

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Seneca Noti, LLC			PHONE NO. 541-461-6216	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 851			FAX NO.	
CITY Eugene	STATE OR	ZIP 97440	E-MAIL mjelden@senecasawmill.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 EGR & Associates, Inc.			PHONE NO. 541-688-8322	ADDITIONAL CONTACT NO.
ADDRESS 2535 B Prairie Road			FAX NO. 541-688-8087	
CITY Eugene	STATE OR	ZIP 97402	E-MAIL steverecca@egrassoc.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why: Certificate 5013 provides that the original point of diversion was a reservoir located on Elk Creek in Section 25, Township 17 South, Range 7 West, of the Willamette Meridian. Certificate 5013 also provides that the water right was for a log pond and fluming timber (rough sawn lumber) with a flume terminating in the SE Quarter of the SE Quarter (SE,SE) of Section 30, T. 17 S., R. 6 W., W.M. The use of the flume has ceased. However, water diverted from Elk Creek has been continuously used to support the mill operation with a diversion point near the old termination point of the flume. This application is to change the point of diversion to the new POD on Elk Creek in the NE 1/4 of the NE 1/4 of Section 31, Township 17S, Range 6 West, that has been used to supply water for mill operation since the 1970s.

This transfer will result in the water right for the site reflecting actual historic practices.

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)

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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 have supporting documentation.

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: Register Guard.

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


Applicant signature

Richard T. Re Senior Vice President / General Manager
Print Name (and Title if applicable)

12-17-13
Date

Applicant signature

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	

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Describe any special ownership circumstances here: _____

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

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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 Lane County	ADDRESS 125 East 8 th Avenue	
CITY Eugene	STATE OR	ZIP 97401

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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 # 5013

Description of Water Delivery System

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

450 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. **A 8x6x16 Peerless 30 HP vertical turbine pump supplies water to the fire and irrigation recirculation ponds via approximately 530 feet of 4" pipe. From the ponds water is supplied to various mill operations.**

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)
POD 1	☒ Authorized ☐ Proposed		17 S	7 W	25	NE NE		S52°24'E 1745' FROM THE NORTH 1/4 CORNER OF SECTION 25
POD Elk Creek	☐ Authorized ☒ Proposed		17 S	6 W	31	NE NE		60' WEST & 40' SOUTH OF THE NE CORNER OF SECTION 31
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☒ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GAPD) |

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 # 5013

List the change proposed for the acreage in each ¼ ¼. 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 ("from" lands) as they appear BEFORE THE CHANGES										Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) AFTER THE CHANGES									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
17 S	6 W	29	SW SW	4400		5.96 ²	General Industrial ¹	POD 1	10/1/1921	POD	17 S	6 W	29	SW SW	4400		13.16	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	3300		0.49	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	3500		0.17	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	3600		0.17	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	3700		0.17	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	3800		0.17	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	3900		0.17	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	4200		0.17	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	4300		0.26	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	4500		0.25	General Industrial	ELK Creek	10/1/1921

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Authorized ("from" lands) as they appear BEFORE THE CHANGES										Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) AFTER THE CHANGES									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
										POU	17 S	6 W	29	SW SW	4600		0.32	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	29	SW SW	10200		1.33	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	32	NW NW	10200		0.13	General Industrial	ELK Creek	10/1/1921
17 S	6 W	30	SE SE	1600		0.02 ³	General Industrial ¹	POD 1	10/1/1921	POU	17 S	6 W	30	SE SE	1600		8.29	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	30	NE SE	1600		3.16	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	31	NW NW	101		0.02	General Industrial	ELK Creek	10/1/1921
										POU	17 S	6 W	32	NW NW	400		1.37	General Industrial	ELK Creek	10/1/1921
TOTAL ACRES						5.98					TOTAL ACRES						29.8			

Additional remarks: : ¹ Copies of the Notice of Specific-to-General Industrial Water Use Change on Certificate 5013 and the Department's acknowledgement letter are attached. The following information is provided following the recommendations of Gerald Clark and Dorothy Pederson of the Oregon Water Resources Department. ² The location and area of the historic mill site are as shown on a 1936 aerial photograph, the earliest available. ³ The area of historic use for section 30 is based on a 4-foot wide flume extending from the point of reversion directly across section 30 toward the closest point of the historic mill site as shown on the 1936 aerial photograph.

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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: **5012.**

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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- ☐ 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
N/A										