



TELEPHONE (503) 357-5717
FAX (503) 357-5698
WEBSITE: www.stuntzner.com
2318 Pacific Avenue, Suite B
Forest Grove, OR 97116

COOS BAY - FOREST GROVE - DALLAS - JUNCTION CITY

Jan 30, 2018

Re: Tualatin Valley Irrigation District Transfer

Dear OWRD:

Please find the District Transfer documents from our office.

Documents include:

- Transfer Map
- District Water Right Transfer – Supplemental Form D
- Supplemental Forms A for Certificates 88122, 81270 & 53836
- Evidence of Use Affidavit
- Check for \$2,200.00

Let me know if you have any questions or need additional information

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey Kee".

Jeffrey Kee, Certified Water Rights Examiner
Stuntzner Engineering & Forestry, LLC

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

Application for
 District Permanent
 Water Right

Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review.

Change in Place of Use Only

1A. APPLICANT INFORMATION

IRRIGATION DISTRICT Tualatin Valley Irrigation District		PHONE NO. 503-357-3118	ADDITIONAL CONTACT NO.
ADDRESS 2330 Elm St			FAX NO.
CITY Forest Grove	STATE Or	ZIP 97116	E-MAIL rick.peterson@tvid.org
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.			

1B. AGENT INFORMATION

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
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.			

2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Certificate	Permit / Previous Transfer	Decree
1.	88122	-	
2.	81270	-	
3.	53836	-	
4.		-	
5.		-	
6.		-	T 12840

3. ATTACHMENTS


Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right <input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p>Map <input checked="" type="checkbox"/> Permanent Transfer A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).</p>	<p>Fees: <input checked="" type="checkbox"/> Amount enclosed: \$ <u>2,700⁰⁰</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p>Land Use Compatibility Statement <input type="checkbox"/> The Land Use Information Form is <u>not</u> required if water is to be diverted, conveyed and/or used only on federal lands or if <u>ALL</u> of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation <u>only</u> and d) the use is located within an irrigation district or an exclusive farm use zone.</p>
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4. SIGNATURES

The district certifies the following:

- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district; and
- (3) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.


 District Manager signature

Joe Rutledge
 name (print)

2/5/18
 date

OR

 Authorized District Representative signature

 name (print)

 date

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



District Water Right Transfer Supplemental Form D

WATER RIGHTS ISSUED IN THE NAME OF OR WITHIN THE BOUNDARIES OF A DISTRICT

The Department encourages applicants to coordinate with districts during the planning and preparation of transfer applications involving water rights issued in the name of a district or involving the transfer of water rights located within the boundaries of a district.

This form must be included with your transfer application if the transfer involves rights issued in the name of a district or rights located within district boundaries. This form can be used for both permanent and temporary transfers.

1. APPLICANT INFORMATION

Name: Kevin Duyck

Address: 37995 NW Harrington Rd

City: Cornelius State: OR Zip: 97113

Home Phone: 503-320-0779 Work Phone: _____ Other Phone: _____

Fax: _____ **E-Mail Address: kevinduyckfarm@aol.com

2. DISTRICT INFORMATION

District Name: Tualatin Valley Irrigation District

Address: 2330 Elm Street

City: Forest Grove State: OR Zip: 97116

Home Phone: _____ Work Phone: 503-357-3118 Other Phone: _____

Fax: _____ **E-Mail Address: rick.peterson@tvid.org

** By providing an e-mail address, the district and the applicant consent to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

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3. WATER RIGHT(S) ISSUED IN THE NAME OF A DISTRICT(S) OR LOCATED WITHIN THE BOUNDARIES OF A DISTRICT

List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate
1.	S-38477	S-35792	88122
2.		T-2749	81270
3.	S-57759	S-41777	53836
4.		-	
5.		-	
6.		-	

4. DISTRICT CONCURRENCE WITH PROPOSED WATER RIGHT TRANSFER

The district certifies the following:

- (1) The applicant has conferred with the district about the proposed water right transfer application;
- (2) The district has reviewed the applicant's proposed water right transfer application and maps; and
- (3) The district concurs with the proposed water right transfer application.


 District Manager Signature

e
Joe Rutledge
 Name (print)

1/30/18
 Date

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District Permanent Water Right Transfer Application
Supplemental Form A

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DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. **A separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	88122	
	Certificate Number	
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	-	
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	-	
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for Supplemental Irrigation	-	
	Permit Number	

- Name on Permit, Certificate, or Decree: US Bureau of Reclamation
- Priority Date(s): Feb 20, 1963

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Scoggins Creek, Gales Creek, Scoggins Reservoir(Haag Lake), tributaries to the Tualatin River and the Tualatin River

Tributary to: Willamette River

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?
 Yes No

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If "Yes", what are the Permit, Registration or Certificate Numbers? 81270

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

▪ Certificate Number or other identifying number: 88122

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	MEASURED DISTANCES
SHPP (SPRING HILL PUMPING PLANT)	1 S	3 W	08	SW SW			45-29'-32.73"N -123-05'33.85"W
	1						
	1						
	28						
	40						

▪ Certificate Number or other identifying number: 88122

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

TABLE I. – AUTHORIZED PLACE OF USE												
POD # or POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TW P	RN G	SE C	QQ	DLC	GOV'T LOT	TAX LOT			
SHPP	2/20/1963	IRRIGATION	1 N	4 W	11	NW SE	52		1401	18.0		
SHPP	2/20/1963	IRRIGATION	1 N	4 W	11	NE SE	52		1401	12.0		

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										TOTAL:	30.0 Acres	

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	TOTAL:	30.0 ACRES	
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District Permanent Water Right Transfer Application
Supplemental Form A

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DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

Table with 5 rows for water right types: Certificated Right, Adjudicated Non-certificated Right, Permit for which Proof has been Approved, Transferred Right for which Proof has been Filed, Permit for Supplemental Irrigation.

- Name on Permit, Certificate, or Decree: Vandehay Farms Inc
Priority Date(s): Dec 19, 1938

If there are multiple Priority Dates identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: West Fork Dairy Creek

Tributary to: Dairy Creek, Tualatin River, Willamette River

- Are there other water rights, Permits or Ground Water Registrations associated with this land?
[X] Yes [] No

If "Yes", what are the Permit, Registration or Certificate Numbers? 88122

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

▪ Certificate Number or other identifying number: 81270

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):
(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	MEASURED DISTANCES
POD 1	1 N	4 W	12	NW SW	52		3300 FT SOUTH & 600 FT EAST OF NE CORNER SECTION 11
	1						
	12						
	340						
	0						

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▪ Certificate Number or other identifying number: 81270

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

TABLE I. - AUTHORIZED PLACE OF USE												
POD # or POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TW P	RN G	SE C	QQ	DLC	GOV'T LOT	TAX LOT			
POD 1	DEC 19, 1938	SUPPLEMENTA L IRRIGATION	1 N	4 W	11	NW SE	52		1401	18.0	VANDEHEY	
POD 1	DEC 19, 1938	SUPPLEMENTA L IRRIGATION	1 N	4 W	11	NE SE	52		1401	12.0	VANDEHEY	

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									TOTAL:	30.0 AC		

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▪ Certificate Number or other identifying number: 81270

TABLE II. - PROPOSED PLACE OF USE												
POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TW P	RN G	SE C	QQ	DLC	GOV'T LOT	TAX LOT			
POD 1	DEC 19, 1938	SUPPLEMENTA L IRRIGATION	1 N	4 W	11	SW NW	52		600	22.0	DUYCK	
POD 1	DEC 19, 1938	SUPPLEMENTA L IRRIGATION	1 N	4 W	11	SE NW	52		600	8.0	DUYCK	

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TOTAL:										30.0	
										AC	

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District Permanent Water Right Transfer Application
Supplemental Form A

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DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. **A separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	53836	
	Certificate Number	
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	-	_____
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	-	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for Supplemental Irrigation	-	_____
	Permit Number	

- Name on Permit, Certificate, or Decree: Eugene M. Vandehey
- Priority Date(s): May 2, 1977

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: West Fork Dairy Creek

Tributary to: Dairy Creek, Tualatin River, Willamette River

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?
 Yes No

If “Yes”, what are the Permit, Registration or Certificate Numbers? _____

Any “layered” water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

▪ Certificate Number or other identifying number: 53836

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	MEASURED DISTANCES
POD 1	1 N	4 W	12	NW SW	52		3070 FT SOUTH & 450 FT EAST FROM THE NE CORNER SECTION 12

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▪ Certificate Number or other identifying number: 53836

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

TABLE I. – AUTHORIZED PLACE OF USE

POD # or POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TW P	RN G	SE C	QQ	DLC	GOV'T LOT	TAX LOT			
POD 1	MAY 2, 1977	IRRIGATION	1 N	4 W	11	SW NW	52		600	22.0	DUYCK	
POD 1	MAY 2, 1977	IRRIGATION	1 N	4 W	11	SE NW	52		600	8.0	DUYCK	

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	TOTAL:	30.0 ACRES	
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Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of WASHINGTON)

I, MITCH VANDEHEY, in my capacity as PREVIOUS OWNER OF TAX LOT 600 T1N,R4W W.M. SEC 11,
 mailing address 43200 NW GREENVILLE RD FOREST GROVE OR 97116
 telephone number (503)522-6012, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):
 Personal observation Professional expertise

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2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 53836; **OR**

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- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

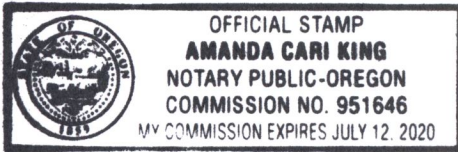
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3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Witch Waudsley
Signature of Affiant

1/18/18
Date

Signed and sworn to (or affirmed) before me this 18 day of January, 2018.



Amanda Cari King
Notary Public for Oregon
My Commission Expires: July 12, 2020

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> ● Power usage records for pumps associated with irrigation use ● Fertilizer or seed bills related to irrigated crops ● Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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