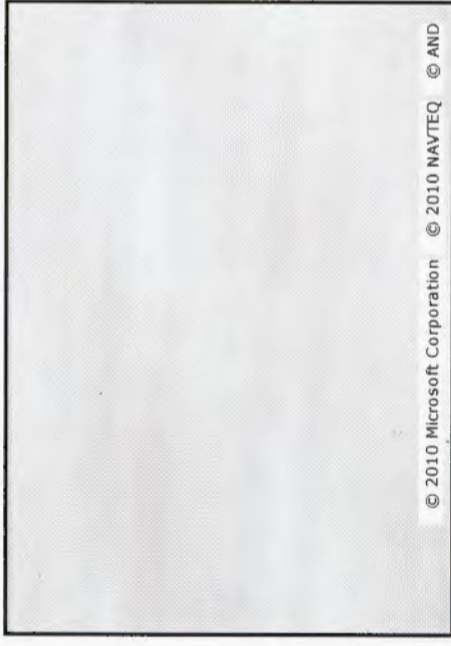
## Michael Reardon

W

10136 SE 282nd Ave  
Boring, OR 97009-8416  
(503) 663-4182

**Job:** Michael Reardon, Principal

Know me? [Ask me to update my listing.](#)



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Listing date: Sep. 2009

Name popularity and name meaning for first name Michael and last name Reardon.



# HANER, ROSS & SPORSEEN, INC.

ENGINEERS

CONSULTANTS

SURVEYORS

15 S.E. 82ND DR.  
GLADSTONE, OREGON 97027  
657-1384

REGISTERED ENGINEERS  
OREGON • WASHINGTON • IDAHO  
NEVADA • MONTANA



TO: Oregon Water Resources Department  
158 12th Street NE  
Salem, OR 97310-0210

## TRANSMITTAL NOTICE

DATE: September 3, 1996

RE: Reardon Nursery Water Rights

PROJECT NO: 630/DD

TRANSMITTED HEREWITH:

**RECEIVED**

**SEP 03 1996**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

NO. OF COPIES	DATED	TITLE
1	09/03/96	Site Report and Claim of Beneficial Use
1	08/23/96	Reardon Nursery Ground Water Final Proof Survey Vellum
1	09/13/96	Pump Test-Well No.1
1	09/17/96	Pump Test-Well No.2

REMARKS:

The Pump Test for Well No.1 is included for information only. Well No.1 has been replaced by a submersible pump and will be tested during irrigation usage.

- FOR APPROVAL
- FOR REVIEW
- FOR INFORMATION
- FOR QUOTATION
- PER YOUR REQUEST
- RETURN ONE SET BY:
- For Filing

BY: \_\_\_\_\_

J.H. Greenman, CWRE

TRANSMITTAL

**SITE REPORT AND CLAIM OF BENEFICIAL USE**

Permitee: Reardon Nursery, Inc.  
Land Owner: Thomas Reardon  
Interviewee: Michael Reardon  
Interview Date: 96/08/22  
Telephone: (503) 663-6773  
Mailing Address: 10136 S.E. 282nd Avenue  
Boring, OR 97003

**RECEIVED**  
SEP 03 1996  
WATER RESOURCES DEPT.  
SALEM, OREGON

Source: Two wells in the Johnson Creek Basin. Well Registration Statement (Certificate No. GR-3865) indicates completion of Well No. 1 July, 1951. The registration lists John J. Karstetter, Route 7, Box 218, Boring, OR, as owner, A.O. Olson as driller. The well log indicates completion of Well No. 2 to its present depth January 1992, the driller as Ted Pulliam, the owner as Reardon Nursery.

Diversion Point: Well No. 1 - SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 30, T1S, R4E, Willamette Meridian. Bearing North 52° 35' 41" East, 1070.1'± from the Southwest Corner of Section 30. Well No. 2 - SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 30, T1S, R4E, Willamette Meridian. Bearing North 49° 40' East, 734.8'± from the Southwest Corner of Section 30.

Motor & Pump: At the time the application was filed, Well No. 1 was served by a 13 stage deep well turbine driven by a 15 HP, 3 phase, 220 Volt motor. That pump was tested September, 1993 when the pumping rate was 104 gpm. The turbine was replaced with a Grundfos model 80S100-10 10 HP submersible pump January, 1995. The new pump has not yet been tested, however the pump curve indicates a yield in excess of 105 gpm against a pumping head of

230 feet (160 foot lift and 100 foot friction/velocity head). Well No. 2 is also served by a Grundfos model 865100-10 10 HP submersible pump. This pump was tested September, 1993 when the pumping rate was 97 gpm.

**Pipeline:** A 3" plastic buried mainline serves a buried distribution system that terminates in permanently placed impact sprinklers.

**Use:** Adopting the terminology of the August 28, 1992 Willamette Basin Program, the water is used for IRRIGATION. At the time of my visit the water applied under Permit G-11611 was being used for IRRIGATION OF NURSERY STOCK. I was informed by Mr. Reardon that water is also used for AGRICULTURE. At the time of my visit, the water was being applied to in-ground nursery stock.

**Observations:** This facility is served by a 3" diameter buried mainline that branches and serves both irrigated parcels. A buried PVC distribution system then serves each parcel. Sprinkler risers are spaced on both 30' x 30' centers and 30' x 40' centers. Two sets are watered at the same time. A set consists of 18 to 20 RainBird Series 20 sprinklers with 5/32" diameter nozzles. A 20 sprinkler set discharges (4.95gpm\*20) 99gpm so the two sets discharge 198gpm.

Totalizing flow meters are permanently installed immediately downstream of each wellhead.

**Comments:** The amount of water authorized for use under Permit G-11611 is 208 gpm, however when I observed the system, it was discharging no more than 198 gpm. Mr. Reardon is aware that a water right issued subsequent to and based upon this Site Report and Claim of Beneficial Use can not be issued for an amount greater than the amount of water capable of being put to use based upon my observations. Given the conditions I observed, this means the amount of water appropriated will be limited to not more than 198 gpm.

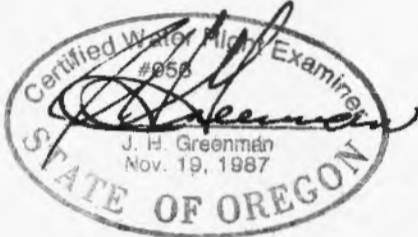
**RECEIVED**

**SEP 03 1996**

WATER RESOURCES DEPT.  
SALEM, OREGON

Survey Tie: The Southwest Corner of Section 30, T1S, R4E  
was used as the tie to Wells No. 1 & No. 2.

This final proof survey and inspection of the use as found to be completed under the terms and conditions of Permit G-11611 was completed by me on August 30 19, 1996, and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



*J. H. Greenman*  
\_\_\_\_\_  
J. H. Greenman  
Certified Water Right Examiner

96/09/05

I, Thomas Reardon, hereby agree to the findings of the CWRE and do submit this site report and map as my Claim of Beneficial Use of the Water as provided under the terms and conditions of Permit G-11611.

*Thomas Reardon*  
\_\_\_\_\_  
Thomas Reardon  
Michael Reardon U-Prs/sec

**RECEIVED**  
**SEP 03 1996**  
WATER RESOURCES DEPT.  
SALEM, OREGON



File

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

REARDON NURSERY, INC.  
10136 S.E. 282ND AVENUE  
BORING, OREGON 97003

503-663-6773

to use the waters of TWO WELLS in the JOHNSON CREEK BASIN for NURSERY OPERATIONS ON 36.37 ACRES.

This permit is issued approving Application G-13272. The date of priority is JANUARY 26, 1993. The use is limited to not more than 204 GALLONS PER MINUTE (GPM), BEING 124 GPM FROM WELL 1 AND 80 GPM FROM WELL 2, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

SW 1/4 SW 1/4, SECTION 30, T 1 S, R 4 E, W.M.; WELL 1 - NORTH 52 DEGREES 35 MINUTES 41 SECONDS EAST 1070.1 FEET, WELL 2 - NORTH 49 DEGREES 40 MINUTES EAST 734.8 FEET, BOTH FROM THE SW CORNER OF SECTION 30.

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Groundwater production shall be from no shallower than 160 feet below land surface.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

NE 1/4 NW 1/4 17.00 ACRES  
NW 1/4 NW 1/4 19.37 ACRES  
SECTION 31  
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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.

Application G-13272

Water Resources Department

PERMIT G-11611

- 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before September 28, 1994 and shall be completed on or before October 1, 1995. Complete application of the water shall be made on or before October 1, 1996.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

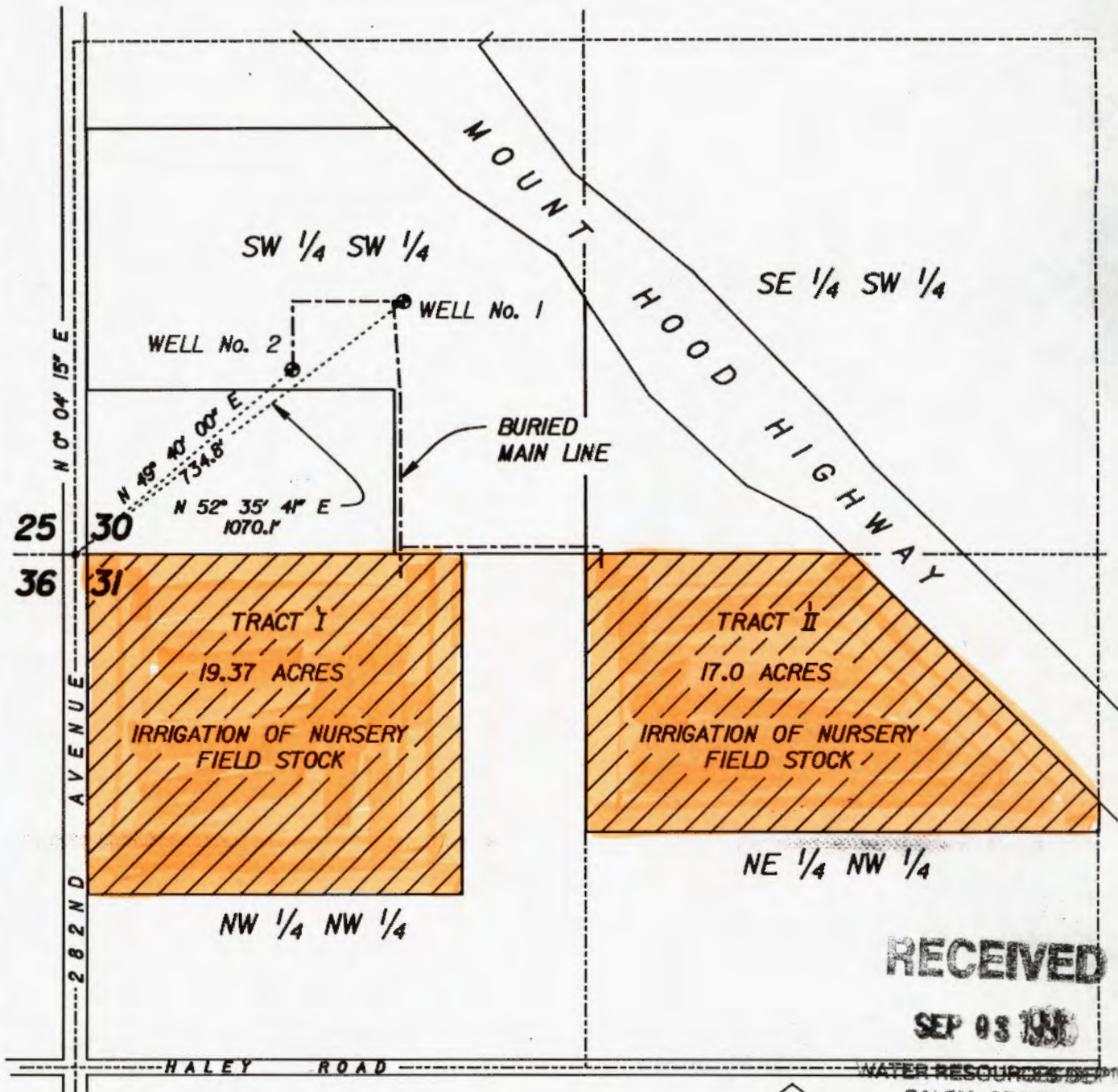
The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, September 28, 1993.

A. REED MARBUT

Water Resources Department  
Martha O. Pagel  
Director



**RECEIVED**  
 SEP 03 1987

WATER RESOURCES DEPT  
 SALEM, OREGON

This drawing is a Final Proof Survey for a Ground Water Right. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.

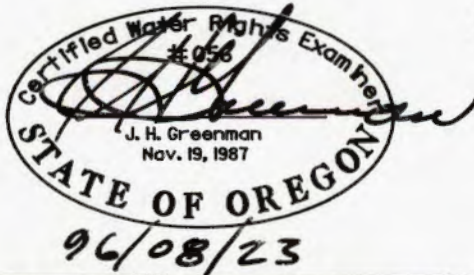


SCALE: 1" = 400'

**SECTIONS 30 & 31, T.1S., R.4E., W.M.  
 CLACKAMAS COUNTY, OREGON**

Application No. G-13272

Permit No. G-11611



**HANER, ROSS &  
 SPORSEEN, INC.**  
 15 S.E. 82ND DRIVE  
 GLADSTONE, OREGON 97027

**REARDON NURSERY INC.**  
**GROUND WATER RIGHT  
 FINAL PROOF SURVEY**

630DD

File C:\user\h\dgn\630dd.f.dgn edr 8/23/96



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

October 23, 2008

THOMAS R REARDON  
REARDON NURSERY INC  
10050 SE 282ND AVE  
BORING OR 97009-8415

The Department has reviewed and accepted the pump test results for CLAC 56571, which was tested on 09/17/1993. The Department has also approved your request to exempt additional wells, as listed below, based on OAR 690-217-0020 and the results of the tested well.

Application	Permit	Certificate	Transfer	POD	Test Status	Logid	Owner's Well Name
G 13272	G 11611			2	Approved	CLAC 56571	POTTING SHED WELL
G 13938	G 12707		T 8321	1	Approved	CLAC 51691	WELL 1; IMAN WELL

Please contact me if you have any questions.

Sincerely,

Emily Bray-Nash  
Ground Water/Hydrology Section

cc: GW Pump Test File

FROM: Groundwater/Hydrology Section Meyer  
Reviewer's Name

SUBJECT: Application G- 13272

1. **PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within N/A 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 surface water  
b.  will not    source, namely trib. to Johnson Creek; 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 water from substantial interference.

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 and/or  
b.    will not    within the capacity of the resource; or  
c.  can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;  
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.

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 100 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.

6-13272

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TWO WELLS

STATE OF OREGON  
 WATER RESOURCES DEPARTMENT  
 INTEROFFICE MEMO

date : 5/6/93

TO: File G- 13272  
 From: Sarah C Meyer  
 Subject: Surface/Ground Water Considerations

Applicant Reardon Nursery Inc.  
10136 SE 282nd Ave  
Boring

The applicant seeks 204 gpm from two wells for Nursery  
operations in the Johnson Creek Basin

T 15 R 4E S 30 SW SW County Clackamas

FACTS	WELL #1 (124 gpm)	WELL #2 (80 gpm)
Near-by stream	<u>trib. to Johnson Creek</u>	
Distance from stream		
elevation difference	<u>well-585</u>	<u>well-600</u>
	<u>Obs. Well #34, 35, 36</u>	
Depth of well	<u>275'</u>	<u>200 deepened to 255'</u>
Casing to	<u>240</u>	<u>200</u>
Lined to	<u>—</u>	<u>—</u>
Sealed to	<u>Seal ?</u>	<u>35</u>
<u>Perforated</u> screened	<u>160-240</u>	<u>177-198</u>
Well tests	<u>P/160/47'd.d.</u>	<u>B/35/43/1 530 A/45/245/2</u>
Water found first	<u>160</u>	<u>175' 200</u>
Water-bearing zones	<u>160-240</u> <u>Cemented</u> <u>gravels</u>	<u>175-200 200-253</u> <u>Cemented</u> <u>gravels</u> <u>slightly</u> <u>cemented</u> <u>gravels +</u> <u>boulder</u>
Static water level	<u>98'</u>	<u>107 114</u>
date	<u>1987</u>	<u>4/1/81 1-24-92</u>
Information sources	<u>Cont. # GR 3865</u>	<u>Ken Lite monitored this well</u>
Conceptual model	<u>Red Clay to 40' "Bedrock"</u> <u>to 160', Cemented gravel</u> <u>to 240' (WBZ), clay + gravel</u> <u>275'</u>	<u>172' of weathered</u> <u>rock + clay</u> <u>over water-bearing</u> <u>zone</u>
Confined/Unconfined?	<u>confined</u>	<u>confined</u>
Direct hydraulic conn.?	<u>YES</u>	<u>(NO)</u>
Substantial Interference?	<u>YES</u>	<u>(NO)</u>

Waterwatch - mmt.  
 Sandy-Boring G.W. Limited Study  
 Condition: No shallower than 160'

Shallow zone  
 around  
 ± 70' varies  
 Deeper zone's  
 in 100's

REARDON NURSERY  
10136 SE 282nd Avenue  
Boring, OR 97009

RECEIVED

APR - 3 1997

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon

WATER  
RESOURCES  
DEPARTMENT

RE: Required Well Water Level Report for ~~Well~~ G-13272

Our records indicate that you are the holder of groundwater permit . . . If you are no longer the holder of this permit or no longer have an interest in it, please contact our department.

This permit contains a provision which requires the permittee to cause the static water level in the well(s) to be measured and reported to this agency annually. Consulting your permit will show the required times for measuring and reporting, as well as a list of persons eligible to make the measurements. Please use this letter for your reply, placing any additional information on the back side if necessary. We recommend that you keep a copy of this measurement report for your records.

MEASUREMENT REPORT

REARDON NURSERY

*Not required form never sent w/ this App # to Reardon Nursery MSZ 4/11/97*

Well Name or Number (if any): \_\_\_\_\_

Application and ~~Permit~~ numbers: G-13272

Person Making Measurement: STEVE HOUGAK

Description of Measuring Point: WELL HEAD

WELL #1 (Turbine) Ground Level

Measuring Point Correction: WELL #2 - 18" ABOVE feet above/below land surface

WELL #1 (Oil Lube Well) 126' } CLAC 1065

Static Water Level: WELL #2 - 123' } feet above/ below land surface  
(Potting Shed Well) } CLAC 56571

Length of Time Well was Idle Before Measurement: 12 HOURS

Date of Measurement: 3/27/97

Calculation/Comments: POWERS WELL SOUNDER

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Signature of Person Making Measurement STEVE HOUGAK *See Wn*

Organization: STEVE'S PUMP SERVICE, INC.

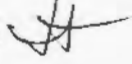


Thank you for your attention to this matter. If you have questions about this notice, please call the Groundwater/Hydrology Section of the Department at (503) 378-8455 ext. 207, or toll free at 1-800-624-3199.

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

INTEROFFICE MEMORANDUM  
WATER RESOURCES DEPARTMENT  
September 16, 1996

TO: Marilyn Baker, Pump Test Program Coordinator

FROM: Juno Trump, Certificate Section, ext. 244 

SUBJECT: Pump Test Requirements for Application G-13272

Has the landowner satisfied the pump test requirements under permit G-11611? Please check suitable response and return to me at your convenience.

\_\_\_\_\_ Yes, the landowner has satisfied the pump test requirement. Copy of approval letter is attached.

\_\_\_\_\_ No pump test report has been submitted under this permit.

\_\_\_\_\_ A pump test report has been submitted, but is deficient. Copy of letter is attached.

\_\_\_\_\_ A pump test report has been received, but has not been reviewed. Copy of letter will be forwarded to file and certificate staff after review is completed.

Thank you. If you have any questions, call me.



STATE OF OREGON

(JT-PGW)

COUNTY OF *Clackamas*

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

*Reardon Nursery, Inc.  
10136 SE 28<sup>th</sup> Avenue  
BORING, OREGON 97003*

confirms the right to use the waters of *two wells* in the *Johnson Creek* BASIN for *Nursery Operations on 36.37 acres.*

This right was perfected under Permit G- *13272*. The date of priority is *January 26, 1993*. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed *198 gals per minute* CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The wells <sup>are</sup> is located as follows:

*Well 1 - SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 30, T 15, R 4E, W.M.; North ~~49~~<sup>52</sup> degrees ~~27~~<sup>35</sup> minutes ~~41~~ seconds East 1070 feet from the SW corner, Section 30.*

The amount of water used for NURSERY OPERATIONS is limited to a maximum diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE- ~~ONE~~ <sup>amount</sup> ~~ONE~~ <sup>ed to</sup> ~~ONE~~ <sup>r its</sup> ~~ONE~~ <sup>to a</sup> ~~ONE~~ <sup>e for</sup> equivalent of one cubic foot per second (or its equivalent) and 5.0 ~~ONE~~ <sup>ed to</sup> ~~ONE~~ <sup>r its</sup> ~~ONE~~ <sup>to a</sup> ~~ONE~~ <sup>e for</sup> each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

*NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> 17.00 acres  
NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> 19.37 acres*

*Section 31  
Township 1 South, Range 4 East, W.M.*

*Well 2 - SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 30, T 15, R 4E, W.M.; North 49 degrees 40 minutes East 735 feet from the SW corner, Section 30.*

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. <sup>water user</sup> 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 <sup>water user</sup> permittee to keep and maintain a record of the amount (volume) of water used and may require the <sup>water user</sup> permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the <sup>water user</sup> permittee to report general water use information, the periods of water use and the place and nature of use of water under the <sup>water user</sup> permit. The Director may provide an opportunity for the <sup>water user</sup> permittee to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director of the Water Resources Department has found that the proposed use of water described by this ~~permit~~, as conditioned, will not impair or be detrimental to the public interest.

(M)

G-13772 .JT  
M:\S\WP51\JT-PCB

~~Failure to comply with any of the provisions of this right may result in penalties, or cancellation of the right.~~  
~~action including, but not limited to restrictions on the use, civil~~  
~~This right is for the beneficial use of water without waste. The water~~  
~~user is advised that new regulations may require the use of best~~  
~~practical technologies or conservation practices to achieve this end.~~  
~~The well shall be maintained in accordance with the General Standards~~  
~~for the construction and Maintenance of Water Wells in Oregon.~~  
~~The right to use water for the above purpose is restricted to beneficial~~  
~~use on the lands or place of use described.~~

well 2,

CLAC 1065



# Oregon Water Resources Department PUMP TEST COVER SHEET

Well No. 1

**Well Owner:**  
 Name THOMAS R. REARDON  
 Address 10136 SE 282nd  
 City, State, Zip Boring, OR 97009  
 County Clackamas

**Well Location:**  
 Twnshp 15 (N or S), Range 4E (~~XXXXXX~~)  
 Section 30 1/4, 1/4, 1/4 SW 1/4 SW 1/4  
 Well Depth 240 Date Drilled 1951  
 Owner's Well No. (if any) \_\_\_\_\_  
 POD-ID \_\_\_\_\_

**Water Right Information:**

Application No. G 13272 Permit No. \_\_\_\_\_ Certificate No. GR-3865  
 Is this well used for more than one water right? Y (Y/N) If Yes, fill out numbers below:  
 App. No. G-13272 Permit No. \_\_\_\_\_ Cert. No. \_\_\_\_\_  
 App. No. \_\_\_\_\_ Permit No. \_\_\_\_\_ Cert. No. \_\_\_\_\_

**Pump Test:**

Test conducted by Steve Hougak Well Owner? N (Y/N)  
 Company Steve's Pump Service, Inc.  
 Address 24300 SE Hoffmeister Road, Boring Date of Test 9/13/93  
 City, State, Zip Boring, OR 97009

Method of Discharge Measurement ELECTRONIC FLOW METER  
 Method of Water Level Measurement ELECTRONIC WELL SOUNDER  
 Depth of Air Line (if used) NO  
 Pump Type (Turbine, Submersible, etc.) OIL LUBE TURBINE  
 Was pump test conducted during normal use of the well NO (Y/N)

Description of point from which water level was measured WELL HEAD AT GROUND LEVEL  
 Is measuring point above or below ground level? \_\_\_\_\_  
 Distance between measuring point and ground level (correction factor) \_\_\_\_\_

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? N (Y/N) If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test \_\_\_\_\_

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? N (Y/N)  
 If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head: Approximate distance \_\_\_\_\_  
 Approximate elevation difference \_\_\_\_\_  
 Is well elevation above or below the surface water body? \_\_\_\_\_

**Static Water Level Measurements:** (Three measurements at least 20 minutes apart are required in the hour before pumping begins):

Time: <u>8:30</u>	Depth to Water: <u>129</u>	(ft/in)
Time: <u>8:50</u>	Depth to Water: <u>129</u>	(ft/in)
Time: <u>9:10</u>	Depth to Water: <u>129</u>	(ft/in)

**Discharge Measurements:** (A discharge measurement is required at the start of pumping and once an hour during the test):

Time: <u>9:30</u>	Discharge Rate: <u>111</u>	(gpm)
Time: <u>10:30</u>	Discharge Rate: <u>107</u>	(gpm)
Time: <u>11:30</u>	Discharge Rate: <u>104</u>	(gpm)
Time: <u>12:30</u>	Discharge Rate: <u>104</u>	(gpm)
Time: <u>1:30</u>	Discharge Rate: <u>104</u>	(gpm)

Pump turned on: Date: 9/13/93 Time: 9:30 Pump turned off: Date: 9/13 Time: 1:30  
 Total pumping time: 4 hours, \_\_\_\_\_ minutes.

Note: Well must be idle for at least 16 hours prior to the test.

**RECEIVED**

SEP 03 1996

OWRD 11/90

WATER RESOURCES DEPT.

Sent to pump test coordinator for approval.

9/16/96

OLD WELL

APPLICATION NO. G-132

PERMIT NO. \_\_\_\_\_

P.O.D.-10

All water level measurements must either be in 1) feet and inches, or 2) feet and decimal fractions. (Circle 0)

**DRAWDOWN DATA**

**RECOVERY DATA**

DATE	TIME	TIME SINCE PUMP STARTED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	COMMENTS	DATE	TIME	TIME SINCE PUMP STOPPED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	8 M
9/13/93	8:30	960			129		9/13	1:30	0			160	
	8:50	960			129			1:32	2			143'6	
	9:10	960			129			1:34	4			140	
9/13/93	9:30	0			129			1:36	6			139	
	9:32	2			141			1:38	8			138	
	9:34	4			147			1:40	10			137'4	
	9:36	6			149			1:45	15			136	
	9:38	8			150			1:50	20			136'4	
	9:40	10			156			1:55	25			136	
	9:45	15			158			2:00	30			135'8	
	9:50	20			159'8			2:15	45			135'4	
	9:55	25			159'8			2:30	60			134'4	
	10:00	30			159'8			2:45	75			133'4	
	10:15	45			159'8			3:00	90			133	
	10:30	60			159'10			3:15	105			132'4	
	10:45	75			159'10			3:30	120			131'2	
	11:00	90			159'10								
	11:15	105			160								
	11:30	120			160								
	11:45	135			160								
	12:00	150			160								
	12:15	165			160								
	12:30	180			160								
	12:45	195			160								
	1:00	210			160								
	1:15	225			160								
	1:30	240			160								

**RECEIVED**

SEP-03 1996

OWRD 10/90

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

CLAC 50651

SEP 03 1996



Oregon Water Resources Department  
**PUMP TEST COVER SHEET**

WATER RESOURCES DEPT.  
SALEM, OREGON  
Well No. 2



**Well Owner:**  
Name THOMAS R. REARDON  
Address 10136 SE 282nd  
City, State, Zip Boring, OR 97009  
County CLACKAMAS

**Well Location:**  
Township 15 (N or S), Range 4E (E or W)  
Section 30 1/4, 1/4, 1/4 SW 1/4 SW 1/4  
Well Depth 240 Date Drilled 1981, 1992  
Owner's Well No. (if any) \_\_\_\_\_  
POD-ID \_\_\_\_\_

**Water Right Information:**  
Application No. G-13272 Permit No. \_\_\_\_\_ Certificate No. \_\_\_\_\_  
Is this well used for more than one water right? Y (Y/N) If Yes, fill out numbers below:  
App. No. G-13272 Permit No. \_\_\_\_\_ Cert. No. \_\_\_\_\_  
App. No. \_\_\_\_\_ Permit No. \_\_\_\_\_ Cert. No. \_\_\_\_\_

**Pump Test:**  
Test conducted by STEVE HOUGAK Well Owner? N (Y/N)  
Company STEVE S. PUMP SERVICE, INC.  
Address 24300 SE Hoffmeister Road Date of Test 9/17/93  
City, State, Zip Boring, OR 97009

Method of Discharge Measurement ELECTRONIC FLOW METER  
Method of Water Level Measurement ELECTRONIC WELL SOUNDER  
Depth of Air Line (if used) \_\_\_\_\_  
Pump Type (Turbine, Submersible, etc.) SUBMERSIBLE  
Was pump test conducted during normal use of the well NO (Y/N)

Description of point from which water level was measured WELL HEAD  
Is measuring point above or below ground level? ABOVE  
Distance between measuring point and ground level (correction factor) 18"

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? N (Y/N) If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test \_\_\_\_\_

Is there a lake, stream or other surface water body within 1/4 mile of the tested well? N (Y/N)  
If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head: Approximate distance \_\_\_\_\_  
Approximate elevation difference \_\_\_\_\_  
Is well elevation above or below the surface water body? \_\_\_\_\_

**Static Water Level Measurements:** (Three measurements at least 20 minutes apart are required in the hour before pumping begins):

Time: <u>8:30</u>	Depth to Water: <u>124</u>	(ft/in)
Time: <u>8:50</u>	Depth to Water: <u>124</u>	(ft/in)
Time: <u>9:10</u>	Depth to Water: <u>124</u>	(ft/in)

**Discharge Measurements:** (A discharge measurement is required at the start of pumping and once an hour during the test):

Time: <u>9:30</u>	Discharge Rate: <u>105</u>	(gpm)
Time: <u>10:30</u>	Discharge Rate: <u>98</u>	(gpm)
Time: <u>11:30</u>	Discharge Rate: <u>98</u>	(gpm)
Time: <u>12:30</u>	Discharge Rate: <u>97</u>	(gpm)
Time: <u>1:30</u>	Discharge Rate: <u>97</u>	(gpm)

Pump turned on: Date: 9/17/93 Time: 9:30 Pump turned off: Date: 9/17 Time: 1:30  
Total pumping time: 4 hours, \_\_\_\_\_ minutes.

Note: Well must be idle for at least 16 hours prior to the test.

NEW WELL

PUMP TEST DATA

APPLICATION NO. G-13272 PERMIT NO. \_\_\_\_\_ P.O.D.-10 \_\_\_\_\_  
 All water level measurements must either be in 1) feet and inches, or 2) feet and decimal fractions. (Circle on

DRAWDOWN DATA						RECOVERY DATA							
DATE	TIME	TIME SINCE PUMP STARTED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	COMMENTS	DATE	TIME	TIME SINCE PUMP STOPPED (minutes)	DEPTH TO WATER FROM MEASURING PT	CORRECTION FACTOR	DEPTH TO WATER FROM GROUND LEVEL	COMMENTS
/17/93	8:30	960	125'6"	18"	124		9/17/	1:30	0	177'9"	18"	176'3"	
	8:50	960	125'6"	18"	124			1:32	2	143	18"	141'6"	
	9:10	960	125'6"	18"	124			1:34	4	137'8"	18"	136'2"	
/17/93	9:30	0	125'6"	18"	124			1:36	6	132'7"	18"	131'1"	
	9:32	2	160	18"	158'6"			1:38	8	131'7"	18"	130'1"	
	9:34	4	167'6"	18"	166			1:40	10	130'6"	18"	129	
	9:36	6	168'8"	18"	167'2"			1:45	15	130'6"	18"	129	
	9:38	8	169'6"	18"	168			1:50	20	130'2"	18"	128'5"	
	9:40	10	170'	18"	168'6"			1:55	25	129'10"	18"	128'4"	
	9:45	15	171'	18"	169'6"			2:00	30	129'10"	18"	128'4"	
	9:50	20	171'6"	18"	170			2:15	45	129'2"	18"	127'6"	
	9:55	25	172'	18"	170'6"			2:30	60	128'8"	18"	127'2"	
	10:00	30	172'8"	18"	171'2"			2:45	75	128'6"	18"	127	
	10:15	45	173'9"	18"	172'3"								
	10:30	60	174'5"	18"	172'1"								
	10:45	75	175'	18"	173'6"								
	11:00	90	175'6"	18"	174								
	11:15	105	175'8"	18"	174'2"								
	11:30	120	175'8"	18"	174'2"								
	11:45	135	176	18"	174'6"								
	12:00	150	176'6"	18"	175								
	12:15	165	177	18"	175'6"								
	12:30	180	177'8"	18"	176'2"								
	12:45	195	178	18"	176'6"								
	1:00	210	177'9"	18"	176'3"								
	1:15	225	177'9"	18"	176'3"								
	1:30	240	177'9"	18"	176'3"								

September 5, 1996

REARDON NURSERY INC.  
10136 SE 282ND AVE.  
BORING, OR 97003

REFERENCE: File G-13272

This will acknowledge that your claim of beneficial use and map in the name of REARDON NURSERY INC. were received on SEPTEMBER 3, 1996. These will be reviewed in the future to insure they are complete and correct.

Please contact me if you have any questions.

Sincerely,

*Don Knauer tcb*

DON KNAUER  
Program Representative

DEK:tcb

cc: J. H. GREENMAN, CWRE #56



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

OCT 11 1996

INTEROFFICE MEMORANDUM  
WATER RESOURCES DEPARTMENT  
September 16, 1996

TO: Marilyn Baker, Pump Test Program Coordinator

FROM: Juno Trump, Certificate Section, ext. 244 *JH*

SUBJECT: Pump Test Requirements for Application G-13272

Has the landowner satisfied the pump test requirements under permit G-11611? Please check suitable response and return to me at your convenience.

Yes, the landowner has satisfied the pump test requirement. Copy of approval letter is attached.

No pump test report has been submitted under this permit.

A pump test report has been submitted, but is deficient. Copy of letter is attached.

A pump test report has been received, but has not been reviewed. Copy of letter will be forwarded to file and certificate staff after review is completed.

Thank you. If you have any questions, call me.

pt. mem

*440 9639  
POD 08454*



December 13, 1993

THOMAS R REARDON  
10136 SE 282ND  
BORING OR 97009

*LLAC 50651*

RE: USER-ID # 9639

With regard to the pump test requirements for the following well and its associated water right:

POD-ID	Well	Application	Permit	Certificate	Status
28454	#2	G-13272	G-11611	0	Approved

The Water Resources Department has reviewed and accepted the pump test results you submitted. The Department requires no further testing of this well at this time. However, you will be required to submit a static water level measurement of the well on the ten-year anniversary of the test you conducted.

Our records indicate you have two wells on Permit G-11611, in which case, you may qualify for a multiple well exemption if all three of the following criteria are met:

- wells are located within a five-mile radius,
- wells appear to be completed in the same water-bearing zone and
- wells owned by the same landowner.

If you feel you qualify for a multiple well exemption, please send in a request with verification, such as appropriate well logs.

We appreciate your cooperation in this program. If you have any questions, please contact Mike Zwart or Bill Ferber at the address below or by calling 378-8455.

Sincerely,

*Wendy Mollgaard*  
*for*

FRED LISSNER, Manager  
Groundwater/Hydrology Section

cc: Water Rights Section

3128W



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Reardon Nursery  
 10136 SE 282<sup>nd</sup> Ave.  
 Boring, OR 97003  
 G-13272

4a. Article Number  
 P- 54316

4b. Service Type

Registered                       Certified  
 Express Mail                       Insured  
 Return Receipt for Merchandise    COD

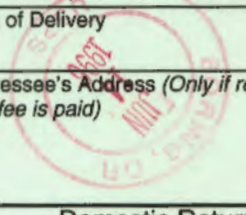
7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Valerie A. Zito*



June 3, 1996

WATER  
RESOURCES  
DEPARTMENT

REARDON NURSERY INC  
10136 SE 282ND AVE  
BORING OR 97003

REFERENCE: File G-13272

This letter is in regard to your water use Permit G-11611. As we pointed out to you in our letter of September 5, 1995, your claim of beneficial use must be received in this office by August 31, 1996.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before August 31, 1996, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER  
Water Rights Specialist

DM:jh

cc: Dave Jarrett, Watermaster  
J.H. Greenman, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



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

September 5, 1995

REARDON NURSERY INC  
10136 SE 282ND AVE  
BORING OR 97003

WATER  
RESOURCES  
DEPARTMENT

REFERENCE: File G-13272

We have received your notice that complete application of water has been made under Permit G-11611.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before August 31, 1996. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In addition, before the Water Right Certificate is issued, you are required to submit a well pump test. This test must be done according to the instructions in the brochure. Forms and brochures are available upon request.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER  
Water Rights Specialist

DM:jh

enclosure



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

December 13, 1993

THOMAS R REARDON  
10136 SE 282ND  
BORING OR 97009

RE: USER-ID # 9639

LLAC 50171

With regard to the pump test requirements for the following well and its associated water right:

POD-ID	Well	Application	Permit	Certificate	Status
28454	#2	G-13272	G-11611	0	Approved

The Water Resources Department has reviewed and accepted the pump test results you submitted. The Department requires no further testing of this well at this time. However, you will be required to submit a static water level measurement of the well on the ten-year anniversary of the test you conducted.

Our records indicate you have two wells on Permit G-11611, in which case, you may qualify for a multiple well exemption if all three of the following criteria are met:

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- wells appear to be completed in the same water-bearing zone and
- wells owned by the same landowner.

If you feel you qualify for a multiple well exemption, please send in a request with verification, such as appropriate well logs.

We appreciate your cooperation in this program. If you have any questions, please contact Mike Zwart or Bill Ferber at the address below or by calling 378-8455.

Sincerely,

*Wendy M. Nollgaard*

FRED LISSNER, Manager  
Groundwater/Hydrology Section

cc: Water Rights Section

3128W



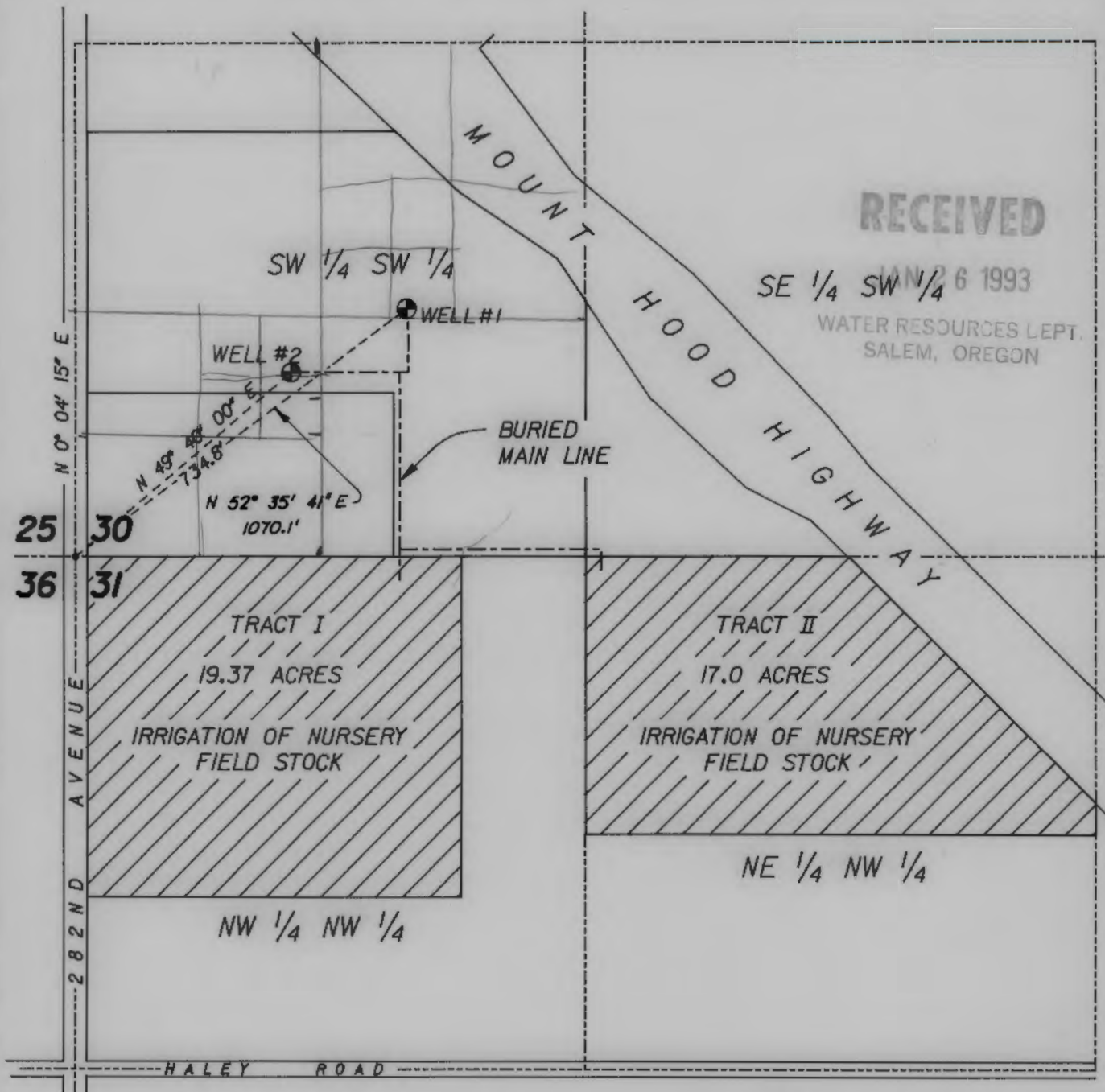
3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

G	13261	BRUSH CR > SILVER CR	WTHDRWN	ORS	538.120
G	13266	UMATILLA R > COLUMBIA R	WTHDRWN	ORS	538.450
G	13272	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
G	13272	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
G	13276	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
G	13281	STILL CR > ZIGZAG R	WTHDRWN	ORS	538.251
G	13287	NEIL CR > BEAR CR	WTHDRWN	SEO	V9 P489
G	13291	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
G	13291	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
G	13293	BEAR CR > SANDY R	WTHDRWN	ORS	538.251
G	13293	BEAR CR > SANDY R	WTHDRWN	ORS	538.251
G	13317	TUMALO CR > DESCHUTES R	WTHDRWN	ORS	538.110
G	13317	TUMALO CR > DESCHUTES R	WTHDRWN	ORS	538.110
G	13318	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
G	13326	UMATILLA R > COLUMBIA R	WTHDRWN	ORS	538.450
G	13340	BEAR CR > ROCK CR	WTHDRWN	SEO	V7 P229
G	13352	BEAR CR > ROCK CR	WTHDRWN	SEO	V7 P229
G	13367	UMATILLA R > COLUMBIA R	WTHDRWN	ORS	538.450
G	13383	UMATILLA R > COLUMBIA R	WTHDRWN	ORS	538.450
G	13406	UNN STR > BEAVER CR	WTHDRWN	SEO	V7 P75
G	13414	THOMAS CR > ROCK CR	WTHDRWN	SEO	V7 P229
G	13414	THOMAS CR > ROCK CR	WTHDRWN	SEO	V7 P229
G	13422	UMATILLA R > COLUMBIA R	WTHDRWN	ORS	538.450
G	13422	UMATILLA R > COLUMBIA R	WTHDRWN	ORS	538.450
G	13427	DRIFT CR > PUDDING R	WTHDRWN	SEO	V7 P227
G	13450	RODGERS CR > MCKINNEY CR	WTHDRWN	SEO	V7 P75
G	13450	RODGERS CR > MCKINNEY CR	WTHDRWN	SEO	V7 P75
G	13465	BEAR CR > ROCK CR	WTHDRWN	SEO	V7 P229
G	13492	TUMALO CR > DESCHUTES R	WTHDRWN	ORS	538.110
G	13495	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
G	13495	JOHNSON CR > WILLAMETTE R	WTHDRWN	ORS	538.170
R	41403	ROGUE R > PACIFIC OCEAN	WTHDRWN	ORS	538.270
R	69782	UNN STR > ANTELOPE CR	WTHDRWN	SEO	V9 P489
R	69989	FERRY CR > COQUILLE R	WTHDRWN	SEO	V11 P137
R	69989	FERRY CR > COQUILLE R	WTHDRWN	SEO	V11 P137
R	69989	FERRY CR > COQUILLE R	WTHDRWN	SEO	V11 P137
R	70168	ZIGZAG R > SANDY R	WTHDRWN	ORS	538.251
R	70168	ZIGZAG R > SANDY R	WTHDRWN	ORS	538.251
R	70168	ZIGZAG R > SANDY R	WTHDRWN	ORS	538.251
R	70771	UNN STR > CEDAR CR	WTHDRWN	ORS	538.251
R	70850	UNN STR > SALMON R	WTHDRWN	ORS	538.251
R	70850	UNN STR > SALMON R	WTHDRWN	ORS	538.251
R	70850	UNN STR > SALMON R	WTHDRWN	ORS	538.251
R	70850	UNN STR > SALMON R	WTHDRWN	ORS	538.251
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R	70850	UNN STR > SALMON R	WTHDRWN	ORS	538.251
R	70850	UNN STR > SALMON R	WTHDRWN	ORS	538.251
R	70850	UNN STR > SALMON R	WTHDRWN	ORS	538.251
R	71218	SANDY R > COLUMBIA R	WTHDRWN	ORS	538.251
R	71218	SANDY R > COLUMBIA R	WTHDRWN	ORS	538.251
R	71342	GARRET CR > ROCK CR	WTHDRWN	SEO	V7 P229
R	71530	BEAR CR > SANDY R	WTHDRWN	ORS	538.251
R	71530	BEAR CR > SANDY R	WTHDRWN	ORS	538.251
R	71835	UNN STR > DRIFT CR	WTHDRWN	SEO	V7 P227
R	71835	UNN STR > DRIFT CR	WTHDRWN	SEO	V7 P227
R	71954	SANDY R > COLUMBIA R	WTHDRWN	ORS	538.251
R	72096	DRY CR > ANTELOPE CR	WTHDRWN	SEO	V9 P489
R	72104	CROISAN CR > WILLAMETTE SL	WTHDRWN	SEO	V7 P33
R	72104	CROISAN CR > WILLAMETTE SL	WTHDRWN	SEO	V7 P33
R	72104	CROISAN CR > WILLAMETTE SL	WTHDRWN	SEO	V7 P33

///  
 // ATTENTION ///  
 // WATER RIGHTS SECTION!!! ///  
 ///

THE FOLLOWING POINT OF DIVERSIONS MAY HAVE BEEN FILED ON A WITHDRAWN STREAM

Application	Stream	Restriction
G 11751	ROGUE R > PACIFIC OCEAN	WTHDRWN ORS 538.270
G 11803	BATTLE CR > MILL CR	WTHDRWN SEO V7 P75
G 11892	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 11892	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 11892	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 11892	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12149	ROCK CR > PUDDING R	WTHDRWN SEO V7 P229
G 12149	ROCK CR > PUDDING R	WTHDRWN SEO V7 P229
G 12152	BEAVER CR > MILL CR	WTHDRWN SEO V7 P75
G 12152	BEAVER CR > MILL CR	WTHDRWN SEO V7 P75
G 12163	ROCK CR > PUDDING R	WTHDRWN SEO V7 P229
G 12171	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12184	MILL CR > WILLAMETTE R	WTHDRWN SEO V7 P75
G 12188	BEAR CR > ROCK CR	WTHDRWN SEO V7 P229
G 12249	BEAR CR > ROCK CR	WTHDRWN SEO V7 P229
G 12252	ROCK CR > PUDDING R	WTHDRWN SEO V7 P229
G 12352	BATTLE CR > MILL CR	WTHDRWN SEO V7 P75
G 12354	JOHNSON CR > WILLAMETTE R	WTHDRWN ORS 538.170
G 12354	JOHNSON CR > WILLAMETTE R	WTHDRWN ORS 538.170
G 12415	BATTLE CR > MILL CR	WTHDRWN SEO V7 P75
G 12415	BATTLE CR > MILL CR	WTHDRWN SEO V7 P75
G 12415	BATTLE CR > MILL CR	WTHDRWN SEO V7 P75
G 12416	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12481	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12505	BEAR CR > SANDY R	WTHDRWN ORS 538.251
G 12505	BEAR CR > SANDY R	WTHDRWN ORS 538.251
G 12505	BEAR CR > SANDY R	WTHDRWN ORS 538.251
G 12505	BEAR CR > SANDY R	WTHDRWN ORS 538.251
G 12506	DRIFT CR > PUDDING R	WTHDRWN SEO V7 P227
G 12581	UNN STR > PUDDING R	WTHDRWN SEO V7 P215
G 12645	ROGUE R > PACIFIC OCEAN	WTHDRWN ORS 538.270
G 12645	ROGUE R > PACIFIC OCEAN	WTHDRWN ORS 538.270
G 12665	UNN STR > SPRING VALLEY CR	WTHDRWN SEO V7 P42
G 12671	ROGUE R > PACIFIC OCEAN	WTHDRWN ORS 538.270
G 12671	ROGUE R > PACIFIC OCEAN	WTHDRWN ORS 538.270
G 12671	ROGUE R > PACIFIC OCEAN	WTHDRWN ORS 538.270
G 12673	MILL CR > WILLAMETTE R	WTHDRWN SEO V7 P75
G 12673	MILL CR > WILLAMETTE R	WTHDRWN SEO V7 P75
G 12673	MILL CR > WILLAMETTE R	WTHDRWN SEO V7 P75
G 12675	COX CR > WILLAMETTE R	WTHDRWN SEO V7 P98
G 12675	COX CR > WILLAMETTE R	WTHDRWN SEO V7 P98
G 12675	COX CR > WILLAMETTE R	WTHDRWN SEO V7 P98
G 12675	COX CR > WILLAMETTE R	WTHDRWN SEO V7 P98
G 12681	JOHNSON CR > WILLAMETTE R	WTHDRWN ORS 538.170
G 12698	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12744	CROISAN CR > WILLAMETTE SL	WTHDRWN SEO V7 P33
G 12744	CROISAN CR > WILLAMETTE SL	WTHDRWN SEO V7 P33
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12754	UMATILLA R > COLUMBIA R	WTHDRWN ORS 538.450
G 12776	UNN STR > BEAR CR	WTHDRWN SEO V7 P229
G 12791	JOHNSON CR > WILLAMETTE R	WTHDRWN ORS 538.170



**RECEIVED**

SE 1/4 SW 1/4 JAN 26 1993

WATER RESOURCES LEPT. SALEM, OREGON

This drawing is an exhibit for an Application for a Permit to Appropriate Ground Water. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.



SCALE: 1" = 400'



**SECTIONS 30 & 31, T.1S., R.4E., W.M. CLACKAMAS COUNTY, OREGON**

Application No. G-13272

Permit No. G-11611



**HANER, ROSS & SPORSEEN, INC.**  
15 S.E. 82ND DRIVE  
GLADSTONE, OREGON 97027

**REARDON NURSERY INC.**  
**GROUND WATER RIGHT APPLICATION MAP**

630DD

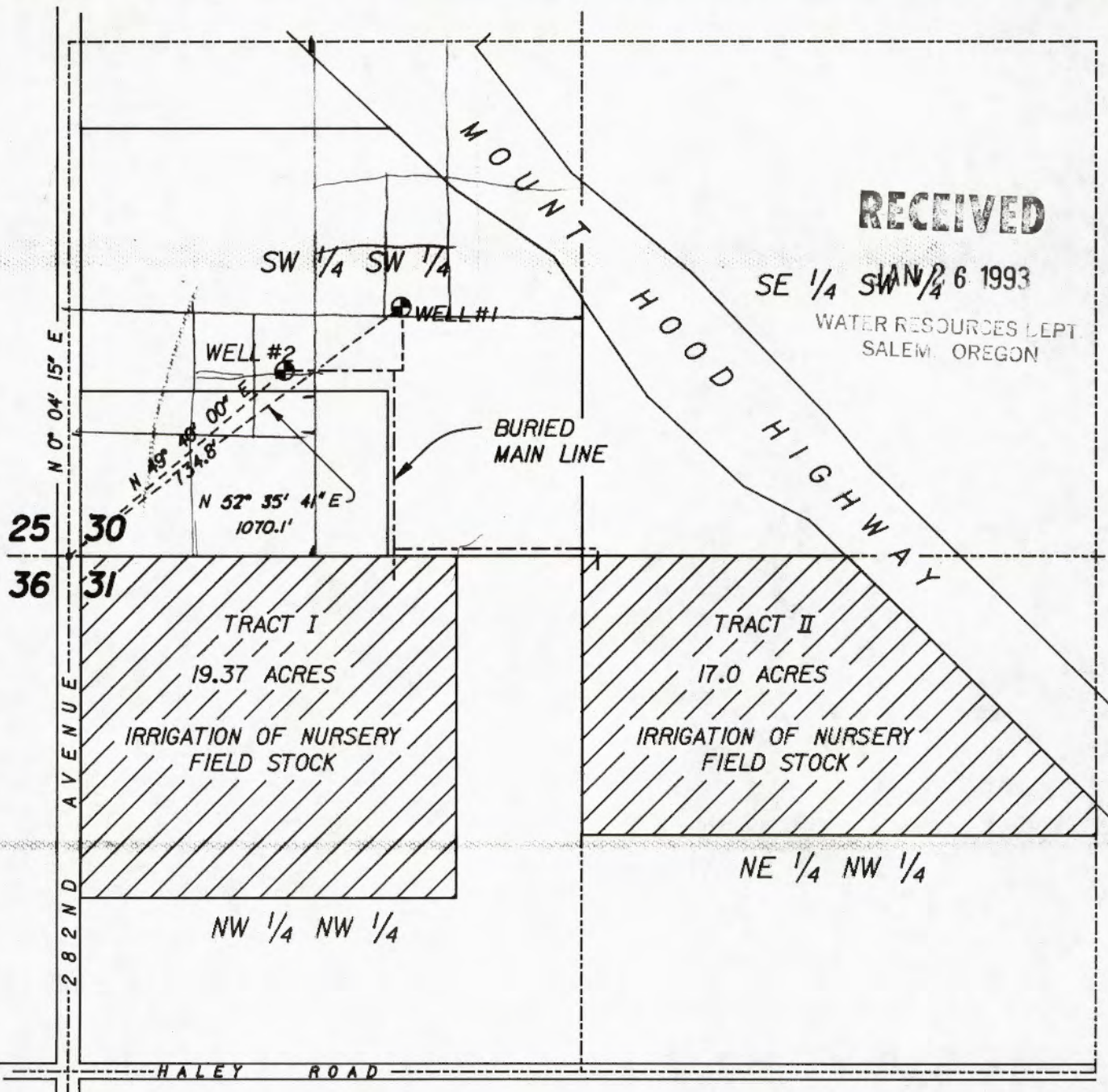
File 630dd.dgn



RECEIVED

SE 1/4 SW 1/4 6 1993

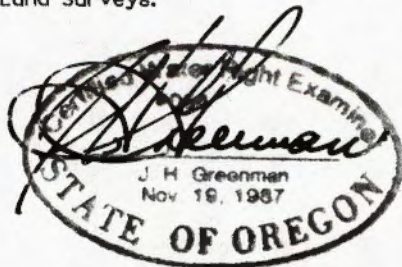
WATER RESOURCES DEPT.  
SALEM, OREGON



This drawing is an exhibit for an Application for a Permit to Appropriate Ground Water. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.



SCALE: 1" = 400'



SECTIONS 30 & 31, T.1S., R.4E., W.M.  
CLACKAMAS COUNTY, OREGON

Application No. G-13272

Permit No. G-11611



**HANER, ROSS &  
SPORSEEN, INC.**  
15 S.E. 82ND DRIVE  
GLADSTONE, OREGON 97027

**REARDON NURSERY INC.**  
**GROUND WATER RIGHT  
APPLICATION MAP**

630DD

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical is completed a report of the technical review of these applications will be delivered to you.

Application #s G13272, HE542, F6886 \_\_\_\_\_

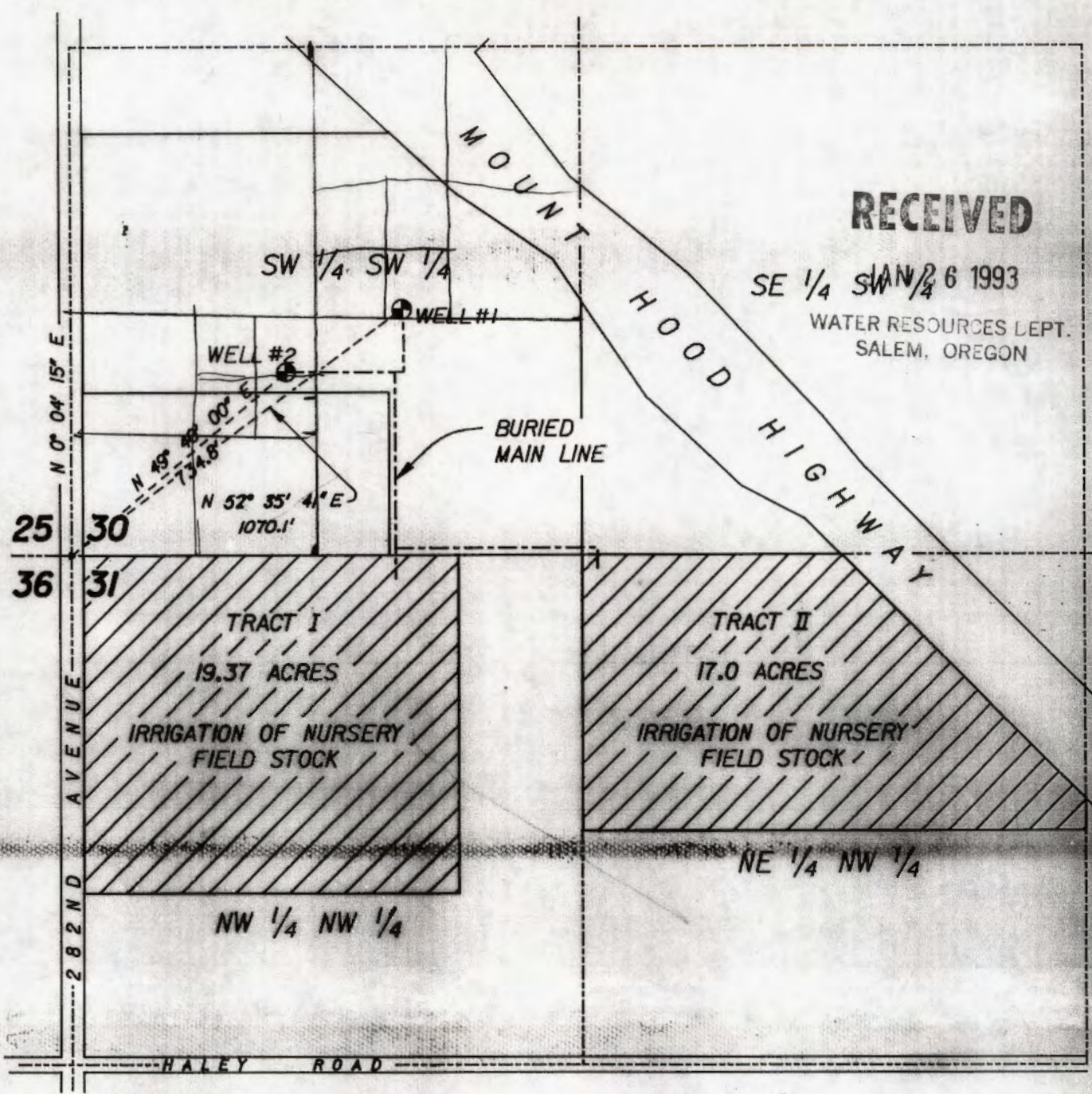
Send to: Watermaster  
State of Oregon Greg Beaman - Dist. # 1  
Columbia County Courthouse  
Rm 105  
St. Helens, OR 97051

Please include specific comments or concerns. Use additional sheets if necessary.

Return to:  
Oregon Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310

This Comment corresponds to the FEB/ 3/1993 Public Notice.

*Wry*  
*61-385*  
*NO EXISTING*  
*NEAR*  
*RA*



**RECEIVED**

SE 1/4 SW 1/4 6 1993  
 WATER RESOURCES LEPT.  
 SALEM, OREGON

This drawing is an exhibit for an Application for a Permit to Appropriate Ground Water. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.



SCALE: 1" = 400'

**SECTIONS 30 & 31, T.1S., R.4E., W.M.  
 CLACKAMAS COUNTY, OREGON**

Application No. G-13272

Permit No. G-11611



**H R S**  
**HANER, ROSS & SPORSEEN, INC.**  
 15 S.E. 82ND DRIVE  
 GLAOSTONE, OREGON 97027

**REARDON NURSERY INC.**  
**GROUND WATER RIGHT APPLICATION MAP**

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

✓ CC: FILE # B-13272

✓ WATERWATCH

ODF&W

✓ WATERMASTER # 16

✓ REGIONAL MANAGER - NW

✓ OTHER ADDRESSES: CWRE J.H. Greenman

Juanita Michael, 5524 SE Lincoln, Pd/ OR 97215

CASEWORKER

ORIGINAL TO APPLICANT

## PUBLIC INTEREST REVIEW

The proposed water use described in Application #G13272 has been evaluated according to the public interest standards set out in ORS 537.170 and OAR 690-11-195.

The application requests the use of 0.45 CFS from the/a WELLS tributary to the Johnson Creek Basin for the purpose(s) of IRRIGATION OF 36.37 ACRES OF.  
NURSERY STOCK

The proposed use described in Application #G13272 is not within a category required to be submitted to the Commission.

The Director of the Water Resources Department has evaluated the application for the proposed water use and made the following public interest determination.

### TECHNICAL REVIEW

If satisfactory-

Water use Application #G13272 received a Satisfactory Report of Technical Review.

The technical review revealed that the proposed water use:

- a)-is not prohibited by statute or scenic waterway criteria;
- b)-is a classified use under the applicable basin program or an application for the use has been filed under ORS 536.295 and OAR 690 Division 82;
- c)-is consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d)-will not conflict with (an) existing water right(s);
- e)-is supported by an available source of water.

If unsatisfactory-

Water use Application # \_\_\_\_\_ received an Unsatisfactory Report of Technical Review.

The technical review conducted according to OAR 690-11-160 on the water use application revealed that the proposed water use:

- a) -is prohibited by statute or scenic waterway criteria;
- b) -is not a classified use under the applicable basin program and an application for the use has not been filed under ORS 536.295 and OAR 690, Division 82;
- c) -cannot be modified to be consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d) -would conflict with (an) existing water right(s), or
- e) -water is not available from the source to support the proposed water use.

As the result of the above finding based on the technical review conducted on this water use application, the Director concluded that the proposed water use would impair or be detrimental to the public interest.

*llc  
9/28/93*

**PUBLIC INTEREST REVIEW  
CHECKLIST**

The Director of the Water Resources Department has evaluated the proposed water use, as described in Application # G13272, in light of current and planned uses and reasonably anticipated future demands for water from the water source as established in the record.

The evaluation has recognized known beneficial uses of water, including but not limited to the categories described in OAR 690-11-195(3)(a)-(d).

The Director has reviewed the elements of the proposed water use and has based the public interest determination on evidence in the record which included the following:

I. Existing claims to water from the same source.

lec

There are no conflicts with existing claims to water from the same source as is documented in the Report of Technical Review.

Comment: \_\_\_\_\_  
\_\_\_\_\_

II. Land use matters.

lec

The local government where the proposed water use is located has acknowledged receipt of the Land Use Information Form and has filed no objections to the proposed appropriation.

Comment: \_\_\_\_\_  
\_\_\_\_\_

UC

Public notice of the proposed water use was sent to all local governments which have requested such notice and none of those local governments have filed objections to the proposed water use.

Comment: \_\_\_\_\_  
\_\_\_\_\_

UC

There is nothing in the record to indicate the proposed water use is incompatible with Statewide Planning Goals or local comprehensive plans.

Comment: \_\_\_\_\_  
\_\_\_\_\_

NA

If local government approval has not been granted, there is nothing in the record to indicate conditions cannot be placed on the proposed water use to require local land use approval prior to initiation of the use.

Comment: \_\_\_\_\_  
\_\_\_\_\_

NA

An applicant for municipal water use has submitted information showing the proposed water use is compatible with comprehensive plan policies concerning urban services, urban growth boundaries, and Public Facilities Plans.

Comment: \_\_\_\_\_  
\_\_\_\_\_

III. Identified environmental concerns.

UC

The proposed water use does not appropriate water from any water body listed to receive Total Maximum Daily Loads and therefore, the water body has not been defined as water quality limited according to Section 303(d)(1) of the Federal Clean Water Act according to the information supplied by the Oregon Department of Environmental Quality.

Comment: \_\_\_\_\_  
\_\_\_\_\_



IV. The character and extent of other natural resources which are present in the water source basin.

MC

Oregon Fish and Wildlife (ODFW) has been notified of the proposed water use and has made no objections regarding fish and other aquatic and wildlife species and populations.

Comment: \_\_\_\_\_  
\_\_\_\_\_

MC

There are no listed threatened or endangered species in the water source according to the information supplied by the Oregon Department of Fish and Wildlife.

Comment: \_\_\_\_\_  
\_\_\_\_\_

V. Riparian characteristics.

MC

There is nothing in the record to indicate the proposed use is likely to be detrimental to the riparian characteristics of the water source. This riparian review is not applicable to groundwater sources.

Comment: \_\_\_\_\_  
\_\_\_\_\_

VI. Recreational use and potential of the water source and its basin area.

MC

There is nothing in the record to indicate a conflict with known or reasonably anticipated recreational use.

Comment: \_\_\_\_\_  
\_\_\_\_\_

VII. Agricultural potential of the area.

MC

There is nothing in the record to indicate the proposed water use will conflict with known or reasonably anticipated agricultural practices.

Comment: \_\_\_\_\_  
\_\_\_\_\_

VIII. Designated historic, cultural, or natural resource protection areas.

MC

There is nothing in the record to indicate any conflict with any known or reasonably anticipated historic, cultural, or natural resource designations.

Comment: \_\_\_\_\_  
\_\_\_\_\_

IX. Identified health or safety requirements.

MC

There nothing in the record to indicate any identified health and safety requirements.

Comment: \_\_\_\_\_  
\_\_\_\_\_

**PUBLIC INTEREST REVIEW  
FINDINGS AND CONCLUSIONS**

This public interest determination has considered the following standards as set out in ORS 537.170(5):

- a) The conservation of the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- b) The maximum economic development of the waters involved.
- c) The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- d) The amount of waters available for appropriation for beneficial use.
- e) The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- f) All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- g) The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.

The Director of the Water Resources Department, pursuant to OAR 690-11-185(4), has considered the facts set forth in the application and its supporting data, the Director's report of technical review and any objections which met the requirements of OAR 690-11-170(1).

The Director of the Water Resources Department has evaluated the proposed water use with respect to all the information in the record of the Department and has made the following public interest determination.

The Director has determined that the proposed water use described in Application # G13272 :

WILL IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director hereby proposes rejection of the application and shall schedule a contested case hearing.

WILL NOT IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director shall issue a water use permit with appropriate conditions.

*C. Reed Marbut*  
A. REED MARBUT

*dr /*

Martha O. Pagel, Director  
Water Resources Department

Signed this 28 day of September, 1993, in the office of the Director.

July 23, 1993

REARDON NURSERY, INC.  
10136 SE 282 ND AVE  
BORING, OR 97003

WATER  
RESOURCES  
DEPARTMENT

Reference: G-13272

Dear Gentlemen:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

**AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.**

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



3850 Portland Rd NE  
Salem, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

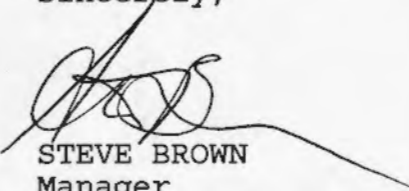
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before September 24, 1993 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



STEVE BROWN  
Manager  
Water Rights Division

Enclosures

Report Date: 7/23/93

OREGON WATER RESOURCES DEPARTMENT  
**SATISFACTORY REPORT OF TECHNICAL REVIEW**  
**FOR WATER USE PERMIT(S)**

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE:

9/24/93.

1. APPLICATION FILE NUMBER G-13272
2. MINIMUM APPLICATION INFORMATION

APPLICANT name/address/county/phone:

REARDON NURSERY, INC.  
10136 SE 282 ND AVE  
BORING, OR 97003  
CLACKAMAS COUNTY                      503 663-6773

Date application received for filing and/or tentative date of priority: 1/26/1993

SOURCE: TWO WELLS WITHIN THE JOHNSON CREEK BASIN

Purpose and/or use: IRRIGATION OF 36.37 ACRES OF IN-GROUND NURSERY STOCK

Flow: 204 GALLONS PER MINUTE

Point of Appropriation Location:

SW 1/4 SW 1/4, SECTION 30, T 1 S, R 4 E, W.M.

Place of use:

NE 1/4 NW 1/4                      17.00 ACRES  
NW 1/4 NW 1/4                      19.37 ACRES  
SECTION 31  
T 1 S, R 4 E, W.M.

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal **will not** have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water **is** likely to be available to supply the proposed use.

**CONFLICTS WITH OTHER WATER RIGHTS:**

There **is an** existing claim from this point of diversion. See proposed permit conditions.

There **are no** existing water rights appurtenant to the lands described in the application.

**REPORT CONCLUSIONS:**

Water in the amount of 0.45 CUBIC FOOT PER SECOND (CFS) is likely available for 8 months of the 8 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

**THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.**

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.



## PROPOSED PERMIT CONDITIONS

Application: G-13272

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: MARCH 1 THROUGH OCTOBER 31
3. Rate of use: 0.45 CFS
4. Water use development requirements:
  - A) Begin construction by (one year from issuance of permit).
  - B) Complete construction by October 1, 1995.
  - C) Completely apply the water to beneficial use by October 1, 1996.
5. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. The use of water shall be limited when it interferes with any prior surface or ground water rights.
6. Groundwater production shall be from no shallower than 160 feet below land surface.
7. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the water Resources Department. The Director may require water level or pump test results every ten years thereafter.
8. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.

9. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
10. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
11. In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.
12. Measurement, recording and reporting conditions:
  - A. The Director may at any time require the permittee to report general water use information, including the periods of water use and the place and nature of use of water under the permit.
  - B. 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
  - C. 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.
  - D. The Director may at any time 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.

RECEIVED

JAN 26 1993

Application No. 6-13272

State of Oregon  
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.  
SALEM, OREGON

Application for a Permit to Appropriate Ground Water

Applicant(s) Reardon Nursery, Inc.

(Please print or type - use dark ink)

Mailing Address: 10136 S.E. 282nd Avenue

Boring Oregon 97003 (503) 663-6773  
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. THE DEVELOPMENT (number of wells, tile lines, infiltration galleries, etc.): \_\_\_\_\_

Two wells

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 1/4 mile

Elevation difference between streambed and development: 50 feet

NOTE: 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 driller's log with this application, and skip to Section 2 below.

Well Log(s) enclosed

Diameter of well: \_\_\_\_\_ Depth in feet: \_\_\_\_\_

Type and size of well casing: \_\_\_\_\_ No. of feet: \_\_\_\_\_

Estimated depth to water: \_\_\_\_\_

Type of access port or measuring device: \_\_\_\_\_

Wells to be drilled by: \_\_\_\_\_

Address: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. TOTAL AMOUNT OF WATER to be applied to beneficial use: \_\_\_\_\_ cubic feet per second, OR 204 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: Well No. 1: 124 gpm

Well No. 2: 80 gpm

3. **INTENDED USE(S) OF WATER:** Irrigation of in-ground nursery stock

If for more than one use, give the quantity of water from each source for each use; \_\_\_\_\_

Not applicable

If for **DOMESTIC** use, state the number of households to be supplied; Not applicable

If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

Not applicable

If for **MINING** use, state the nature (gold, silver, etc.) of the mines to be served; \_\_\_\_\_

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed under each use;

<u>Irrigation</u>	<u>Tract I = 19.37</u>
<u>Other (describe)</u>	<u>Tract II = 17.00</u>
	<u>Total = 36.37 Acres</u>

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

A buried mainline will deliver the water to Tracts I & II.

Hand lines and sprinklers will be used to put water on the land.

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin October 1993

Proposed date construction work will be completed October 1994

Proposed date water use will be completed October 1995

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.



-----  
**FOR WATER RESOURCES DEPARTMENT USE ONLY**

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

-----  
-----  
In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

\_\_\_\_\_, 19\_\_\_\_.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
*Water Resources Director*

By: \_\_\_\_\_

This instrument was first received in the office of the Water Resources Director at \_\_\_\_\_, Oregon, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_ M.

APPLICATION NO: C-13272

**REARDON NURSERY, INC.**

10136 S.E. 282ND AVE.  
BORING, OREGON 97009-9413  
(503) 663-6773

**RECEIVED**

**JUL 29 1993**

WATER RESOURCES DEPT.  
SALEM, OREGON

Thomas R. Reardon  
(503) 663-6773

Michael D. Reardon  
(503) 668-4936

Christopher T. Reardon  
(503) 665-0661

July 25, 1993

Dear Sir,

Enclosed is a copy of an easement signed by Mrs. Michael and notarized by Mr. Dale Hermann granting an easement to construct and maintain a water line for irrigation.

Please add this to our file

# ~~C~~-13272

Sincerely  
Thomas R. Reardon

**REARDON NURSERY, INC.**  
10136 S.E. 282ND AVE.  
BORING, OREGON 97009-9413  
(503) 663-6773

**RECEIVED**

**JUL 29 1993**

WATER RESOURCES DEPT.  
SALEM, OREGON

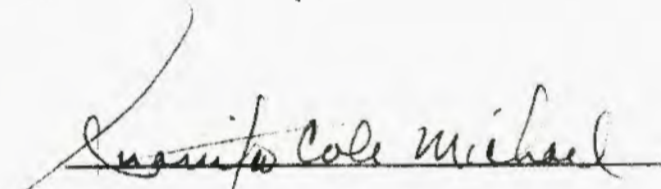
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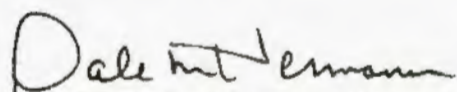
June 24, 1993

I hereby grant Reardon Nursery, Inc. a perpetual easement across property described in Exhibit A (attached) to construct and maintain a water line to irrigate crops.

  
\_\_\_\_\_  
Juanita Michael#

STATE OF OREGON            )  
  ) ss  
County of Multnomah        )

On this 24th day of June 1993, personally appeared before me the above named Juanita Michael and acknowledged the foregoing Easement to be her voluntary act and deed.

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: June 17, 1994



Reardon Nursery Inc  
10136 SE 282nd  
Boring OR 97005



Oregon Water Resources Dept  
3850 Portland Rd N.E.  
Salem, OR 97310

Report Date: MAY 17, 1993

OREGON WATER RESOURCES DEPARTMENT  
**SATISFACTORY REPORT OF TECHNICAL REVIEW**  
**FOR WATER USE PERMIT(S)**

**OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE:**

1. APPLICATION FILE NUMBER G-13272
2. MINIMUM APPLICATION INFORMATION

APPLICANT name/address/county/phone:

REARDON NURSERY, INC.  
10136 SE 282 ND AVE  
BORING, OR 97003  
CLACKAMAS COUNTY                      505 663-6773

Date application received for filing and/or tentative date of priority: 1/26/1993

SOURCE: TWO WELLS WITHIN THE JOHNSON CREEK BASIN

Purpose and/or use: IRRIGATION OF 36.37 ACRES OF IN-GROUND NURSERY STOCK

Flow: 204 GALLONS PER MINUTE

Point of Appropriation Location:

SW 1/4 SW 1/4, SECTION 30, T 1 S, R 4 E, W.M.

Place of use:

NE 1/4 NW 1/4                      17.00 ACRES  
NW 1/4 NW 1/4                      19.37 ACRES  
SECTION 31  
T 1 S, R 4 E, W.M.

**GROUNDWATER AVAILABILITY**

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will not have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported the water is likely to be available to supply the proposed use.

**CONFLICTS WITH OTHER WATER RIGHTS:**

There is an existing claim from this point of diversion. See proposed permit conditions.

There are no existing water rights appurtenant to the lands described in the application.

**REPORT CONCLUSIONS:**

Water in the amount of 0.45 CUBIC FOOT PER SECOND (CFS) is likely available for 8 months of the 8 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

**THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.**

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

**PROPOSED PERMIT CONDITIONS**

Application: G-13272

The following conditions will apply to water use under the permit, and will appear in the permit, if issued.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: MARCH 1 THROUGH OCTOBER 31
3. Rate of use: 0.45 CFS
4. Water use development requirements:

- A) Begin construction by (one year from issuance of permit).
  - B) Complete construction by October 1, 1995.
  - C) Completely apply the water to beneficial use by October 1, 1996.
5. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn. The use of water shall be limited when it interferes with any prior surface or ground water rights.
  6. Groundwater production shall be from no shallower than 160 feet below land surface.
  7. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the water Resources Department. The Director may require water level or pump test results every ten years thereafter.
  8. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
  9. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
  10. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
  11. In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

May 17, 1993

REARDON NURSERY, INC  
10136 SE 282 ND AVE  
BORING, OR 97003

REFERENCE FILE: G-13272

We are sending the draft technical review of the project described in your application to our Watermaster in District 1 for comments.

In the meantime, you have stated that not all of the land is under your ownership. We will have to have a copy of the agreement or easement between you and Jaunita Michael allowing your irrigation system to cross her land.

Sincerely,

Thomas E. Shook  
Water Right Specialist



**Water Right Conditions  
Tracking Slip**

Groundwater/Hydrology Section

FILE ## 613272

ROUTED TO: Tom SHOOK

TOWNSHIP/

RANGE-SECTION: T1S/R4E-30

APPLICATION ACCEPTED?  yes  no

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewer: Hayes

TO: Water Rights Section 5/6, 1993

FROM: Groundwater/Hydrology Section Meyer  
Reviewer's Name

SUBJECT: Application G- 13272

1. **PER THE Willamette Basin rules, one or more of the proposed POA's is/is not within N/A 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 surface water  
b. X will not source, namely trib. to Johnson Creek; 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 water from substantial interference.

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 and/or  
b.    will not within the capacity of the resource; or  
c. X can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;  
i.    The permit should contain condition #(s)   ;  
ii.    The permit should contain special condition(s) as indicated in "Remarks" below;  
iii. X The permit should be conditioned as indicated in item 4 below.

4. a.    **THE PERMIT** should allow groundwater production from no deeper than    ft. below land surface;  
b. X The permit should allow groundwater production from no shallower than 160 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. **THE WELL** which is the point of appropriation for this application does not meet current well construction standards based upon:
- a.  review of the well log;
  - b.  field inspection by \_\_\_\_\_;
  - c.  report of CWRE \_\_\_\_\_;
  - d.  other: (specify) \_\_\_\_\_

6. **THE WELL** construction deficiency:
- a.  constitutes a health threat under Division 200 rules;
  - b.  commingles water from more than one groundwater reservoir;
  - c.  permits the loss of artesian head;
  - d.  permits the de-watering of one or more groundwater reservoirs;
  - e.  other: (specify) \_\_\_\_\_

7. **THE WELL** construction deficiency is described as follows: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. **THE WELL**
- a.  was, or \_\_\_\_\_ constructed according to the standards in effect at the time of
  - b.  was not \_\_\_\_\_ original construction or most recent modification.
  - c.  I don't know if it met standards at the time of construction.

---

**RECOMMENDATION:**

- A.  I recommend including the following condition in the permit:  
 "No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B.  I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C.  REFER this review to Enforcement Section for concurrence.

---

**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.  
 \_\_\_\_\_, 1993.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_, 1993.

(Signature)

(WRFORM8\91)



TECHNICAL REVIEW CHECKLIST

Application: G-13272

Review Date: 5-12-93

- S indicates information was completed or adequately addressed.
- U indicates information is needed, or incomplete, or inadequately addressed
- N/A indicates Not Applicable

SUMMARY	
<u>S</u>	Completeness
<u>S</u>	Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>S</u>	Conflicts
<u>S</u>	Water Availability

70

dep

S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

N/A No oath is required because application was filed before June 5, 1992.

S Application fees:

Examination fee:	\$ 200
Recording fee:	\$ 154
TOTAL REQUIRED	\$ 354
TOTAL SUBMITTED	\$ 354
<b>AMOUNT DUE prior to issuance of permit</b>	\$ _____
AMOUNT OVERPAID	\$ _____
refund due applicant	\$ _____

10-100  
27-54  
154

S Proposed dates of beginning and completion of construction, and complete application of water.

S A satisfactory map of the proposed place of water use prepared by a certified water right examiner, unless exempt under OAR 690-14-150(3).

N/A A CWRE map is not required for applications filed before November 9, 1987.

WITHIN SANDY-CORING HEADWATER  
LIMITED AREA BUT BELOW  
TROUTDALE AQUIFER

S A written copy of the legal description of the property on which the water is to be used.

S A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.

N/A No statement of ownership was required for applications filed before August, 1990.

N/A The report from watermaster has been received.

S The proposed use is not restricted or prohibited by statute.

S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.

S IRRIGATION use(s) is/are classified uses(s) under the WILLAMETTE Basin Program, OAR 690 - SDZ-160 (2)

S The application, map and supporting data are complete and free of defects.

Land Use Compatibility:

As expressed by the Planning Department of CLACKAMAS COUNTY

S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 401).

N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.

N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

S A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.

S The report from groundwater section has been received.

DEVELOP WATER NO STRAIGHTER THAN 160' BELOW LAND SURFACE

For reservoir applications:

N/A Plans, specifications and supporting information for the dam and impoundment area.

DATE	INITIALS	MINIMUM REQUIREMENTS TO FILE
_____	_____	Name and mailing address
_____	_____	Source of water
_____	_____	Quantity of water
_____	_____	Location of project
_____	_____	Use of water
_____	_____	Signature of applicant
_____	_____	Allowable use by policy
_____	_____	State Engineer withdrawal
_____	_____	Legislative withdrawal
_____	_____	Land use approved _____ pending _____
<b>FIELD OPERATIONS</b>		
_____	_____	Application date stamped per money receipt date
_____	_____	Stream Indexed
_____	_____	Stream Code _____
_____	_____	Scenic Waterway _____
_____	_____	Findings:
_____	_____	1) Concluded - Scenic-Reg Ack letter
_____	_____	2) Under Study - Scenic-Ack letter
_____	_____	3) Basin 2 - Willamette-Ack letter
_____	_____	Plat Carded and copy made <span style="float:right">YES NO</span>
_____	_____	Conflicts (well _____ surface _____) <span style="float:right">_____ ✓</span>
_____	_____	Prior ISWR # _____
_____	_____	Within Irrigation District <u>N/A</u> (name) _____
_____	_____	Notified _____
_____	_____	District excerpt received _____
_____	_____	Entered in Paradox _____
_____	_____	Prepare six copies of Draft Permit
_____	_____	Send one copy to Data Center
<b>SUPPORT SERVICES</b>		
<u>1/24/93</u>	<u>CW</u>	Stamp contents with application number
<u>2/1/93</u>	<u>CAR</u>	Mail/Provide copies of draft permits to DEQ, ODFW, PARKS, AND WATERMASTER
_____	_____	Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
_____	_____	Place label on file and card
_____	_____	If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section
_____	_____	Notify Irrigation District
<b>FIELD OPERATIONS</b>		
_____	_____	Ownership Statement <span style="float:right">YES NO</span>
_____	_____	Name and address of all owners <span style="float:right">_____ ✓</span>
_____	_____	Other landowners notified <span style="float:right">_____ ✓</span>
_____	_____	Legal Description <span style="float:right">_____ ✓</span>
_____	_____	Need Commission review <span style="float:right">_____ ✓</span>
_____	_____	Requests greater than 5.0 cfs _____
_____	_____	Dam height greater than 20 feet _____
_____	_____	Storage greater than 100 acre-feet _____
_____	_____	Out of Basin diversion _____
_____	_____	Groundwater recharge project _____
_____	_____	Other substantial public interest _____
_____	_____	GW comments received _____ resolved _____
_____	_____	ODFW comments received _____ resolved _____
_____	_____	DEQ comments received _____ resolved _____
_____	_____	Interest Groups _____
_____	_____	Water availability received _____
_____	_____	Objections received _____ resolved _____
_____	_____	Protest received _____ resolved _____
_____	_____	Management Codes _____
EXAMINATION FEE:	<u>200</u>	REMARKS: <u>NO SHALLOWER THAN 160'</u>
RECORDING FEE:	<u>154</u>	<u>BELOW LAND SURFACE</u>
TOTAL:	_____	_____
REFUND:	_____	_____
DEFICIENT:	_____	_____

MEMORANDUM

Date: April 19, 1993

*Sarah*  
To: Fred Lissner

From: Steve Brown

Subject: Review of Application G-13272  
Reardon Nursery Inc.

Please expedite a review of the above referenced application.

I would be happy to discuss the reasons for the request for the expedited review if you have any questions.

1032



# HANER, ROSS & SPORSEEN, INC.

ENGINEERS

CONSULTANTS

SURVEYORS

15 S.E. 82ND DR.  
GLADSTONE, OREGON 97027  
657-1384

REGISTERED ENGINEERS  
OREGON • WASHINGTON • IDAHO • WATER RESOURCES SOCIETY.  
ALASKA • MONTANA SALEM, OREGON  
MEMBER



TO: Reardon Nursery  
10136 S.E. 282nd Dr.  
Boring, OR 97009

## TRANSMITTAL NOTICE

DATE: December 4, 1992

RE: Ground Water Right Application

PROJECT NO: 639/DD

**Application No. 6-13272**  
**Permit No.**

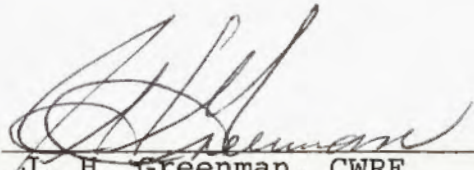
TRANSMITTED HEREWITH:

NO. OF COPIES	DATED	TITLE
Original & Copy	-	Application for a Permit to Appropriate Ground Water with accompanying documentation
1		Stamped envelope to OWRD
1	12/04/92	Letter to OWRD transmitting Application

REMARKS:

Please sign the application original and enclose a check in the amount of \$354.00 before sending it on to OWRD. Please note we are claiming more water from Well No. 1 than the 250 GPM noted on the Claim Registration. The amount now will be 168.3 gpm for the 30 Acres covered already by Cert.GR-3865 plus 124 gpm for the 19.4 Acre and 17.0 Acre tracts together. This makes a total of 292.3 gpm.

- FOR APPROVAL
- FOR REVIEW
- FOR INFORMATION
- FOR QUOTATION
- PER YOUR REQUEST
- RETURN ONE SET BY:

BY:   
J. H. Greenman, CWRE



# HANER, ROSS & SPORSEEN, INC.

ENGINEERS

CONSULTANTS

SURVEYORS

15 S.E. 82ND DR.  
GLADSTONE, OREGON 97027  
657-1384

REGISTERED ENGINEERS  
OREGON • WASHINGTON • IDAHO  
ALASKA • MONTANA

RECEIVED

JAN 26 1993



## TRANSMITTAL NOTICE

TO: Oregon Water Resources Department  
3850 Portland Road, N.E.  
Salem, OR 97310

DATE: December 4, 1992

RE: Ground Water Right Application

PROJECT NO: 630/DD

### TRANSMITTED HEREWITH:

NO. OF COPIES	DATED	TITLE
Original	-	Application for Permit to Appropriate Ground Water
"	10/ 9/92	Legal Description
"	10/19/92	Drawing entitled: Ground Water Application Map Check in the amount of \$354.00 Request for Land Use Information receipt (taped inside Application form)

### REMARKS:

- FOR APPROVAL
- FOR REVIEW
- FOR INFORMATION
- FOR QUOTATION
- PER YOUR REQUEST
- RETURN ONE SET BY:
- For Permit

BY: J. H. Greenman  
J. H. Greenman, CWRE

cc: T. Reardon

FOLDING INSTRUCTIONS

To fit No. 771 DU-O-VUE envelopes - fold along bottom of shaded strip.  
To fit regular No. 10 window envelopes - fold along top of shaded strip.

**A. O. OLSEN WELL DRILLING, INC.**  
18211 S. E. Powell  
GRESHAM, OREGON 97030

# INVOICE

No 0344

TO

637-~~665~~-3353  
Water well for  
John Karstetter,  
Drilled 1956.

DATE
CUSTOMER ORDER NO.
SALESMAN
VIA

TERMS:

QUANTITY	DESCRIPTION	PRICE	AMOUNT
8'	irrigation well drilled to 275'	static	98'
	Red clay - 0-40'		
	bedrock - 40'-160'		
	cemented gravel 160-240	water bearing.	
	clay + gravel - 240-275 - dry.		
	Cased to 240' with 8" pipe.		
	Perforated 160'-240'		
	Pump Test 160 g.p.m. with 47' DD.		

ORIGINAL

Thank You!

A.O. Olsen,

RECEIVED  
 NOV 20 1992  
 RECEIVED  
 HANER, ROSS & SEEGEN, INC.  
 JAN 26 1993  
 WATER RESOURCES  
 SALEM, OREGON

STATE OF OREGON  
**WATER WELL REPORT**  
 (as required by ORS 537.765)

**RECEIVED**  
 NOV 30 1992

WELL NO. 2 Log 1

(START CARD) # NONE

(1) OWNER: Well Number: \_\_\_\_\_  
 Name TOM REARDON HANER, ROSS & SPOURSE, INC.  
 Address 10136 SE 282 RD  
 City BORLING State OR Zip 97009

(9) LOCATION OF WELL by legal description:  
 Township 15 N or S. Range 4 E E or W. WM.  
 Section 30 1/4 1/4  
 Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) 10136 SE 282 RD BORLING

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
 Special Construction approval Yes No  Depth of Completed Well 200 ft.  
 Explosives used   Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
<u>10</u>	<u>0</u>	<u>35</u>	<u>CEMENT</u>	<u>0</u>	<u>35</u>	<u>25</u>
<u>6</u>	<u>35</u>	<u>200</u>				

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
 Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
 Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
<u>6</u>	<u>1</u>	<u>200</u>	<u>.250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Liner: \_\_\_\_\_

Final location of sheets) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

Perforations Method MILSKNIFE  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
<u>177</u>	<u>198</u>	<u>1/8</u>	<u>88</u>	<u>1/4 X 2</u>		<input checked="" 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"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump  Bailer  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<u>35</u>	<u>43</u>		<u>1 hr.</u>

Temperature of water 53 Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done?  Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(10) STATIC WATER LEVEL: 107 ft. below land surface. **RECEIVED** Date 4/1/81  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES: **RECEIVED** JAN 26 1993

Depth at which water was first found \_\_\_\_\_ WATER RESOURCES DEPT. **SALEM OREGON**

From	To	SWL
<u>175</u>	<u>200</u>	<u>50</u>

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
<u>TOP SOIL BA</u>	<u>0</u>	<u>2</u>	
<u>CLAY BA BROWN</u>	<u>2</u>	<u>28</u>	
<u>CLAY BLUE</u>	<u>28</u>	<u>83</u>	
<u>CLAY ORANGE</u>	<u>83</u>	<u>92</u>	
<u>ROCK SOFT RED</u>	<u>92</u>	<u>140</u>	
<u>CLAY RED GRAY</u>	<u>140</u>	<u>172</u>	
<u>CEMENTED GRAVEL</u>	<u>172</u>	<u>200</u>	

Application No. G13272  
 Permit No. \_\_\_\_\_

THIS WELL WAS STARTED BY AL HARRINGTON AND HE BROKE THE CASING AND LEFT THE WELL UNFINISHED  
 Date started 4/1/81 Completed 5/1/81

(unbonded) Water Well Constructor Certification:  
 I certify that the work I performed on the construction, alteration, abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my knowledge and belief.  
 Signed Paul Bills WWC Number 877 Date 1/9/92

(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. Work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
 Signed Paul Bills WWC Number 579 Date 1/9/92



STATE OF OREGON WATER WELL REPORT (as required by ORS 537.785)

(START CARD) # 130500

(1) OWNER: Name REARDON NURSEY Well Number: Address 10136 SE 282nd City Boring State OR Zip 97007

(2) TYPE OF WORK: [ ] New Well [ ] Deepen [X] Recondition [ ] Abandon

(3) DRILL METHOD: [X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Other

(4) PROPOSED USE: [ ] Domestic [ ] Community [ ] Industrial [X] Irrigation [ ] Thermal [ ] Injection [ ] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No Depth of Completed Well 250 Explosives used [ ] Yes [X] No Type Amount

Table with columns: HOLE Diameter, SEAL Material, Amount sacks or pounds. Row 1: 6, 176250

How was seal placed: Method [ ] A [ ] B [ ] C [ ] D [ ] E [ ] Other Backfill placed from 0 ft. to 0 ft. Material Gravel placed from 0 ft. to 0 ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Rows for Casing and Liner.

(7) PERFORATIONS/SCREENS: [ ] Perforations Method [ ] Screens Type Material

Table for Perforations/Screens with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner.

(8) WELL TESTS: Minimum testing time is 1 hour [ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian Yield gal/min Drawdown Drill stem at Time

Table for Well Tests with columns: Yield gal/min, Drawdown, Drill stem at, Time. Values: 45, 245, 2

Temperature of water 54 Depth Artesian Flow Found Was a water analysis done? [ ] Yes By whom Did any strata contain water not suitable for intended use? [ ] Too little [ ] Salty [ ] Muddy [ ] Odor [ ] Colored [ ] Other Depth of strata

(9) LOCATION OF WELL by legal description: County CLATSOP Latitude Longitude Township T1 N or S. Range R4E E or W. WM. Section 30 1/4 1/4 Tax Lot 2500 2502 Block Subdivision Street Address of Well (or nearest address) 10136 SE 282nd Boring OR 97007

(10) STATIC WATER LEVEL: 114 ft. below land surface. Date 1-24 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 200

Table for Water Bearing Zones with columns: From, To, Estimated Flow Rate, SWL. Row 1: 200, 253, 45, 114

(12) WELL LOG: Ground elevation

Table for Well Log with columns: Material, From, To, SWL. Entries: Lightly cemented 200, GRAVEL + SAND 253-114, BROWN CLAY 253-255

RECEIVED JAN 26 1993

Date started 1-22-92 Completed 1-24-92

(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 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 well construction standards. This report is true to the best of my knowledge and belief. Signed [Signature] WWC Number 616 Date 1-24-92

April 19, 1993

REARDON NURSERY, INC  
10136 SE 282ND AVE  
BORING, OR 97003

REFERENCE FILE: G-13272

We have sent your file to our Groundwater\Hydrology Section for review of our Division 9 Administrative Rule.

Just as soon as their report is filed, we will prepare a technical review of your application and send you the findings.

Sincerely,

Thomas E. Shook  
Water Right Specialist



# WaterWatch

O F O R E G O N

February 13, 1993

Water Resources Department  
3850 Portland Rd. N. E.  
Salem, OR 97310

RE: Application for Permit #G13272, Reardon Nursery  
Johnson Cr. Basin, Clackamas Co., Nursery Op.

WaterWatch has reviewed the limited amount of information contained in the public notice of this water right application. Based upon that information, WaterWatch raises the following issues, questions and concerns:

Is there unappropriated water available for this proposed use? How will the Department determine water availability for this proposed use? What will be the cumulative effect of this proposed use, in combination with other, already existing uses of the aquifer?

Is the groundwater source in question in hydraulic connection with surrounding surface waters? If so, what is the amount of surface water depletion and what effect will this proposed use have on instream flows necessary to protect the public's interest in fish, wildlife, recreation and a health aquatic system? We oppose any application which in any way reduces surface water flows needed for the public uses that are served by any instream water right.

Given the importance of this groundwater resource, and the Department's limited enforcement staff, it only makes sense to require this applicant to measure and record water use. Measurement not only helps the Department carry out its statutory mandate to promote the control of water resources in Oregon for all beneficial uses, it helps the Department protect the public's interest in assuring the use is within the bounds of the permit. ORS 536.220(1)(a), 537.170(5)

Will this proposed use be compatible with Goal 5 elements in the local comprehensive plan?

It is a high priority of the state to eliminate waste and improve the efficiency of water use. OAR 690-410-060(1) Statewide policy also calls upon water users to use and maintain their water systems in a manner consistent with the state's priority. What conditions are proposed for this permit that will carry out and encourage compliance with state policy?

Is this an existing illegal use of water? If so, will the continued use without a permit cause harm to existing water rights and the public interest?

We request copies of the draft permit and the Department's technical review of this application.

Sincerely,

  
Jim Myron

bc:

January 29, 1993

REARDON NURSERY INC.  
10136 SE 282ND AVE  
BORING, OR 97003

REFERENCE: File(s) G-13272

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

After an application has been accepted for filing, public notification of the application is made, followed by a mandatory 30-day comment period. Thereafter, applications which have been received in proper form with required maps, documentation, and fees can be considered for processing as time allows.

At present the Water Resources Department has a backlog of applications for water use permits; therefore there may be some delay in our application processing time. Applications are processed in the order in which they are received.

When your application comes up for processing the Department will conduct a specialized analysis called a technical review. During the course of the evaluation, additional information may be required to complete the processing of your application. We will let you know if additional information is needed when we begin the technical evaluation of your application.

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department must also conduct a public interest review of each application for a water use permit.



Application No. G-13272

Permit No. \_\_\_\_\_

October 19, 1992

**RECEIVED**

JAN 26 1993

WATER RESOURCES DIVISION  
SALEM, OREGON

**LEGAL DESCRIPTION**

**TRACT I**

The North 20 acres of the following described tract of land:

The West one-half of the Northwest quarter of the Northwest quarter, and the West one-half of the East one-half of the Northwest quarter of the Northwest quarter, all in Section 31, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

POU

**TRACT II**

The 17 acres on the North side of the Northeast quarter of the Northwest quarter of Section 31, Township 1 South, Range 4 East of the Willamette Meridian; and an access right-of-way from Haley Extension Road and adjacent to the freeway into the 17 acres described.

G-13272

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May 13, 1981  
Page 4  
Order No. 454711

JAN 26 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

AMENDED EXHIBIT "A"

PARCEL I:

A tract of land situated in the Southwest one-quarter of the Southwest one-quarter of Section 30, T. 1 S., R. 4 E., of the W.M., in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the intersection of the north line of said legal Subdivision with the east line of S.E. 282nd Ave.; thence Southerly, along the east line of said S.E. 282nd Ave., a distance of 315.00 feet to a point; thence Easterly, parallel with the north line of said legal subdivision, a distance of 460.00 feet to a point of beginning of the tract herein to be described; thence continuing Easterly, parallel with said north line, a distance of 156.00 feet to a point; thence Southerly, parallel with the east line of said S.E. 282nd Ave., a distance of 415.00 feet to a point; thence Easterly, parallel with the north line of said legal subdivision, a distance of 220.00 feet to a point; thence Southerly, parallel with the east line of said S.E. 282nd Ave., a distance of 60.00 feet; thence Westerly, parallel with the north line of said legal subdivision, a distance of 376.00 feet to a point; thence Northerly, parallel with said east line of S.E. 282nd Ave., a distance of 475.00 feet to the point of beginning.

TOGETHER WITH an easement for egress, egress and utility purposes, more particularly described as follows:

Beginning at the Northwest corner of the above described tract; thence Westerly, parallel with the north line of said legal subdivision, a distance of 460.00 feet to a point in the east line of S.E. 282nd Ave.; thence Southerly, along said east line, a distance of 20.00 feet to a point; thence Easterly, parallel with said north line, a distance of 460.00 feet to a point in the west line of the above described tract; thence Northerly, along said west line, a distance of 20.00 feet to the point of beginning.

PARCEL II:

A tract of land situated in the Southwest one-quarter of the Southwest one-quarter of Section 30, T. 1 S., R. 4 E., of the W.M., in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of said Section 30; thence North 0° 04' 15" East, along the west line thereof, a distance of 442.94 feet to a point; thence North 89° 34' 45" East, parallel with the south line of said Section 30, a distance of 30.00 feet to an iron rod in the east line of Southeast 282nd Ave., and the point of beginning of the tract herein to be described; thence continuing North 89° 34' 45" East, parallel with said south line, a distance of 1296 feet, more or less, to a point in the east line of said legal subdivision; thence Northerly, along said east line, a distance of 195 feet, more or less, to a point in the southwesterly line of the Mt. Hood Highway No. 26; thence Northwesterly, along said Southwesterly line, a distance of 690 feet, more or less, to a point in a line parallel with and 225.00 feet south of (when measured at right angles to) the north line of said legal subdivision; thence Westerly, parallel with said north line, a distance of 790 feet, more or less, to a point in the east line of said S.E. 282nd Ave.; thence South 0° 04' 15" East, along said east line, a distance of 652 feet, more or less, to the point of beginning.

EXCEPT that part described as Parcel I above.

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WATER RESOURCES DEPT.  
SALEM, OREGON

May 13, 1981

Page 5

Amended Exhibit "A" Continued

PARCEL III:

A tract of land situated in the Southwest one-quarter of the Southwest one-quarter of Section 30, T. 1 S., R. 4 E., of the W.M., in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of said Section 30; thence North  $89^{\circ} 34' 45''$  East, along the south line of said Section 30, a distance of 819.13 feet to an iron rod and the point of beginning of the tract herein to be described; thence North  $0^{\circ} 37' 00''$  East, a distance of 423.00 feet to an iron rod; thence South  $89^{\circ} 34' 45''$  West, parallel with the south line of said Section 30, a distance of 793.14 feet to a point in the east line of S.E. 282nd Ave.; thence North  $0^{\circ} 04' 15''$  East, along said east line, a distance of 20.00 feet to a point; thence North  $89^{\circ} 34' 45''$  East, parallel with the south line of said Section 30, a distance of 1296 feet, more or less, to a point in the east line of said legal subdivision; thence Southerly, along said east line, a distance of 443 feet, more or less, to the Southeast corner thereof; thence South  $89^{\circ} 34' 45''$  West, along the south line of said Section 30, a distance of 507.00 feet to the point of beginning.

RECEIPT # **96500**

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

3850 PORTLAND ROAD NE  
SALEM, OR 97310  
378-8455/378-8130 (FAX)

**RECEIVED  
OVER THE COUNTER**

RECEIVED FROM: Reardon Nursery, Inc  
BY: \_\_\_\_\_

APPLICATION	G-15272
PERMIT	
TRANSFER	

CASH:  CHECK: #  24-22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 554.00

**01-00-0 WRD MISC CASH ACCT**

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
_____	OTHER: (IDENTIFY)	\$

**REDUCTION OF EXPENSE**

_____	CASH ACCT.	\$
_____	VOUCHER #	

**03-00-0 WRD OPERATING ACCT**

<b>MISCELLANEOUS:</b>			
840.001	COPY FEES		\$
850.200	RESEARCH FEES		\$
880.109	MISC REVENUE: (IDENTIFY)		\$
520.000	OTHER (P-6): (IDENTIFY)		\$
<b>WATER RIGHTS:</b>			
842.001	SURFACE WATER	EXAM FEE	RECORD FEE
842.003	GROUND WATER	\$ 200.00	842.002 \$
842.005	TRANSFER	\$	842.004 \$ 154.00
<b>WELL CONSTRUCTION</b>			
842.022	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
842.016	WELL DRILL OPERATOR	\$	842.023 \$
_____	LANDOWNER'S PERMIT	\$	842.019 \$
			842.024 \$

**06-00-0 WELL CONST START FEE**

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

**45-00-0 LOTTERY PROCEEDS**

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

**07-00-0 HYDRO ACTIVITY**

842.011	POWER LICENSE FEE(FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **96500**

DATED: 1/26/93 BY: C. Engel

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal



**Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses In Addition to Classified Uses**

*This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.*

**Application No.** 613272  
**Permit No.**

Applicant's Name: Tom Reardon  
Address: 10136 S.E. 282nd  
City: Boring State: OR Zip: 97003 Day Phone: (503) 663-6223

*Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.*

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WATER RESOURCES DEPT  
SALEM, OREGON

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
<u>10570</u>				<input checked="" type="checkbox"/>
<u>78845</u>				<input checked="" type="checkbox"/>
<u>T15, R3E, S26, 31B</u>				
<u>TL 200, 622</u>				

*Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.* Clackamas

*The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.*

**For Local Government Use Only**

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide 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): 401. Go to section b) on reverse side.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: John Borer  
Title: Senior Planner

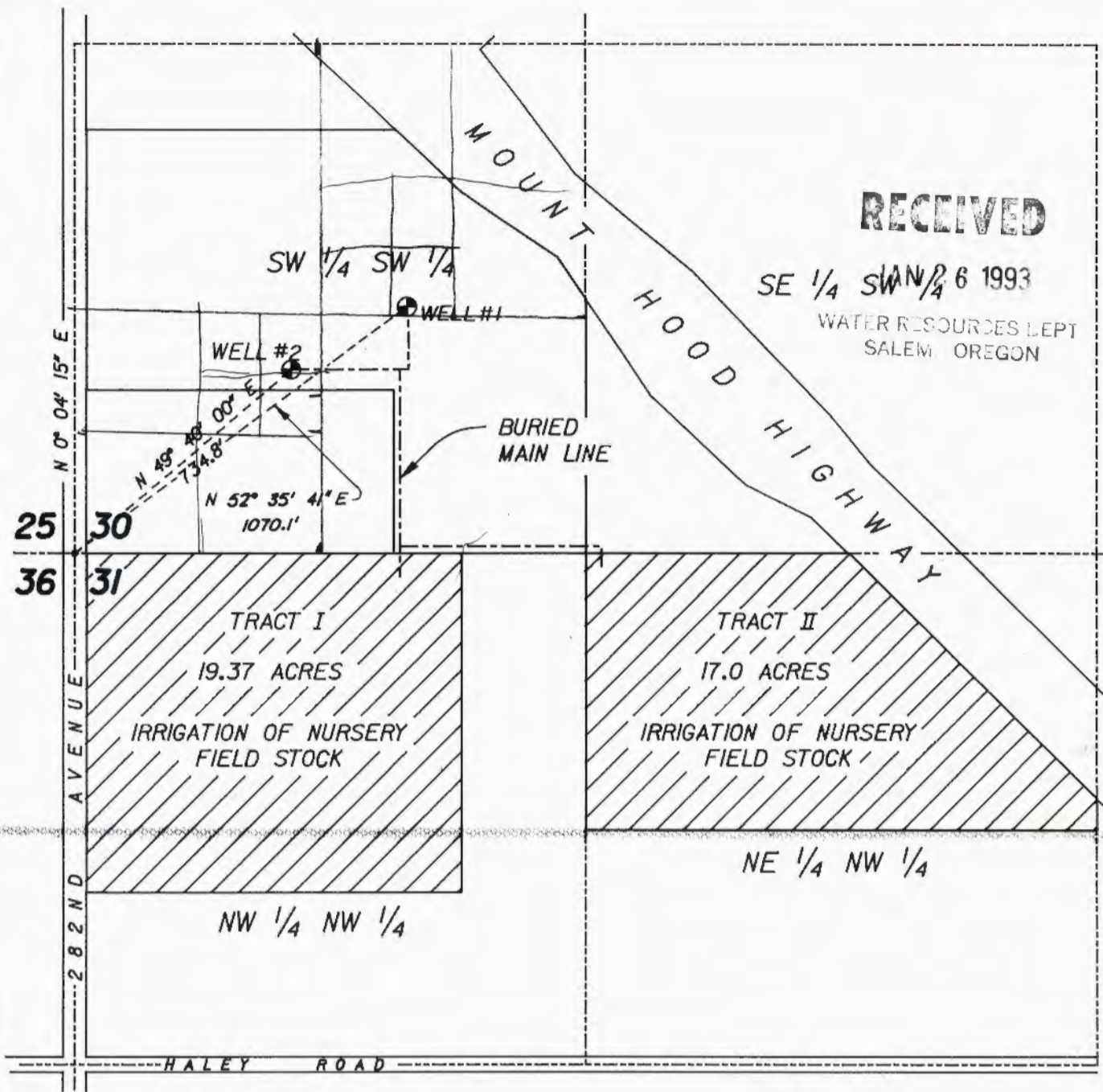
Date: 10-23-92  
Phone: 480-3277

Signature: [Handwritten Signature]

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

[Lined area for additional comments]



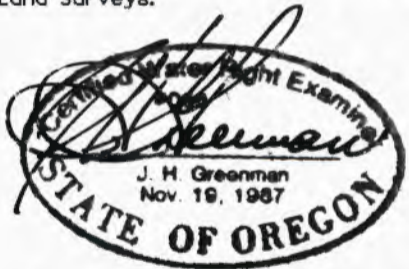
**RECEIVED**

SE 1/4 SW 1/4 6 1993  
 WATER RESOURCES LEPT  
 SALEM, OREGON

This drawing is an exhibit for an Application for a Permit to Appropriate Ground Water. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.



SCALE: 1" = 400'



**SECTIONS 30 & 31, T.1S., R.4E., W.M.  
 CLACKAMAS COUNTY, OREGON**

Application No. 6-13272

Permit No. \_\_\_\_\_



**HANER, ROSS &  
 SPORSEEN, INC.**  
 15 S.E. 82ND DRIVE  
 GLADSTONE, OREGON 97027

**REARDON NURSERY INC.**  
**GROUND WATER RIGHT  
 APPLICATION MAP**

630DD

File 630dd.dgn