

Part 4 of 5 – Applicant Information and Signature

Applicant Information

| | | | |
|--|--------------------|----------------------------------|---|
| APPLICANT/BUSINESS NAME Richard and Shirley V. Gingerich | | PHONE NO. 503-651-3742 | ADDITIONAL CONTACT NO. 503-708-7896 |
| ADDRESS P.O. Box 910 | | FAX NO. 503-651-3166 | |
| CITY Canby | STATE OR | ZIP 97013 | E-MAIL verneg@gingerich.com |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | |

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

| | | | |
|--|--------------------|----------------------------------|---------------------------------------|
| AGENT/BUSINESS NAME John Borden Consulting | | PHONE NO. 503-723-4257 | ADDITIONAL CONTACT NO. -- |
| ADDRESS 5597 River St. | | FAX NO. -- | |
| CITY West Linn | STATE OR | ZIP 97068 | E-MAIL jeborden@comcast.net |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | |

Explain in your own words what you propose to accomplish with this transfer application, and why:

Beginning about two years ago, the well (CLAC-012796) serving this right (C-88893) began to fail. After performing some experimentation, Westerberg Drilling advised us that it is "un-fixable."

As such, and based upon conversations with CWRE John Borden and WRD staff, we conclude that we need at least three additional wells. To that end, we are proposing seven (7) potential replacement locations because we assume that the Water Resources Department will not approve all locations.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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 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 has supporting documentation.

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I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Canby Herald (failing that, the Molalla Pioneer)

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



[Handwritten Signature]
Applicant signature

R Tristan Gingrich
Print Name (and Title if applicable)

1/14/14
Date

Applicant signature

(Grandson Operations Manager)
Print Name (and Title if applicable)

Date

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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

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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.
- Both 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. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

| | | | |
|--|-------|-----------|------------------------|
| RECEIVING LANDOWNER NAME N/A | | PHONE NO. | ADDITIONAL CONTACT NO. |
| ADDRESS | | | FAX NO. |
| CITY | STATE | ZIP | E-MAIL |

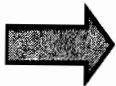
Describe any special ownership circumstances here: N/A

- 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 N/A | 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 N/A | ADDRESS | |
| CITY | STATE | ZIP |



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

| | | |
|--|--|---------------------|
| ENTITY NAME Clackamas County Planning and Zoning Dept. | ADDRESS 150 Beavercreek Road | |
| CITY Oregon City | STATE OR | ZIP 97045 |

| | | |
|---------------------------|---------|-----|
| ENTITY NAME N/A | ADDRESS | |
| CITY | STATE | ZIP |

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the “**Allow only this type of editing in the document: Filling in forms**” in the “Editing restrictions” section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark-through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 88893

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Description of Water Delivery System

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System capacity: 1.0 cubic feet per second (cfs) **OR**
449 gallons per minute (gpm)

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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. *A 40 HP turbine pump located in CLAC-012796 pumps water via 232 feet of a 10-inch diameter buried header to various locations within the Place of Use shown on the map associated with this right. Six (6) inch buried main lines carry water through a berry field, with three (3) inch sub-main lines and two (2) inch laterals delivering water to 14 irrigation blocks of 60-150 overhead sprinklers with 1/8" to 5/32" diameter nozzles. The system also feeds 10 acre blueberry blocks watered by double drip lines with eighteen (18) inch emitter spacing (0.42 gph per emitter, 41.5 gpm per acre). When the drip system was installed in 2006, a pressure regulating valve was placed on the incoming end of the filter system to keep pressure from building up too high. By 2012, a pressure sustaining valve had to be placed on the outgoing end of the filter system to maintain high enough pressure to allow a good back flush through the sand filters. In 2013, the pump was removed and the well was flushed to remove sand and hopefully improve pressure. This was ultimately unsuccessful. During the 2013 harvest season, in order to maintain a pressure of 40 psi, suitable to allow injection into the drip system, only 6.6 acres could be irrigated at a time.*

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) |
|------------------------|---|--|-----|-----|-----|-------|---------------------------|---|
| Well | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | CLAC-012796 | 4 S | 1 E | 35 | SE SE | N/A | 650 feet North & 1290 feet West from SE Cor, Sec. 35 |
| 1 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | N/A | 4 S | 1 E | 35 | NE SE | N/A | 1917 feet North & 19 feet West from SE Cor, Sec. 35 |
| 2 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | N/A | 4 S | 1 E | 35 | NW SE | N/A | 1871 feet North & 1330 feet West from SE Cor, Sec. 35 |
| 3 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | N/A | 4 S | 1 E | 35 | SE SE | N/A | 1267 feet North & 1295 feet West from SE Cor, Sec. 35 |
| 4 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | N/A | 4 S | 1 E | 35 | SE SE | N/A | 663 feet North & 1210 feet West from SE Cor, Sec. 35 |
| 5 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | N/A | 4 S | 1 E | 35 | SE SE | N/A | 659 feet North & 538 feet West from SE Cor, Sec. 35 |
| 6 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | N/A | 4 S | 1 E | 35 | SE SE | N/A | 615 feet North & 534 feet West from SE Cor, Sec. 35 |

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input 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” or “on” 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.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.


Table 2. Description of Changes to Water Right Certificate # 88893 – No change in POU; Only POA's proposed to be added.
List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

| AUTHORIZED (the "from" or "off" lands) | | | | | | | | | | PROPOSED (the "to" or "on" lands) | | | | | | | | | | | | | |
|--|-----|-----|-----|-----|---------|----------------|------|-----------------------------------|--|--|---|-----|-----|-----|-----|-----|---------|----------------|------|-----------------|--|---------------|--|
| The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed. | | | | | | | | | | The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | | | |
| Twp | Rng | Sec | 1/4 | 1/4 | Tax Lot | Gvt Lot or DLC | Acre | 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 | Rng | Sec | 1/4 | 1/4 | Tax Lot | Gvt Lot or DLC | Acre | New Type of USE | POD(s)/ POA(s) to be used (from Table 1) | Priority Date | |
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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 # N/A;
Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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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://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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 the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

| 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 |
|---|------------------------------------|--|------------------|-----------------|-------------------------|---------------------------|--|--|---|---|
| 1 | Yes | CLAC-12796 | 265 | 10-inch | 217 feet | 19 feet | ?? | 33 feet | Sand | 350 gpm |
| 2 | No | TBD | 265 est. | 10-inch est. | 217 feet est. | 19 feet est. | ?? | ?? | Sand est. | 350 gpm est. |
| 3 | No | TBD | 265 est | 10-inch est. | 217 feet est. | 19 feet est. | ?? | ?? | Sand est. | 350 gpm est. |
| 4 | No | TBD | 265 est | 10-inch est. | 217 feet est. | 19 feet est. | ?? | ?? | Sand est. | 350 gpm est. |

| 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 |
|---|------------------------------------|--|------------------|-----------------|-------------------------|---------------------------|--|--|---|---|
| 5 | No | TBD | 265 est | 10-inch est. | 217 feet est. | 19 feet est. | ?? | ?? | Sand est. | 350 gpm est. |
| 6 | No | TBD | 265 est | 10-inch est. | 217 feet est. | 19 feet est. | ?? | ?? | Sand est. | 350 gpm est. |

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