

Application for Water Right Transfer

Part 1 of 4 – Minimum Requirements Checklist



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

This transfer application will be returned if Parts 1 through 4 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL TRANSFER APPLICATIONS

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Completed Transfer Application – Applicant Information and Signature.
- Part 4 – Completed Transfer Application – Water Right Information. Please include a separate Part 4 for each water right. List all water right certificates to be transferred here:

Attachments:

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- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Fees – Amount enclosed: \$ 1400
 See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- N/A Affidavit(s) of Consent.
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report/Well Log.
- N/A For Temporary Transfer (one to five years) Begin Year _____ End Year _____.
- N/A For Temporary Transfer only – Current recorded deed for the land **from** which the authorized place of use is being moved.
- N/A Temporary Drought Transfer (For use in counties where the Governor has declared drought)

(For Staff Use Only)

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

___ Application fee not enclosed/insufficient	___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete	___ Part _____ is incomplete
___ Additional signature(s) required	Other/Explanation _____
Staff: _____ 503-986-0 _____	Date: ____/____/____

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Part 2 of 4 – Transfer Application Map Checklist

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://www1.wrd.state.or.us/pdfs/cwre_listing.pdf. CWRE stamp and signature are not required for temporary changes and substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .dxf format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME HELLEN HEIDI AFFENTRAGER			PHONE NO. 503-961-5087 CELL	ADDITIONAL CONTACT NO. 503-631-7447
ADDRESS 16971 SOUTH CLACKAMAS RIVER DRIVE				FAX NO. NONE
CITY OREGON CITY	STATE OR	ZIP 97045	E-MAIL HAFFENTRAGER@gmail.com	

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

AGENT/BUSINESS NAME EDWARD A. CRANE			PHONE NO. 503-698-3890	ADDITIONAL CONTACT NO. NONE
ADDRESS 13755 SE 119 TH DRIVE				FAX NO.
CITY CLACKAMAS	STATE OR	ZIP 97015	E-MAIL ECES1@FRONTIER.COM	

If an agent is listed above, please check one of the following:

- Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
- Please send all correspondence to Applicant. Send copies of correspondence to Agent.
- Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing address if different than the applicant's) or attach affidavits of consent (and mailing addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

Permanent Transfers Only (check one box)

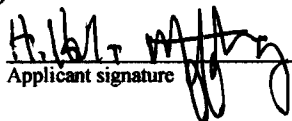
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm that the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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


Applicant signature

Helen Heidi Affentrager
Name (and title if applicable) (print)

4/24/2011
Date

Applicant signature

Name (and title if applicable) (print)

Date

In your own words tell us what change(s) you want made and the reason for the change(s): **WATER RIGHT IS BEING TRANSFERRED FROM GARY JANSIL'S PROPERTY TO MY PROPERTY.**

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- The receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. (To learn about sale agreements please visit our web site at: <http://www1.wrd.state.or.us/pdfs/Transfer-PropertyTransactions.pdf>)

RECEIVING LANDOWNER NAME HELLEN HEIDI AFFRENTRANGER			PHONE NO. 503-961-5087 CELL	ADDITIONAL CONTACT NO. 503-631-7447
ADDRESS 16971 SOUTH CLACKAMAS RIVER DRIVE				FAX NO. NONE
CITY OREGON CITY	STATE OR	ZIP 97045	E-MAIL HAFFENTRANGER@GMAIL.COM	

Describe any special ownership circumstances here: _____

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME NONE	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME NONE	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME CLACKAMAS COUNTY PLANNING	ADDRESS 150 BEAVERCREEK ROAD	
CITY OREGON CITY	STATE OR	ZIP 97045

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Water Right Information

Please use a separate Part 4 for each water right being changed. See instructions at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.

CERTIFICATE # 29328

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Description of Water Delivery System

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System capacity: 0.57 cubic feet per second (cfs) **OR**

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_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. _____

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	2 E	12	SE SW	LT2.	559.3'N & 423.3'W S1/4 COR. SEC.12,2S,2E
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2 S	2 E	14	NE NE	LT1	250'S & 500'W. NE COR. SEC.14, 2S 2E
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: _____



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist, or certified water right examiner for the proper information needed to complete the table.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # _____

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized ("from" lands) as they appear BEFORE THE CHANGES										Proposed ("to" lands) AFTER THE CHANGES												
Twp	Ring	Sec	1/4	1/4	Tax Lot or DLC	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Ring	Sec	1/4	1/4	Tax Lot or DLC	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
2 S	2 E	12	SE	SW	LOT 2	LT2	49.2	IRRIGATI ON	1	APRIL 14, 1958	POU, USE, POD, APOD	2 S	2 E	14	NE	NE	100 & 200	LT1	11.6	GEN NURSER Y	POU, USE, POD, APOD	
TOTAL ACRES											TOTAL ACRES											

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Additional remarks: _____

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EDWARD A. CRANE
13755 SE 119th Drive, Clackamas, OR 97015
Tel: 503-698-3890; Fax: 503-698-3890
E-Mail: eces1@frontier.com

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April 20, 2011

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Manager Application & Permit Section
Oregon Water Resources Department
725 Summer Street NE, Suite "A"
Salem, OR 97301-1271

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SUBJECT: OWRD Surface Water Transfer Application - 1 Irrigation River Intake
Acres: 11.6; 0.145-cfs or 65-gallons per minute for General Nursery Uses
Tax Lot 100, SW SW Sec. 11 & NW NW Sec.14, T2S, R2E WM, (14.90 ac Gross)
Tax Lot 200, NW NW Sec.14, T2S, R2E WM, (7.63 ac Gross)
Both in Clackamas County, State of Oregon
Certificate 29328 (Permit S-25481, Appl.S-32253) for 0.57-cfs (256-gpm) on 49.2 ac
D:\PROJECTS\559-001\559-001_OWRD1.DOC

Dear Sir/Madam:

Heidi Affentranger (full name is Helen Heidi Affentranger) is submitting this Surface Water Transfer Application for General Nursery Uses); for use of .0.145-cfs (at 1/80-cfs/ac/day rate), (45-gallons per minute) on 11.60 acres on two tax lots. This is being transferred from land controlled by Gary Jansik (Highway 224 LLC) which holds Certificate 29328 (Permit S-25481, Application S-32253 for 0.57-cfs [226-gpm] on 49.2 acres).

This Transfer Application also changes the Certificate Use from Irrigation to General Nursery Use and adds General Agricultural Use so they can use water all year for temperature control and applying weed killer & fertilizer. Her land presently is used for row crops such as tomatoes and orchard fruit/nut trees that don't need watering after 3yrs.

An out-of-channel exempt pond will be constructed as "bulges-in-the-pipe". Water in this pond will be used for fire protection, wildlife enhancement, fish propagation, recreation as well as for aesthetic reasons. Water will be pumped out of the pond for sprinklers, drip irrigation and for future General Nursery Uses.

I personally inspected on March 7, 2011 the Riverview Farm (and future nursery) site. Attached are: Surface Water Transfer Application and Transfer Application Maps, OWRD Irrigation "I" form; Land Use Information Form & Description of Water Use form and Copy of Property Legal Descriptions (Tract 1 and Tract 2). Please contact Heidi Affentranger at 503-961-5087 (Cell) if you have any questions about her existing river intake or proposed irrigation system.

OWRD Letter of April 20, 2011
Heidi Affentranger Surface Water Transfer Application
Page 2 of 2

Sincerely;



Edward A. Crane, CWRE
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cc: Heidi Affentranger Cell: 503-961-5087
Dba Riverside Farm Home: ~~503-631-7447~~
16971 South Clackamas River Drive E-mail: haffentranger@hotmail.com
Oregon City, OR 97045

cc: Howard "Gary" Jansik Cell: 503-941-8359
Highway 224 LLC Home: 503-427-0472
20326 SE Walgren Road Fax: 503-558-9397
Damascus, OR 97090 Alt. Tel. Son Stacy 503-810-6641
Certificate 29328 (Permit S-25481, Application S-32253
For 0.57-cfs [226-gpm] on 49.2 acres.

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A tract of land in Sections 11 and 14, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas, State of Oregon, described as follows:

Beginning at a stone marked X on top set 20 chains ^{← 1320'} North of the Southeast corner of a certain tract of land purchased by Anna Howell from Sheridan Lillie by Deed dated December 26, 1913 and recorded in Deed Book 133, Page 368, said point also being 1320 feet North and 369.4 feet West of the quarter section corner between Sections 13 and 14, Township 2 South, Range 2 East of the Willamette Meridian; thence North tracing the East line of the said Anna Howell land 2036.00 feet more or less to the left bank of the Clackamas River, from which point an iron pipe bears South 29.15 feet, thence with the said left bank of the Clackamas River down stream South 30°50' West 600.00 feet, thence South 33°50' West 230.8 feet to a point from which a stone marked X on top bears South 29.15 feet, thence South 1329.10 feet to a stone marked X on top, thence East 436.02 feet to the place of beginning.

TOGETHER WITH the right to use in common with others that certain roadway extending from the Southeast corner of the above described tract Southerly to the Baker Ferry Road (kna Clackamas River Drive) being part of Sections 11 and 14, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFROM ownership of the State of Oregon in and to that portion of the premises herein described lying below the line of ordinary high water of the Clackamas River.

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Lot 2

(our house is on
this lot).

T.L. 100

14-90AC

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Part of the Northeast one-quarter of Section 14, Township 2 South, Ranger 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point North 1320 feet and West 805.42 feet from the East one-quarter corner of said Section 14, said point also being the Southwest corner of that tract conveyed to George Reddaway, et ux, by Deed recorded May 5, 1917, in Book 146, Page 424, Clackamas County Deed Records; thence North along the West line of said Reddaway tract 1329.10 feet, more or less, to the left bank of the Clackamas River; thence South following said left bank to a point due West of said point of beginning, also being the most Southerly Northwest corner of that tract conveyed to Richard H. Tamura, et ux, by Deed recorded January 12, 1978, as Recorder's Fee No. 78-1432, Clackamas County Records; thence East along the most Southerly North line of said Tamara tract, 533.6 feet, more or less, to the point of beginning.

PARCEL 2:

A perpetual non-exclusive easement for right of way in the Northeast one-quarter of Section 14, Township 2 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the most Southerly Northwest corner of that tract conveyed to Richard H. Tamura, et ux, by Deed recorded January 12, 1978, as Recorder's Fee No. 78-1432, Clackamas County Records, said corner being North 1320 feet and West 1338 feet, more or less, from the East one-quarter corner of said Section 14; thence East along the North line of said Tamura tract, 1338 feet, more or less, to a point on the East line of said Tamara tract; thence South along said East line 636.20 feet, more or less, to the Northeast corner of that tract conveyed to Bertha M. Hosford, by Deed recorded March 12, 1918 in Book 149, Page 329, Clackamas County Deed Records; thence continuing South along the East line of said Hosford tract 550 feet, more or less, to a point on the Northerly line of Clackamas River Drive; thence Southwesterly following said Northerly line to a point 30 feet West of the Southerly extension of the aforementioned East line; thence North, parallel with and 30 feet from said East line a distance of 1200 feet, more or less, to a point, 24 feet South of the aforementioned Tamura tract North line; thence West, parallel with and 24 feet from said North line 1308 feet, more or less, to a point 24 feet South from said point of beginning; thence North 24 feet to the point of beginning.

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Lot 1

TZ 200

7.63 ACRE

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