

Application for a Permit to Use Groundwater



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

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☒ SECTION 1: applicant information and signature
- ☒ SECTION 2: property ownership
- ☒ SECTION 3: well development
- ☒ SECTION 4: water use
- ☒ SECTION 5: water management
- ☒ SECTION 6: storage of groundwater in a reservoir
- ☒ SECTION 7: use of stored groundwater from the reservoir
- ☒ SECTION 8: project schedule
- ☒ SECTION 9: within a district
- ☒ SECTION 10: remarks

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Attachments:

- ☒ Land Use Information Form with approval and signature of local Planning Department (*must be an original*) or signed receipt
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- ☒ Fees - Amount enclosed: \$ 2,560
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- ☒ Permanent quality and drawn in ink
- ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☒ North Directional Symbol
- ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☒ Reference corner on map
- ☒ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☒ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Application for a Permit to Use Groundwater



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

SECTION 1: APPLICANT INFORMATION AND

SIGNATURE

Applicant Information

NAME Peggy Paul		PHONE (HM) -	
PHONE (WK) 503-663-1220	CELL -		FAX -
ADDRESS 8601 SE Revenue Road			
CITY Boring	STATE OR	ZIP 97009	E-MAIL* ppaul@paulbrothersinc.com

Organization Information

NAME Paul Brothers Inc		PHONE 503-663-1220	FAX -
ADDRESS 8601 SE Revenue Road		CELL -	MAR 23 2018
CITY Boring	STATE OR	ZIP 97009	E-MAIL* ppaul@paulbrothersinc.com

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

AGENT / BUSINESS NAME CwM H2O		PHONE 503-954-1326	FAX -
ADDRESS 1319 SE Martin Luther King Jr. Boulevard, Suite 204		CELL 503-799-0304	
CITY Portland	STATE OR	ZIP 97214	E-MAIL* Bob.Long@cwmmh2o.com

Note: Attach multiple copies as needed

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

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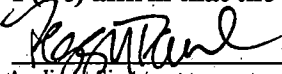
By my signature below I confirm that I understand:

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- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Peggy Paul
Print Name and title if applicable

3/18/18
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>618632</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

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

☒ Yes

☒ There are no encumbrances.

☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

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☐ No

☐ I have a recorded easement or written authorization permitting access. (See attachment)

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).

☐ Water is to be diverted, conveyed, and/or used only on federal lands.

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

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

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SECTION 3: WELL DEVELOPMENT

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WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well #3	Johnson Creek	North, 380 feet	-1 feet from Well #1

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

The proposed maximum rate of 85 gpm (1/80th cfs per acre) is based on the irrigation of 10-15 acres irrigated via a drip system. A rotating irrigation scheme of 10-15 acres every 4-6 hours will ensure that coverage of the total acreage (32 acres) is achieved in a sustainable manner. The total proposed duty of 112 AFY (3.5 AF/Acre) is also considerate of conservation and sustainability, being less than the prescribed 5.0 AF/Acre for nursery use.

This application proposes to develop groundwater from a new well (Well #3) for field and nursery irrigation use from water bearing zones at depths below the shallow Troutdale formation (Deep Troutdale, approximately 200-500 ft bgs), within the Sandy-Boring groundwater limited area. These conditions preclude any interaction with local streams that are fed by runoff and shallow groundwater baseflow, and are in compliance with the conditions specified for the Sandy-Boring groundwater limited area. The Paul Brothers agent, CwM H2O, reviewed local water rights and identified that sealing to approximately 200 ft bgs was sufficient in protecting the shallow Troutdale formation, and resulted in issuance of a water right permit for a neighboring nursery (G-17056, 2009).

The site contains two existing exempt domestic wells (Well #1 and Well #2). Neither well has an associated well log or well tag number. Well #1 has been non-operational since the mid 1990's, with Well #2 being the primary domestic well. Both Well #1 and Well #2 have four-inch diameter PVC casing.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 0.189 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for

OWNERS WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.** OR WELL LOG ID**	FLOWING/ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well #3	☒	☐	NA	☐	6 inches	0 - >200 ft bgs	>200 ft bgs	0 - >200 ft bgs	NA	Deep Troutdale Formation	~ 400 ft	85 gpm (0.189 cfs)	112 af (3.5 afy/acre)
Well #2	☐	☒	NA, exempt domestic	☐	4 inches	???	???	???	???	???	???	NA, exempt domestic	NA, exempt domestic
Well #1	☐	☒	NA, exempt domestic	☐	4 inches	???	???	???	???	???	???	NA, exempt domestic	NA, exempt domestic
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery Irrigation - In Container / Green House	January 1 - December 31 (Annual Use)	112 AFY
Field Irrigation	March 1 - October 31 (Seasonal Use)	Included in above volume

For irrigation use only:Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).Primary: _____ Acres Supplemental: 32 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s): _____

_____ Certificate 61475 _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 112

- If the use is **municipal or quasi-municipal**, attach **Form M**

If the use is **domestic**, indicate the number of households: NA

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

- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): NA

RECEIVED**SECTION 5: WATER MANAGEMENT**

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

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☒ Pump (give horsepower and type): Sufficient to meet project requirements**OWRD**☐ Other means (describe): NA

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

Water will be appropriated from a newly constructed well (Well #3) that is sealed to an appropriate depth to ensure protection of water bearing zones of the shallow Troutdale formation as outlined in the conditions of the Sandy-Boring groundwater limited area. Appropriated water will be utilized in field irrigation using efficient high-pressure sprinklers and also in a newly constructed drip irrigation system that provides water to individual containers within newly constructed greenhouse structures.

B. Application MethodWhat equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Drip irrigation to individual potters within greenhouses and field irrigation using efficient high-pressure sprinklers.

C. ConservationPlease describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

Water is needed for field and nursery irrigation. Efficient sprinklers will be used for field irrigation to minimize water waste while a drip system to each individual container will be utilized to reduce water waste and off-site losses. A flow totalizer will be implemented to monitor utilization efficiency and ensure extraction rates/volumes are within permitted conditions.

SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

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

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

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

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

SECTION 7: USE OF STORED GROUNDWATER FROM THE RESERVOIR

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

Annual volume (acre-feet): _____

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USE OF STORED GROUNDWATER	PERIOD OF USE
NA	NA

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SECTION 8: PROJECT SCHEDULE

Date construction will begin: Spring 2018

Date construction will be completed: Summer-Fall 2022

Date beneficial water use will begin: Summer-Fall 2022

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SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name	Address	
NA	NA	
City	State	Zip
NA	NA	NA

NOTE:

SECTION 10: REMARKS

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

The uses will be for field irrigation and container nursery operation.

Land Use

Information Form



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

NOTE TO APPLICANTS

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

This form is NOT required if:

- 1) Water is to be diverted, conveyed, **and/or** used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, **and all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

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NOTE TO LOCAL GOVERNMENTS

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

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Land Use

Information Form



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

Applicant: Scott Paul
First Last

Mailing Address: 8601 SE Revenue Road

Boring OR 97009 Daytime Phone: 503-663-1220
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
1S	4E	29	NW, NE	400	AG (Agricultural)	☒ Diverted ☐ Conveyed ☒ Used	Field and Nursery Irrigation
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Boring, Clackamas County

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water Right Transfer ☐ Permit Amendment or Groundwater Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 0.53 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Year-round drip irrigation of nursery containers in greenhouses. Additional seasonal field irrigation occurring between March 1 and October 31 through efficient high-pressure sprinkler system. Total irrigation area of 32 acres.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of Page 3. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 401

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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Name: Clayton Glasgow Title: Planner
 Signature: [Signature] Phone: 503 742 4570 Date: 12-15-17
 Government Entity: Clackamas County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: Clackamas Staff contact: Clayton Glasgow
 Signature: [Signature] Phone: 503 742 4570 Date: 12-15-17

AFTER RECORDING RETURN TO:

Scott Paul
Peggy Paul
33521 SE Brooks Rd
Boring, OR 97009

RECONVEYANCE OF TRUST DEED

RECITALS

A. Fidelity National Title Insurance Company, a California corporation, successor in interest to Lawyers Title Insurance Corporation, herein "Trustee," is the trustee under the trust deed whose parties, date and recording information are as follows:

Trustor/Grantor : Scott M. Paul and Margaret H. Paul a.k.a Peggy H. Paul
Trustee : Lawyers Title
Beneficiary : Clackamas County Bank
Recording Date : January 04, 2010
Recording No. : 2010-000324
County of Recording : Clackamas

B. Trustee has received from the beneficiary under the above trust deed a written request to reconvey, reciting that the beneficiary is the holder of the obligations secured by the trust deed and that the obligations secured by the trust deed have been fully paid and performed.

RECONVEYANCE

Trustee hereby grants, bargains, sells and conveys, but without any covenant or warranty, expressed or implied, to the persons legally entitled thereto, all of the right, title and interest under the above trust deed now held by Trustee in and to the property covered by the trust deed and more particularly described as follows:

As Described in the Trust Deed

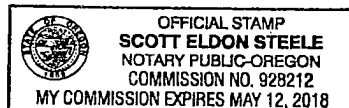
Fidelity National Title Insurance Company, a California corporation successor in interest to LAWYERS TITLE INSURANCE CORPORATION.

Dated: August 30, 2017

BY: Diane Whitney
Diane Whitney
Reconveyance Specialist

STATE OF OREGON)
County of Multnomah) SS

The foregoing instrument was acknowledged before me on August 30, 2017, by Diane Whitney, as Reconveyance Specialist of Fidelity National Title Insurance Company, a California corporation successor by merger to Lawyers Title Insurance Corporation, on behalf of the corporation.



Scott Eldon Steele
Notary Public for Oregon

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STATE OF OREGON

CERTIFICATION OF VITAL RECORD

OREGON HEALTH AUTHORITY CENTER FOR HEALTH STATISTICS CERTIFICATE OF DEATH

790850

ID, TAG NO.

STATE FILE NUMBER

6846559

TO BE COMPLETED BY FUNERAL FACILITY

TO BE COMPLETED BY MEDICAL CERTIFIER

1. Legal Name First: Lois Middle: Lorraine Last: Paul Suffix:		2. Death Date February 09, 2017	
3. Sex Female	4. Age 87 years	5. Social Security Number	
6. Birth Date March 20, 1929	7. Birth Place Hoffman, Minnesota	8. Decedent's Education Some college	
9. Was Decedent of Hispanic Origin? No		10. Decedent's Race(s) White	
11. Was Decedent Ever in U.S. Armed Forces? No		12. Residence: Number and Street 574 NE Fleming Avenue	
13. Residence: County Multnomah		14. City/Town Gresham	
15. State or Foreign Country Oregon		16. Zip Code + 4 97030	
17. Inside City Limits? Yes		18. Marital Status at Time of Death Widowed	
19. Spouse's Name Prior to First Marriage Clifford H. Paul		20. Kind of Business/Industry General Contracting	
21. Usual Occupation Owner/Operator		22. Father's Name William John Lohman	
23. Mother's Name Scott Paul		24. Relationship to Decedent Son	
25. Telephone Number Not Available		26. Mailing Address 33521 SE Brooks Road, Boring, OR 97009	
27. Place of Death Decedent's Residence - Hospice		28. Facility Name	
29. Location of Death 574 NE Fleming Avenue		30. City/Town or Location of Death Gresham	
31. State Oregon		32. Zip Code 97030	
33. Method of Disposition Burial		34. Place of Disposition Lincoln Memorial Park Cemetery	
35. Name and Complete Address of Funeral Facility Bateman Carroll Funeral Home		36. Location Portland, Oregon	
37. Date of Disposition February 18, 2017		38. Funeral Director's Signature Tom M. Walters	
39. Registrar's Signature Deborah Taylor		40. Date Registered FEB 24 2017	
41. OR License Number CO-3917		42. Local File Number 000928	
43. Amendment			
44. Was Case referred to Medical Examiner? ☒ Yes ☐ No			
45. Autopsy? ☐ Yes ☒ No			
46. Were autopsy findings available to complete the cause of death? ☐ Yes ☒ No			
47. Time of Death 08:30			
48. CAUSE OF DEATH Enter the chain of events - diseases, injuries, or complications - that directly caused the death. DO NOT ENTER TERMINAL EVENTS such as cardiac arrest, respiratory arrest or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. IMMEDIATE CAUSE a. <u>Adenocarcinoma of Pancreas</u> Due to (or as a consequence of) <u>breast</u> b. Due to (or as a consequence of) c. Due to (or as a consequence of) d. 51. Other significant conditions contributing to death, but not resulting in the underlying cause given above: 52. Manner of Death ☒ Natural ☐ Homicide ☐ Accident ☐ Undetermined ☐ Suicide ☐ Pending 53. If Female ☒ Not pregnant within past year ☐ Not pregnant, but pregnant 43 days to 1 year before death ☐ Pregnant at time of death ☐ Unknown if pregnant within the past year ☐ Not pregnant, but pregnant within 42 days before death 54. Did tobacco use contribute to death? ☒ Yes ☐ Probably ☐ No ☐ Unknown 55. Date of Injury (MM/DD/YYYY) 56. Time of Injury 57. Place of Injury (e.g., Decedent's home, construction site, restaurant, school, etc.) 58. Injury at Work? ☐ Yes ☒ No ☐ Unknown 59. Location of Injury (Number & Street or RFD No., City/Town, State, Zip + 4) 60. Describe how injury occurred 61. If transportation injury, specify: ☐ Driver/Operator ☐ Passenger ☐ Pedestrian ☐ Other (Specify) 62. Name and Address of Certifier (Number & Street or RFD No., City/Town, State, Zip + 4) Patrick McQuinn MD 29900 SE Stark St #202 Gresham OR 97030 63. Name and Title of Attending Physician (if other than Certifier) 64. Title of Certifier MD 65. Signature Number 18852 66. Date Signed (MM/DD/YYYY) 02/20/2017 67. Medical Certifier - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner stated. 68. Medical Examiner - On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated. 69. Amendment			

I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE OR THE VITAL RECORD FACTS ON FILE IN THE VITAL RECORDS UNIT OF THE OREGON CENTER FOR HEALTH STATISTICS.

FEB 24 2017

OWRP

STATE REGISTRAR

DATE ISSUED:

THIS COPY IS NOT VALID WITHOUT OFFICIAL VITAL RECORDS UNIT



Exhibit "A"
CERTIFICATION OF TRUST

I, SCOTT M. PAUL, declare and state:

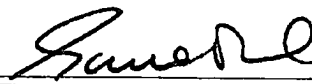
1. LOIS L. PAUL was the Trustor and Trustee of the LOIS L. PAUL TRUST dated April 17, 2005. LOIS L. PAUL died on February 9, 2017. A copy of her death certificate is attached hereto.

2. Pursuant to Article X., I am appointed as the successor Trustee of the LOIS L. PAUL TRUST dated April 17, 2005. I have all powers and authority granted to Trustees under Oregon law as stated in Article VII, which includes the power to lease, buy, sell, convey, encumber, and otherwise manage real property.

3. I am the sole beneficiary of the LOIS L. PAUL TRUST.

4. To the best of my knowledge, I certify that this Certification of Trust is true and accurate, and that the LOIS L. PAUL TRUST has not been revoked, modified, or amended in any manner that would cause the representations herein to be incorrect, and is in full force and effect.

This Certification of Trust was executed on May 9, 2017 by the undersigned who is the trustee of the Trust.


SCOTT M. PAUL, Trustee
33521 SE Brooks Road
Boring, OR 97009
(503) 663-1842

STATE OF OR)
County of Clackamas) ss.

I certify that SCOTT M. PAUL appeared personally before me and that I know or have satisfactory evidence that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 9 day of May, 2017.




NOTARY PUBLIC FOR
My Commission Expires: 4/3/2018

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MAR 23 2018
OWRD
PABST HOLLAND & REYNOLDS, PLLC
ATTORNEYS AT LAW
900 Washington Street, Suite 820
Vancouver, Washington 98660
(360) 693-1910 • (503) 222-9201

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

KATHRYN E. HOLLAND, Attorney
900 Washington Street, Suite 820
Vancouver, WA 98660

MAIL TAX STATEMENTS TO:

Scott M. Paul
33521 SE Brooks Road
Boring, OR 97009

STATUTORY WARRANTY DEED

Documentary transfer tax is none. No consideration (inheritance).

THE GRANTOR, SCOTT M. PAUL, Trustee of the Lois L. Paul Trust dated
April 17, 2005,

hereby **CONVEYS AND WARRANTS TITLE** to

SCOTT M. PAUL, a married man as his sole and separate property,

the following-described real estate situated in the County of Clackamas, State of Oregon, including
any interest therein which Grantor may hereafter acquire:

The northwest quarter of the northeast quarter of the northeast quarter of Section 29,
Township 1 South, Range 4 East of the Willamette Meridian, in the County of
Clackamas and State of Oregon.

EXCEPT that portion thereof described as follows:

Beginning at the southeast corner of the northwest quarter of the Northeast corner of
said section; thence West 193.6 yards; thence North 100 yards; thence East 193.6
yards; thence South 100 yards to the place of beginning.

AND SUBJECT TO the rights of the public in so much thereof as is within the
County Road.

Assessor's Account No.: 01610607
Situs Address: 8601 SE Revenue Road
Boring, OR 97009

STATUTORY WARRANTY DEED - 1
(PAUL, Lois/Trust Admin/D SWD to Scott (8601 SE Revenue Road))

PABST HOLLAND & REYNOLDS, PLLC
ATTORNEYS AT LAW
900 Washington Street, Suite 820
Vancouver, Washington 98660
(360) 693-1910 • (503) 222-9201

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Pursuant to the Certification of Trust attached hereto as **Exhibit "A,"** SCOTT M. PAUL, as Trustee is authorized to act individually on behalf of the Trust which includes the full, complete and sole authority to transfer; encumber or sell the Trust real property.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: May 9, 2017.

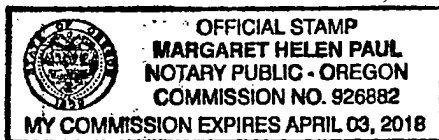
Scott M. Paul

SCOTT M. PAUL, Trustee
of the Lois L. Paul Trust dated April 17, 2005

STATE OF OR)
County of Clackamas) ss.

I certify that SCOTT M. PAUL appeared personally before me and that I know or have satisfactory evidence that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 9 day of May, 2017



Margaret Helen Paul

NOTARY PUBLIC FOR

My Commission Expires: 4/3/2018

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STATUTORY WARRANTY DEED - 2
(PAUL, Lois/Trust Admin/D SWD to Scott (8601 SE Revenue Road))

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PABST HOLLAND & REYNOLDS, PLLC
ATTORNEYS AT LAW
900 Washington Street, Suite 820
Vancouver, Washington 98660
(360) 693-1910 • (503) 222-8201

SUMMARY OF FACTS AND CONCLUSIONS

Subject: The subject property, The Alpine Nursery is located on an irregular shaped and generally level site, with 35.30 acres of nursery land held in one tax lot identified in Clackamas County Records as Parcel Number 01610607. There is a small rental house on the site as well as construction offices and warehouse area.

Location: According to county tax records the three separate tax lots and parcels are located within Clackamas County, outside of the city of Boring Oregon, northeast of US 26, Mount Hood Highway.

Access: Ingress and egress is via SE Revenue Road for the 35.30 acre parcel, with 935 feet of road frontage. Access is considered adequate for the area.

Property Rights Appraised: Fee Simple

Effective Dates of Value: The "As Is" Land Value is the date of the most recent inspection, December 21, 2011.

Date of Inspection: December 21, 2011

Date of Report: January 23, 2012

Zoning: The subject property is under the jurisdiction of Clackamas County and is located in two separate zoning area designations. The Nursery company and 35.30 acres of land is located in an EFU zoning area. The zoning is agricultural and farming use. A copy of the zoning is contained in the addenda.

Assessment and Taxation: Tax information for the is summarized as follows:
-14E29.00400 Taxes for 2010-2011: \$3,827.28

Flood Hazard Map: The subject property is Federal Emergency Management Agency (FEMA) Panel Number 415588 0055B, dated September 30, 2008. Some parts of the 35.30 acre parcel are within flood zone A2 and/or B, however, the improvements are all outside the flood zone area and within a C zoning area designation, an area of minimal flooding.

Census Tract: The subject property is located within Census Tract Number 234.01 Block 1 in the Portland Metropolitan Statistical Area, based on the 2000 Census Tract map.

Highest & Best Highest and Best Use of the subject property is as it is currently

G-18632

Use: utilized; i.e., nursery stock and business on the 35.30 acre site, and a single family home that is currently rented to one of the employees.

Valuation Methodology: All approaches to value have been considered and are used where they are appropriate and supported. The Sales Comparison Approach was the primary method of valuing the residence and land. The Cost Approach has been utilized for valuation of the office and warehouse components of the nursery site as there are no sales of similar properties from which to compare. The Income Approach was used for the small Income Producing structure located within the 35.30 acre nursery site. The Market Approach and Cost Approach were both determined to be unrealistic for this structure due to the location within the secured nursery site.

Exposure Time: Less than 12-24 months "As Is".

Market Value:

SEVEN HUNDRED SIXTY SIX THOUSAND DOLLARS
\$766,000

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Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ SECTION 1: _____
- ☐ SECTION 2: _____
- ☐ SECTION 3: _____
- ☐ SECTION 4: _____
- ☐ SECTION 5: _____
- ☐ SECTION 6: _____
- ☐ SECTION 7: _____
- ☐ SECTION 8: _____
- ☐ SECTION 9: _____

☐ Land Use Information Form _____

☐ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

☐ Fees _____

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MAP

- ☐ Permanent quality and drawn in ink
- ☐ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- ☐ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- ☐ Other _____

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Oregon Water Resources Department
Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Friday, March 23, 2018

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$350.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,560.00

OWRD Fee Schedule

Fee Calculator Version B20170117