

MONEY SLIP

DATE: 3-12-2021	RECEIPT #: 134738
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RECEIVED FROM: Cross Pollio LLC

APPLICATION	6-19072
PERMIT	
TRANSFER	

CASH ☐ CHECK # ☒ 1019 OTHER (IDENTIFY) ☐

TOTAL REC'D \$ 2040.00

1083 TREASURY 4170 MISC CASH ACCT.

0407 COPIES \$
 OTHER: (IDENTIFY) \$

0243 Instream Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

1083 TREASURY 4270 WRD OPERATING ACCT.

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ 2040	0204	\$
0205 TRANSFER	\$		\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	RECORD FEE
LANDOWNER'S PERMIT	\$	0220	\$
OTHER (IDENTIFY)			

0607 TREASURY 0467 HYDROELECTRIC

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	
0231 HYDRO LICENSE FEE (FW/WRD)		\$
		\$
HYDRO APPLICATION		\$

SPECIAL INSTRUCTIONS:

☐ RETURN TO APPLICANT -- LETTER ATTACHED

E-2 App

- ☐ Yes
☐ No

Standard Application Completeness Checklist**Groundwater and Surface Water Applications Only**

Minimum Application Requirements (OAR 690-310-0040 & -0050)

For use by WRD staff only

2 wells

Application #:	6-19072	Receipt #:	134738
Applicant Name:	Cross Pollio LLC	Amount Requested:	0.054 CFS
Priority Date:		Proposed Use:	Nursery year-round (21.7 ac)
County:	Clackamas	POD's TRS & TL:	2S, 3E, sec. 33
WM #:	20, Amy L.	Caseworker:	☐ KF ☒ LG
Reviewed by:	alysa	Reviewed Date:	3/18/21

☒ Applicant/Organization Name and Mailing Address☒ Signature of **all** applicants (include title or authority of representative if applicant is an organization or corporation). Note: Applicant's agent may NOT sign the application on behalf of the applicant.☒ Property Ownership: Does the applicant own all the land for the proposed project? ☒ Yes ☐ No

If No:

n/a ☐ The affected landowner's name(s) and mailing address(s) must be listed.☐ A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.n/a ☐ **For a SW Application:** Source of water must be indicated.☐ If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)☐ If for stored water, is the source authorized under a permit, certificate, or decree?Permit or Certificate issued: ☐ Y ☐ N

Permit or Certificate #:

NOTE: An expedited secondary (E2) application and a reservoir application cannot be filed at the same time. The reservoir must be legally authorized first, under an existing water right, in order to accept and process an E2 application.☒ **For a GW Application:** Well development table completed and a well log report included (if existing) proposed wells = 2☒ Division 33 (Sensitive, Threatened, Endangered, Fish Species)☐ Proposed Water Use:☒ Amount of water from each source in GPM, CFS, or AF 0.054 cfs☒ Period of use indicated yr-roundn/a ☒ If for supplemental irrigation, primary acreage or underlying permit or certificate number listed.
(Note: Primary and Supplemental Irrigation counts as 2 uses)☒ Water Management Section☒ Resource Protection Section

- ☒ Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- ☒ Supplemental data sheets enclosed (if needed)
- ☐ Form M (Municipal or Quasi-Municipal)
- ☒ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- ☒ A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- ☒ The proposed source ☐ IS ☒ IS NOT restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- ☐ The **map** must meet all the minimum requirements of OAR 690-310-0050.
- ☒ Township, Range, Section
 - ☒ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU) *n/a*
 - ☒ Place of use, 1/4-1/4's and tax lot clearly identified
 - ☒ Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - ☒ Location of **each** diversion point or well by reference to a recognized public land survey corner.
 - ☒ Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - ☒ Reference corner on map
 - ☒ North directional symbol
 - ☒ Number of acres per 1/4 1/4 if for irrigation, nursery, or agriculture
- ☒ **Fees:** Amount of Water Requested: 0.056 cfs Name on Check: Cross Pollio LLC \$2040.00

Exam Fee Due:	\$ 2040
Exam Fee Submitted:	\$ 2040
Difference:	\$ 0
Recording Fee Paid?	☐ Yes ☒ No \$
Total:	\$ 2040 paid

(note: recording fee not submitted)

Oregon Water Resources Department

Groundwater Application

-  Main
-  Help
-  Return
-  Contact Us

Today's Date: Thursday, March 18, 2021

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	.056	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	2	\$350.00
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

Application for a Permit to Use Groundwater

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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		PHONE (HM)	
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization

NAME CROSSPOLLO LLC C/O MATTHEW GROOMS		PHONE 512-663-6760		FAX
ADDRESS 4230 SE KING RD #342			CELL	
CITY PORTLAND	STATE OR	ZIP 97222	E-MAIL* MGROOMS@CROSSPOLLO.COM	

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

AGENT / BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc.		PHONE (503) 632-5016		FAX (503) 632-5983
ADDRESS 18487 S. Valley Vista Road			CELL (503) 349-6946	
CITY Mulino	STATE OR	ZIP 97042	E-MAIL* phgdmh@gmail.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.)

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 use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



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

Applicant Signature

MATTHEW EGROOMS, MEMBER
Print Name and Title if applicable

FEB 23, 2021
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.

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- ☐ 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*).

NA

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 1	UNNAMED INTERMITTENT DRAINAGE TO THE NORTH	490 FEET	10 FEET
WELL 1	TRIBUTARY TO CLEAR CREEK TO THE NE	1,650 FEET	10 FEET
WELL 2	UNNAMED INTERMITTENT DRAINAGE TO THE NORTH	575 FEET	10 FEET
WELL 2	TRIBUTARY TO CLEAR CREEK TO THE NE	1,700 FEET	10 FEET

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*).

Well specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field. The objective will be to construct the well to develop water from the alluvial aquifer.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.056 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.

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 1	☒	☐	NA	☐	8 INCH	150 FEET	TBD	0 TO 40 FEET	NA	ALLUVIAL	150 FEET		
WELL 2	☒	☐	NA	☐	8 INCH	150 FEET	TBD	0 TO 40 FEET	NA	ALLUVIAL	150 FEET		
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐						TOTAL:		25.1 GPM	108.6 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.

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For Department Use: App. Number: _____

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.

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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

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:

NA

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Statewide - OAR 690-033-0330 thru -0340

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)
Nursery	Year round	108.6 AF

For irrigation use only:

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

Primary: NA Acres Supplemental: NA Acres

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

NA

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

- 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

SECTION 6: WATER MANAGEMENT**A. Diversion and Conveyance**

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

- ☒ Pump (give horsepower and type): Submersible 5 Hp
☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the well using a 5 Hp submersible to supply framed structures to irrigate crops using automated watering systems

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)*

Drip and emitters inside the framed structures

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 automated water system will minimize the water usage and runoff.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Within three years after the permit is issued
b) Date construction will be completed: Within five years after the permit has been issued
c) Date beneficial water use will begin: Within five years after the permit has been issued

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: Water will be applied at rate and duration to avoid excess watering
- ☒ 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:
There are no streams located near Proposed Well 1 or 2 or any other location requiring ground disturbance; therefore, no banks will need clearing.
- ☒ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: NA

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 NA	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*).

None

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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: \$ 2,040
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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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 CROSSPOLLO, LLC C/O MATTHEW GROOMS				PHONE (HM)	
PHONE (WK)		CELL 512-663-6780		FAX	
ADDRESS 4230 SE KING RD #342					
CITY PORTLAND		STATE OR	ZIP 97222	E-MAIL* MGROOMS@CROSSPOLLO.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:
2S	3E	33		800	BFU	☒ Diverted	☒ Conveyed	☒ Used	Nursery
						☐ 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:

Clackamas County

B. Description of Proposed Use

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

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or 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: 0.056 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

New groundwater permit for nursery use.

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

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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

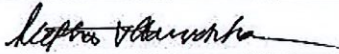
☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): ZDO 401

☐ 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

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 <u>Steve Hanschka</u>		TITLE: <u>Sr. Planner</u>
SIGNATURE 	PHONE: <u>(503) 742-4500</u>	DATE: <u>3/09/2021</u>
GOVERNMENT ENTITY <u>Clackamas County Planning & Zoning Division</u>		

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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RECORDING REQUESTED BY
OLD REPUBLIC TITLE COMPANY OF OREGON

Escrow No.:5513008074
APN:00640220

WHEN RECORDED MAIL TO

CrossPollio LLC
1100 Woodland Ave
Austin, TX 78704

MAIL TAX STATEMENT TO

CrossPollio LLC
1100 Woodland Ave
Austin, TX 78704

Clackamas County Official Records
Sherry Hall, County Clerk

2019-041676

07/18/2019 12:57:01 PM

D-D Cnt=1 Stn=76 CONNIE
\$20.00 \$16.00 \$10.00 \$62.00

\$108.00

SPACE ABOVE RESERVED FOR RECORDER'S USE

WARRANTY DEED

Jimmy Alan Pearson, Grantor, conveys and warrants to CrossPollio LLC, an Oregon limited liability company, Grantee, the following described real property in the County of Clackamas, State of Oregon, described as follows:

See "Exhibit A" attached hereto and made a part hereof.

The described real property is free of all liens and encumbrances except (if none, so state):

See "Exhibit A" attached hereto and made a part hereof.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$400,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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.

Warranty Deed

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Dated this 25th day of June, 2019.

Jimmy Alan Pearson
Jimmy Alan Pearson

STATE OF OREGON
County of Clatsop

This instrument was acknowledged before me on this 25th day of June, 2019 by Jimmy Alan Pearson.



[Signature]
Notary Public for Oregon
My Commission Expires: 4/10/20

MAR 12 2021

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T.2S. R.3E. Section 33, W.M.

29 28
32 33

Lot 1

Water impounded under
Certificate 13435

Unnamed Intermittent Drainage

TL 2 3E 33 800

S. Springwater Rd

BPA easement

S. Gerber Rd

18.4

Proposed Well 1

3.3

Proposed Well 2

0.02

Lot 2

Proposed Well 1 is located 1,190 feet south and
2,410 feet east from the NW corner, Section 33.

Proposed Well 2 is located 1,350 feet south and
2,530 feet east from the NW corner, Section 33.

 Area (21.7 Acres) to be by nursery
operations.

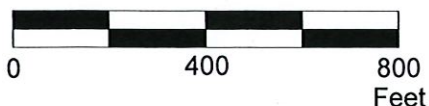
----- Tax lot boundary



S. Criswell Rd

S. Criswell Rd

Scale: 1" = 400'



This map was prepared for the purpose of identifying the
location of a water right only and is not intended to provide legal
dimensions or location of property ownership lines.

Water Right Application Map

Pacific Hydro-Geology Inc.

CrossPollio, LLC
T.2S. R.3E. Section 33, W.M.

02/2021

Order No.: 5513008074

EXHIBIT A

A tract of land situated in the Southwest quarter of Section 28 and the Northwest and Northeast quarter of Section 33, Township 2 South, Range 3 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, the said tract being a portion of that property conveyed to Douglas G. Larson by deed recorded as Document no. 90-63763, Deed Records of Clackamas County, the said tract being more particularly described as follows:

Commencing at a 3 1/4 inch bronze disk marking the Southwest corner of the Nathan P. Macks DLC No. 37; thence North 00°54'41" East along the West line of said DLC a distance of 94.81 feet; thence, leaving said West line, South 87°43'41" West a distance of 305.40 feet to a point on the centerline of Springwater Road (Market Road No. 28) and the TRUE POINT OF BEGINNING of the tract to be described; thence leaving said centerline, South 87°43'41" West along the South line of said Larson property a distance of 1054.58 feet (passing a 5/8" iron rod with yellow plastic cap stamped "AG GEO NW LLC" at 32.81 feet and passing a 3/4" iron pipe at 35.55 feet) to a 5/8" iron rod with a yellow plastic cap stamped "AG GEO NW, LLC" and the Southwest corner thereof; thence North 00°49'27" East along the West line of said Larson property a distance of 1334.08 feet (passing a stone with an "X" at 200.00 feet) to a 5/8" iron rod with a yellow plastic cap stamped "AG GEO NW, LLC"; thence leaving said West line, North 80°01'56" East a distance of 69.62 feet to a 5/8" iron rod with a yellow plastic cap stamped "AG GEO NW, LLC"; thence North 58°50'39" East a distance of 87.87 feet to a 5/8" iron rod with a yellow plastic cap stamped "AG GEO NW, LLC" and the most Southerly corner of that property conveyed to Mindy K. Leasure and Daniel E. Palmer by deed recorded as Document No. 2006-036813, Deed Records of Clackamas County; thence North 30°43'35" East a distance of 169.98 feet (passing a 5/8" iron rod with a yellow plastic cap stamped "AG GEO NW, LLC" on the Southerly right-of-way line of said Springwater Road at 139.93 feet) to a point on the centerline of said Springwater Road; thence South 62°27'34" East along said centerline a distance of 42.95 feet to the beginning of a 190.99 foot radius tangent curve to the right; thence a distance of 121.04 feet along the arc of said curve, through a central angle of 36°18'44" (chord bears South 44°18'12" East 119.03 feet) to the point of tangency; thence continuing along said centerline, South 26°08'50" East a distance of 1549.27 feet to the TRUE POINT OF BEGINNING.

SAVE AND EXCEPT THEREFROM that portion in said Springwater Road.

Exceptions:

1. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

Account No. : 00640220

2. As disclosed by the assessment and tax roll, the premises herein have been specially assessed as forest land. If the land becomes disqualified for this special assessment under the statute, an additional tax plus interest may be levied for the last five or lesser number of years in which the land was subject to this special land use assessment.

Account No. : 00640220

3. Rights of the public, County and/or City, in and to that portion of said land lying within the lines of streets, roads or highways.

4. Rights of the public, riparian owners and governmental bodies as to the use of the waters of an unnamed creek and the natural flow thereof on and across that portion of the subject land lying below the high water line of said waterway.
5. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following,

Entitled	:	Judgment on the Declaration of Taking
Granted To	:	Unites States of America
For	:	Electric Power Transmission Lines and Appurtenances
Recorded	:	May 12, 1941 in Official Records under Document No. <u>Book 280 Page 372</u>
Affects	:	A portion of the South property; see document for details

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