

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.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME STUART WILSON		PHONE (HM)	
PHONE (WK)	CELL 503-545-8739	FAX	
ADDRESS 12960 12155 NW DICK ROAD			
CITY HILLSBORO	STATE OR	ZIP 97124	E-MAIL*

Organization

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

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

AGENT / BUSINESS NAME BILL FLATZ / STUNTZNER ENGINEERING & FORESTRY		PHONE 503-357-5717	FAX
ADDRESS 2318-B PACIFIC AVE.		CELL 503-939-8381	
CITY FOREST GROVE	STATE OR	ZIP 97116	E-MAIL* BILLFLATZ@STUNTZNER.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 proposed and final order documents will also be mailed.)

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By my signature below I confirm that I understand:

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

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

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.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☐ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, 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).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: 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.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL 2	Holcumb Creek	1,755'	SW 550', WELL 595', -45'
WELL 1	ROCK CREEK	3,360'	SW 360', WELL 595', -235'

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).*

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.20 CFS, 90 GPM (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.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 2	☒	☐	PROPOSED	☐	8"	+1 TO 470'	520' TO 560'	0 TO 470'	250'	BASALT	560'	90 GPM	51 AF
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

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

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

☒ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

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appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

☐ Yes ☒ No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

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Is the well or proposed well located in an area where the Statewide rules apply?

☒ Yes ☐ No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 st through October 31 st	50 AF
Agriculture	March 1 st through October 31 st	1 AF

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 40.8 Acres

Supplemental: N/A Acres

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

N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 51 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: ____ (Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.)

For Department Use: App. Number: _____

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

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- ☒ Pump (give horsepower and type): 10 HP Submersible.
☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Buried irrigation mainline will be installed using valves to control zones with drip irrigation for grapes and cannabis. The landscaping will be a small area zones with rainbird impact and pop-up shrub sprinklers.

B. Application Method

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

95% drip irrigation. Minimal landscaping will be on timer with early morning irrigation.

C. Conservation

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

The crops will be monitored and irrigated only when needed using drip irrigation to conserve water.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Well drilled in 1993, irrigation system construction will start when permit is issued.
- b) Date construction will be completed: August 2025
- c) Date beneficial water use will begin: When permit is issued, within irrigation season.

SECTION 8: RESOURCE PROTECTION

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

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Irrigation will be monitored so no runoff occurs.
- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: Some crops are already planted, additional clearing and planting will be a slow process. No clearing or planting will take place next to the drainages.

- ☒ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: No additional permits will be required to plant, irrigate and harvest crops.

SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

This application is to permit the use of an existing well to irrigate crops.

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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.oregon.gov/OWRD

Applicant

NAME STUART WILSON		PHONE (HIM)	
PHONE (WK)	CELL 503-545-8739	FAX	
ADDRESS 12155 NW DICK ROAD			
CITY HILLSBORO	STATE OR	ZIP 97124	E-MAIL* STUART@DROPS CANDIES.COM

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:
2N	2W	35	NW/SW	900	BFU	☒ Diverted	☒ Conveyed	☒ Used	Irrigation
2N	2W	35	NE/SW	900	BJU	☐ Diverted	☒ Conveyed	☒ Used	Irrigation
2N	2W	35	SE/SW	1100	EFC	☐ Diverted	☒ Conveyed	☒ Used	Irrigation
						☐ Diverted	☐ Conveyed	☐ Used	

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

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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 ☒ Groundwater ☐ Surface Water (name) _____

Estimated quantity of water needed: 0.20 ☒ 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:

Application to Water Resources to use an existing well to irrigate crops.

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

For Local Government Use Only

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

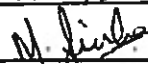
Please check the appropriate box below and provide the requested information

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

☐ 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

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.

NAME MAITREYEE SINHA		TITLE: ASSOCIATE PLANNER
SIGNATURE 	PHONE: 503-846-3835	DATE: 08-03-2020
GOVERNMENT ENTITY WASHINGTON COUNTY, OREGON		

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Customer Service Department

Phone: 503.219.TRIO (8746)

Fax: 503.790.7872

Email: cs.oregon@firstam.com

Date: 7/14/2020

OWNERSHIP INFORMATION

Owner: Wilson, Stuart B

CoOwner:

Site: 12611 NW Dick Rd Hillsboro OR 97124

Mail: 12960 NW Dick Rd Hillsboro OR 97124

Parcel #: R790772

Ref Parcel #: 2N2350000900

TRS: 02N / 02W / 35 / SW

County: Washington

PROPERTY DESCRIPTION

Map Grid: 534-B7

Census Tract: 032700 Block: 3031

Neighborhood: Cpo 8

School Dist: 1J Hillsboro

Impr Type: R1 - Residence Single Family

Subdiv/Plat:

Land Use: 5515 - Specially Assessed - Zoned Farmland - Improved

Std Land Use: AFAR - Farms And Crops

Zoning: Washington Co.-EFU - Exclusive Farm Use District

Lat/Lon: 45.61175195 / -122.90223356

Watershed: Rock Creek-Tualatin River

Legal: ACRES 39.77, ZONED FARMLAND- POTENTIAL
ADDITIONAL TAX LIABILITY, ZONED
FARMLAND LIEN, \$2323.17

ASSESSMENT AND TAXATION

Market Land: \$380,160.00

Market Impr: \$841,500.00

Market Special: \$249,900.00

Market Total: \$1,471,560.00 (2019)

% Improved: 57.00%

Assessed Total: \$1,130,550.00 (2019)

Levy Code: 1.24

Tax: \$14,924.61 (2019)

Millage Rate: 13.2012

Exemption:

Exemption Type:

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PROPERTY CHARACTERISTICS

Bedrooms: 3	Total SqFt: 4,785 SqFt	Year Built: 1994
Baths, Total: 5.00	First Floor: 2,617 SqFt	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 39.77 Acres
Baths, Half:	Basement Fin: 2,168 SqFt	Lot Size SF: 1,732,381 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total: 2,168 SqFt	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material: Clay Tile
Cooling: Yes	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls: Sliding
Building Style:	Garage: Garage 308 SqFt	Const Type: Wood Frame

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
STUART WILSON	8/21/2019	56238		Notice Of Default	\$450,000.00	Private Party Lender
STUART WILSON	8/21/2019	56239		Notice Of Default	\$450,000.00	Private Party Lender
STUART WILSON	7/25/2019	48243		Notice Of Default	\$450,000.00	Private Party Lender
WILSON,STUART	8/24/2018	0000059025		Deed Of Trust	\$450,000.00	Conv/Unk
WILSON,STUART B	3/16/2017	0000021089		Deed Of Trust		Conv/Unk
WILSON,STUART B	10/2/2015	0000083743		Deed Of Trust	\$447,897.00	Conv/Unk
WILSON,STUART B	9/27/2012	0000080896		Quit Claim		Conv/Unk
WILSON,STUART B	12/14/2011	0000088853		Deed Of Trust	\$4,982.00	Conventional
WILSON,STUART B	8/15/2008	0000071075		Deed Of Trust	\$505,334.00	Conv/Unk
WILSON,STUART B & MELINDA	7/28/2006	0000090135		Deed Of Trust	\$500,000.00	Conv/Unk
WILSON,STUART & MELINDA	6/6/2006	0000067452		Deed Of Trust	\$200,000.00	Conv/Unk
STUART B WILSON	10/30/2001	111475		Deed Of Trust	\$233,000.00	Conventional
WILSON,STUART B	3/7/1994	0000021729	\$275,000.00	Deed		Conv/Unk

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Customer Service Department

Phone: 503.219.TRIO (8746)

Fax: 503.790.7872

Email: cs.oregon@firstam.com

Date: 7/14/2020

OWNERSHIP INFORMATION

Owner: Wilson, Molly M
CoOwner: Wilson, Stuart By American Brokers Conduit
Site: 12061 NW Dick Rd Hillsboro OR 97124
Mail: 520 Broadhollow Rd Melville NY 11747

Parcel #: R790790
Ref Parcel #: 2N2350001100
TRS: 02N / 02W / 35 / SW
County: Washington

PROPERTY DESCRIPTION

Map Grid: 534-B7
Census Tract: 032700 Block: 3031
Neighborhood: Cpo 8
School Dist: 1J Hillsboro
Impr Type: R1 - Residence Single Family
Subdiv/Plat:
Land Use: 6416 - Designated Forestland - Improved - Efc
Zone
Std Land Use: OTHR - Other
Zoning: Washington Co.-EFC - Exclusive Forest And
Conservation
Lat/Lon: 45.60818606 / -122.90033095
Watershed: Rock Creek-Tualatin River
Legal: ACRES 29.56, UNZONED FARMLAND -
POTENTIAL ADDITIONAL TAX LIABILITY,
FORESTLAND, POTENTIAL ADDITIONAL TAX
LIABILITY, UNZONED FARMLAND LIEN,
\$3,387.99

ASSESSMENT AND TAXATION

Market Land: \$488,080.00
Market Impr: \$278,520.00
Market Special: \$105,470.00
Market Total: \$872,070.00 (2019)
% Improved: 32.00%
Assessed Total: \$447,600.00 (2019)
Levy Code: 1.24
Tax: \$6,710.11 (2019)
Millage Rate: 13.2012
Exemption:
Exemption Type:

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PROPERTY CHARACTERISTICS

Bedrooms: 3	Total SqFt: 2,864 SqFt	Year Built: 1933
Baths, Total: 2.00	First Floor: 1,632 SqFt	Eff Year Built: 1990
Baths, Full:	Second Floor: 616 SqFt	Lot Size Ac: 29.56 Acres
Baths, Half:	Basement Fin: 616 SqFt	Lot Size SF: 1,287,634 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total: 616 SqFt	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material: Comp Shingle
Cooling:	Attic Unfin:	Roof Shape:
Heating: Heat Pump	Attic Total:	Ext Walls: Siding
Building Style:	Garage: Garage 528 SqFt	Const Type: Wood Frame

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
WILSON,STUART	5/18/2009	0000044041	\$1,300,000.00	Deed		Conv/Unk
WILSON,MOLLY M	4/28/2006	0000050608		Deed Of Trust	\$960,000.00	Conv/Unk
WILSON,MOLLY M	10/18/2005	0000129479		Deed	\$634,000.00	Conv/Unk
HERETH,MOLLY	9/24/2004	0000110956		Deed Of Trust	\$160,000.00	Conv/Unk

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Washington County, Oregon
08/24/2012 11:23:21 AM
D-DQ Cnt=1 Stn=21 RECORDS1
\$25.00 \$5.00 \$11.00 \$15.00 \$20.00 - Total = \$76.00

2012-069823



01740536201200698230050059

I, Richard Hebermient, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Hebermient, Director of Assessment and
Taxation, Ex-Officio County Clerk



=====

Grantor: Martin W. Schmidt and Lillian Nancy Schmidt, husband
and wife

Grantee: Stuart B. Wilson

After recording return to:

Paul Norr
Attorney at Law
5550 SW Macadam Ave, #330
Portland, OR 97239

Tax Assessor: Please combine into one tax lot with neighboring
property owned by Grantee and send Tax Statement to:

Stuart B. Wilson
12960 NW Hick Rd.
Hillsboro, OR 97124

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QUITCLAIM DEED

MARTIN W. SCHMIDT and LILLIAN NANCY SCHMIDT, husband and
wife, Grantor, releases and quitclaims to STUART B. WILSON,
Grantee, all right, title, and interest in and to the real
property located in the County of Washington, State of Oregon,
legally described in Exhibit A attached hereto.

The true and actual consideration paid for the transfer of this property is not monetary but is other valuable consideration including resolution of a property line dispute.

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.

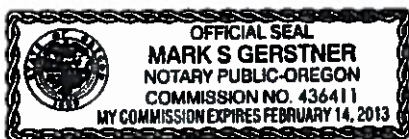
Dated: Aug 16, 2012.

Martin W. Schmidt
MARTIN W. SCHMIDT

Lillian Nancy Schmidt
LILLIAN NANCY SCHMIDT

STATE OF OREGON)
County of Multnomah) ss.

The foregoing Quitclaim Deed was acknowledged before me on the 16th day of August 2012, ~~2-11~~ by MARTIN W. SCHMIDT and LILLIAN NANCY SCHMIDT.



Wynne S. Austen
Notary Public for Oregon
My commission expires 02/14/2013

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A tract of land situated in the N.E. 1/4 of the S.W. 1/4 of Section 35, T 2N., R 2W., W.M., Washington County, Oregon, being more particularly described as follows:

Commencing at the center of said Section 35; thence N 87°21'06"W along the North line of the N.E. 1/4 of the S.W. 1/4 of said Section 35 a distance of 335.03 ft. to the Northwest corner of the East one-quarter of said legal subdivision, said point being the Northwest corner of that tract of land described in deed to George Teufel and Lillian A. Taufel, recorded in Bk. 371, Pg. 57, Washington County deed records, said point being the TRUE POINT OF BEGINNING of the tract herein to be described; thence continuing along the North line of the N.E. 1/4 of the S.W. 1/4 of said Section 35, N 87°21'06"W a distance of 67.95 ft. to a point in a North-South fence line; thence tracing said fence line as follows; S 01°25'15"E a distance of 134.50 ft.; S 00°47'15"E a distance of 333.50 ft.; S 00°11'00"E a distance of 166.50 ft.; S 00°08'00"W a distance of 573.00 ft.; and S 01°14'30"E a distance of 79.00 ft. to a point in an East-West fence line; thence S 87°41'44"E a distance of 19.00 ft. to the West line of the East one-quarter of the N.E. 1/4 of the S.W. 1/4 of said Section 35; thence tracing said West line, N 01°47'15"E a distance of 1284.66 ft. to the True Point of Beginning.

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EXHIBIT A



Washington County, Oregon 2009-044041
05/18/2008 03:50:42 PM
D-C Cnt=1 Sht=3 T EAKIN
\$15.00 \$5.00 \$11.00 - Total = \$31.00



01384620200800440410030036

I, Richard Heberich, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Heberich, Director of Assessment and
Taxation, Ex-Officio County Clerk



After Recording Return To:

John B. Benazzi
Davis Wright Tremaine
2300 Wells Fargo Tower
1300 SW Fifth Avenue
Portland, Oregon 97201
Attention: John B. Benazzi

Until a change is requested, all tax statements shall be sent to the following address:

American Brokers Conduit
520 Broadhollow Road
Melville, NY 11747

Tax Account No. R790790

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MEMORANDUM OF SALE CONTRACT

This is a Memorandum of that unrecorded SALE CONTRACT (the "Contract"), dated April 27, 2009 between Molly M. Wilson, (hereinafter referred to as "Seller"), and Stuart Wilson, (herein after referred to as "Buyer") concerning the real property ("Property") described as follows:

Commencing at the Southeast corner of the Southwest quarter of section 35, Township 2 North, Range 2 West of the Willamette Meridian, Washington County, Oregon; running thence West on the South line of Section 35, a distance of 15 chains to the Southeast corner of land conveyed to Chris Zurcher by deed recorded in deed book V, Page 281; thence North parallel with the West line of Section 35, a distance of 20 chains; thence East 15 chains; thence South 20 chains to the place of beginning

Seller has agreed to sell and Buyer has agreed to buy the Property upon the terms and conditions set forth in the Contract, which terms and conditions are incorporated in this Memorandum by this reference.

All amounts owed under the Contract of Sale were due and payable on April 1, 2011. The true and actual consideration for this conveyance is \$1,300,000.00.

This Memorandum is not a complete summary of the Contract. Provisions of this Memorandum shall not be used in interpreting the Contract. In the event of conflict between this Memorandum and the Contract, the Contract shall control.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF

MEMORANDUM OF SALE CONTRACT

Portland
DWT 12651842v5 0086851-000003

ANY, UNDER ORS 197.352 SECTIONS 2, 3 AND 5 TO 22 OF THIS 2007 ACT. 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 APPROVED USES, 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 197.352 SECTIONS 2, 3 AND 5 TO 22 OF THIS 2007 ACT.

THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have executed this Memorandum on April 27, 2009.

SELLER:

Molly M. Wilson

BUYER:

Stuart Wilson

Notary Acknowledgements on following page

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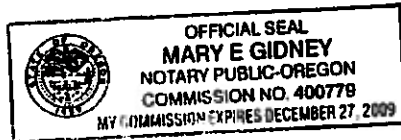
OWRD

EXHIBIT D - MEMORANDUM OF SALE CONTRACT

NOTARY ACKNOWLEDGEMENTS

STATE OF OREGON)
County of Multnomah) ss.

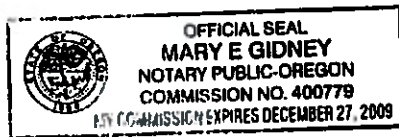
On this 27th day of April, 2008, personally appeared before me the above named Molly M. Wilson and acknowledged the foregoing instrument to be her voluntary act and deed.



Mary E. Gidney
Notary Public for Oregon
My Commission Expires: 12-27-09

STATE OF OREGON)
County of Multnomah) ss.

On this 27th day of April, 2008, personally appeared before me the above named Stuart Wilson and acknowledged the foregoing instrument to be his voluntary act and deed.



Mary E. Gidney
Notary Public for Oregon
My Commission Expires: 12-27-09

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MEMORANDUM OF SALE CONTRACT

Portland
DWT 12651842v5 0086851-000003



How would you like to enter your Location?

- ☐ Latitude/Longitude in Decimal Degrees (ex: Latitude: 45.0123 degrees, Longitude: -121.5321 degrees)
☐ Latitude/Longitude in Decimal Minutes (ex: 45 degrees, 27.567 minutes)
☐ Latitude/Longitude in Degrees, Minutes, Seconds (ex: 45 degrees, 37 minutes, 28 seconds)
☐ By Address (ex: 725 Summer ST NE Salem, OR 97301)
☒ By Public Land Survey (Township 1S, Range 3E, Section 5, NE Quarter/Quarter of SW Quarter)

Meridian:
Township:
Range:
Section:
Quarter/Quarter: (40 acres)
Quarter: (160 acres)

Location

Latitude/Longitude: n/a, n/a
OR Lambert X,Y: n/a, n/a

Public Land Survey (TRSQQ)

Meridian: WM
Township/Range/Section: 2N-2W-35
Quarter/Quarter: NE-SW

Political Features

County: Washington
OWRD Region: NW
Watermaster District: 18

DEQ Region:
ODFW Region: Northwest Region
ODFW District: NWWDCoast Range Unit

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Hydrologic Features

Basin: Willamette
Water Availability Basin: [ROCK CR > TUALATIN R - AT MOUTH \(73545\)](#)
Priority WAB Name: ROCK CR @ mouth (OWRD: Fair, ODFW: High) (73545)

Groundwater Features

Groundwater Restricted Area: n/a

Other Features

4D Rules Apply: Rules apply
Division 33 Ruleset(s): Statewide; Lower Columbia; STATEWIDE



Oregon Water Resources Department
Groundwater Application

Main

Help

Return

Contact Us

Today's Date: Monday, August 3, 2020

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	.2	\$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 groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Subtotal:		\$2,040.00
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater 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

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SMOKY FLOWER FARM CALCULATIONS, 2. July 30, 2020

T	R	SEC	TL	Q-Q	AC
2N	2W	35	900	NW/SW	5.8
2N	2W	35	900	NE/SW	19.9
2N	2W	35	1100	SE/SW	15.1
TOTAL ACRES =					40.8

Standard max. rate and duty per OWRD	STND RATE, 1/80 CFS/SEC =	0.51 CFS																	
	STND RATE, 1/80 CFS/SEC =	228.888 GPM																	
	STND DUTY, 2.5 FT / AC =	102 AF/YR																	
	STND DUTY =	4,443,120 CF/YR																	
Theoretical given well log max yeild	STND DUTY =	33,234,538 GAL/YR																	
	WELL RATE =	0.193 CFS																	
	WELL RATE =	86.6 GAL/MIN																	
	WELL RATE =	5,197 GAL/HR																	
	WELL RATE =	124,730 GAL/DAY																	
	WELL RATE =	3,741,915 GAL/MO																	
	Months of irr season PER YEAR =	8 MO																	
	MAX YIELD PER YEAR =	29,935,319 GAL /YR																	
	MAX YIELD PER YEAR =	4,002,048 CF/YR																	
	MAX YEILD PER YEAR =	91.87 AF/YR																	
Practical max duty by crop and acres	MAX YIELD PER YEAR =	98,089 CF/YR/AC																	
	MAX YIELD PER YEAR =	2.25 FT/AC																	
<table><tr><td>crop</td><td>acres</td><td>duty ft</td><td>duty AF</td></tr><tr><td>grapes</td><td>22.0</td><td>0.50</td><td>11.0</td></tr><tr><td>cannibus</td><td>16.8</td><td>2.00</td><td>33.6</td></tr><tr><td>landscape</td><td>2.0</td><td>2.50</td><td>5.0</td></tr></table>				crop	acres	duty ft	duty AF	grapes	22.0	0.50	11.0	cannibus	16.8	2.00	33.6	landscape	2.0	2.50	5.0
crop	acres	duty ft	duty AF																
grapes	22.0	0.50	11.0																
cannibus	16.8	2.00	33.6																
landscape	2.0	2.50	5.0																
totals = 40.8 49.6																			
Percent of theoretical max yield = 53.99%																			

crop	acres	duty ft	duty AF
grapes	22.0	0.50	11.0
cannibus	16.8	2.00	33.6
landscape	2.0	2.50	5.0

totals = 40.8 49.6

Percent of theoretical max yield = 53.99%

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

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NOV 22 1993

2N/2W/35ca
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WATER RESOURCES DEPT.

(START CARD)

57232

AUG 24 2020

(1) OWNER:

Name STUART WILSON C/O D.R. PETERSON DEVEL.
Address 570 NE 53RD ST., SUITE 222
City HILLSBORO State OR Zip 97124

(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 555 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12	0	138	Cement/Ge1	0	138	35 slks.
8	138	555				

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
Casing:	8"	+1	138	250	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:	6"	-5	555	PVC160	☐	☒	☒	☐
					☐	☐	☐	☐

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☒ Perforations Method DRILLED
☐ Screens Type _____ Material PVC 160

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
515	555		160	1/2"		☐	☒
						☐	☐
						☐	☐
						☐	☐

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

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
90		550	1 hr.
50		450	"

Temperature of Water 57°F 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 WASHINGTON Latitude _____ Longitude _____
Township 2N N or S. Range 2W E or W 35ca
Section 35 NE 1/4 SW 1/4
Tax Lot 900 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 12960 NW DICK RD
HILLSBORO, OR

(10) STATIC WATER LEVEL:

245 ft. below land surface. Date 11/16/93

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 474

From	To	Estimated Flow Rate	SWL
474	555	90 gpm	245

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
Brown & Red-brown clay	0	42	
Decomp gray-brown basalt	42	63	
Decomp brown basalt	63	93	
Hard gray basalt	93	113	
Firm gray-black basalt	113	122	
Firm gray-gray-brown basalt	122	163	
Hard gray-black basalt	163	194	
Lt tan & brown clay	194	199	
Firm gray-brown basalt	199	227	
Hard gray-black basalt	227	240	
Soft brown basalt	240	245	
Firm gray-brown basalt	245	254	
Hard gray-black basalt	254	276	
Firm black basalt	276	326	
Hard gray basalt	326	379	
Soft brown basalt w/clay	379	397	
Firm gray-black basalt	397	416	
Hard gray basalt	416	449	
Broken brown basalt	449	460	
Firm gray-brown basalt	460	468	
Hard gray basalt	468	474	
Firm gray-black basalt	474	555	245

Date started 11/05/93 Completed 11/16/93

(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.

WWC Number _____

Signed _____ 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.

WWC Number 1266

Signed [Signature] Date 11/19/93



TELEPHONE (503) 357-5717
CELL (503) 939-8381
FAX (503) 357-5698
billflatz@stuntzner.com

2318-B Pacific Avenue
FOREST GROVE, OREGON 97116

COOS BAY - FOREST GROVE - JUNCTION CITY

TO: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

SUBJECT: Claim of Beneficial Use Submittal.

August 20, 2020

To Whom it may concern:

Please find enclosed:

- A completed Ground Water Application form.
- A completed Ground Water Application Map
- Ground Water Application Attachments.
- A check for \$2,560 for the statutory review fee.

Please call if you have any questions or need any further information.

Sincerely,
Stuntzner Engineering & Forestry, LLC

A handwritten signature in blue ink, appearing to read "Bill Flatz".

Bill Flatz, PE, CWRE

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Stuart Wilson Ground Water Application

Attachments

- 1) Minimum requirements checklist and application processing, 2 pages.
- 2) Land use information form, 3 pages.
- 3) Deeds for tax lots, 11 pages.
- 4) OWRD location information lookup sheet, 1 page.
- 5) OWRD Groundwater Application Fee Estimate, 1 page.
- 6) Area, Rate and Duty calculations, 1 page.
- 7) Well Log, Wash 3526, 1 page.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Well Development
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Project Schedule
- ☒ SECTION 8: Resource Protection
- ☒ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

Include the following additional items:

- ☒ 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.
- ☒ Fees - Amount enclosed: \$ \$2,560
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ 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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Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.