



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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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 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificate 40138, 94423**
 Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- 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 Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Part 2 of 5 – 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://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for 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 good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is 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°).

FEE WORKSHEET for PERMANENT TRANSFER | **Part 3 of 5 – Fee Worksheet**

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>0</u> (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		<div style="font-size: 24px; color: blue; font-weight: bold;">RECEIVED</div> <div style="font-size: 18px; color: blue;">SEP 10 2019</div> <div style="font-size: 24px; color: blue; font-weight: bold;">OWRD</div>	
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	\$0
Number of water rights included in transfer <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) <i>If only one water right this will be 0</i>			
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	\$0
4 Do you propose to add or change a well, or change from a surface water POD to a well?			
<input checked="checked" type="checkbox"/> No: enter 0 »			
<input type="checkbox"/> Yes: enter \$410 »		4	\$0
5 Do you propose to change the place of use or character of use?			
<input checked="checked" type="checkbox"/> No: enter 0 on line 5 »			
<input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 »			
If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » » » » » » » Subtotal:	6	\$0
7 Is this transfer:			
<input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »			
7	If no box is applicable, enter 0 on line 7» »	7	\$0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$0

***Example for Line 5a calculation** to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, $1.25\text{ cfs} \div 100\text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($x\ 45\text{ ac} = 0.56\text{ cfs}$).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0\text{ ac} \times 0.0125\text{ cfs/ac} = 0.56\text{ cfs}$)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each “on the ground” acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$840.00
Number of wells included in substitution <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one well this will be 0</i>			
2	Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » » »	2	\$0
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » Fee for Substitution:	3	\$840

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Mike and Connie Davidson Trustees, Davidson Living Trust		PHONE NO. (503) 932-8871	ADDITIONAL CONTACT NO. (503) 633-8632 cell
ADDRESS 3988 Davidson Rd NE			FAX NO.
CITY St. Paul	STATE OR	ZIP 97137	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.			

Agent Information – 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 NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road			FAX NO. (503) 632-5983
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.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:
We harvest berries which cannot be irrigated from surface water three days before harvest due to possible bacteria. We wish to rely more on groundwater to avoid issues with the berries and therefore intend to apply for a substitution to allow use of the groundwater right for primary irrigation.

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

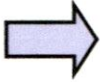
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **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 have supporting documentation.

By my signature below, I confirm that I understand:

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- 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: Woodburn Independent.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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



Michael E. Davidson
Applicant signature

Michael E. Davidson Trustee
Print Name (and Title if applicable)

8-29-19
Date

Connie Davidson
Applicant signature

Connie Davidson Trustee
Print Name (and Title if applicable)

8-29-19
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.*

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 NA		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL

Describe any special ownership circumstances here: **NA**

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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 NA	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 NA	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 Marion County Planning Division	ADDRESS 4155 Silvertown Road NE	
CITY Salem	STATE Oregon	ZIP 97305

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Part 5a of 5b – 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 # 40138

Description of Water Delivery System

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System capacity: 7.45 cubic feet per second (cfs) **OR**

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_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at sometime 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. **Water is pumped from the POD using a centrifugal pump and delivers water through a 12 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.**

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	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	4	S	3	W	35	SE	NE	Lot 5	1,020 feet south and 970 feet west from the NW corner, DLC 64.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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 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 checked="" 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.

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 # 40138

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) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4	1/4	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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
4	S	3	W	25	SE	SW	400	65	10.1	IR	POD	April 17, 1967	SUB	4	S	3	W	25	SE	SW	400	65	10.1	IS	POD	April 17, 1967
4	S	3	W	25	SW	SE	400	65	28.0	IR	POD	April 17, 1967	SUB	4	S	3	W	25	SW	SE	400	65	28.0	IS	POD	April 17, 1967
4	S	3	W	36	NW	NE	400	65	12.6	IR	POD	April 17, 1967	SUB	4	S	3	W	36	NW	NE	400	65	12.6	IS	POD	April 17, 1967
4	S	3	W	36	NE	NW	400	65	6.3	IR	POD	April 17, 1967	SUB	4	S	3	W	36	NE	NW	400	65	6.3	IS	POD	April 17, 1967
TOTAL ACRES:							57.0							TOTAL ACRES:							57.0					

Additional remarks: None.

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For Place of Use or Character of Use Changes - NA

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) - NA

Ground water supplemental Permit or Certificate # **94423**;
Surface water primary Certificate # **40138**.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **NA**

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

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

Part 5b of 5b – 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 # 94423

Description of Water Delivery System

System capacity: **0.56** cubic feet per second (cfs) **OR**
 _____ 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. **The supplemental wells delivers water through a 6 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.**

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 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 66297	4	S	2	W	31	NW	NW	DLC 89	435 feet south and 985 feet east from the SW corner, Section 30.
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1446	4	S	3	W	25	SW	SE	DLC 65	570 feet north and 440 feet west from the SE corner, DLC 65
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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 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 checked="" 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.

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 # 94423

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) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4	1/4	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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
											SUB	4	S	3	W	25	SE	SW	400	65	10.1	IR	Well 2	April 17, 1967
											SUB	4	S	3	W	25	SW	SE	400	65	28.0	IR	Well 2	April 17, 1967
											SUB	4	S	3	W	36	NW	NE	400	65	12.6	IR	Well 2	April 17, 1967
											SUB	4	S	3	W	36	NE	NW	400	65	6.3	IR	Well 2	April 17, 1967
TOTAL ACRES:												TOTAL ACRES:											57.0	

Additional remarks: None

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For Place of Use or Character of Use Changes - NA

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) - NA

Ground water supplemental Permit or Certificate # 94423;
Surface water primary Certificate # 40138.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

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

13250

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 MARION)

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I, MIKE DAVIDSON, in my capacity as OWNER /OPERATOR,
 mailing address 3988 DAVIDSON RD NE, ST. PAUL, OR 97137
 telephone number (503) 932-8871, 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

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 40138; **OR**
- 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)
40138	4	S	3	W	WM	25	SE	SW	400	10.1
40138	4	S	3	W	WM	25	SW	SE	400	28.0
40138	4	S	3	W	WM	36	NW	NE	400	12.6
40138	4	S	3	W	WM	36	NE	NW	400	6.3

AND

- Confirming Certificate # 94423 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)

3. The water right was used for: (e.g., crops, pasture, etc.): ~~Wheat~~ Row crops

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.

Michael P. Davison
Signature of Affiant

8-29-19
Date

Signed and sworn to (or affirmed) before me this 29 day of August, 2019.



Karen Tuck
Notary Public for Oregon

My Commission Expires: January 20, 2020

Supporting Documents	Examples
<input checked="" 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 checked="" 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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STATE OF OREGON
 COUNTY OF MARION
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVIDSON LIVING TRUST
 MIKE AND CONNIE DAVIDSON, TRUSTEES
 3988 DAVIDSON RD NE
 SAINT PAUL OR 97137

confirms the right to the use of water perfected under the terms of Permit G-3655. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS, TRIBUTARIES OF WILLAMETTE RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 57.0 ACRES

MAXIMUM RATE: 0.56 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 17, 1967

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	3 W	WM	25	SW SE	65	WELL 5 (ORIGINAL) - 570 FEET NORTH AND 440 FEET WEST FROM SE CORNER, COYLE DLC 65
4 S	2 W	WM	31	NW NW	89	WELL 2 (ADDITIONAL) - 435 FEET SOUTH AND 985 FEET EAST FROM SW CORNER, SECTION 30

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	3 W	WM	25	SE SW	65	10.1
4 S	3 W	WM	25	SW SE	65	28.0
4 S	3 W	WM	36	NW NE	65	12.6
4 S	3 W	WM	36	NE NW	65	6.3

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NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

This certificate is issued to confirm AN ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered JUNE 14, 2016, at Special Order Volume 101, Page 143, approving Transfer Application 12117, supersedes Certificate 40089, State record of Water Right Certificates.

Issued JUN 12 2019



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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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.wrd.state.or.us

Applicant(s): Mike and Connie Davidson

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Mailing Address: 3988 Davidson Rd NE

City: St. Paul

State: OR

Zip Code: 97137

Daytime Phone: (503) 932-8871

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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:
4S	3W	25	_____	400	_____ EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Marion 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 Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) Columbia River

Estimated quantity of water needed: 0.56
 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 _____

Briefly describe:

A water right transfer to change supplemental irrigation from groundwater under Certificate 94423 to primary and primary irrigation from surface water under Certificate 40138 to supplemental irrigation.



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.

See bottom of Page 3. →

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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): MCC 17.136

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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> 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: LISA MILLIMAN Title: ASSOCIATE PLANNER

Signature: Lisa Milliman Phone: 503 588 5038 Date: 9/10/19

Government Entity: MARION COUNTY

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: _____

STATE ENGINEER
Salem, Oregon

Well Record

OH-1335

OWNER: Theodore K. Van Dyke

LOCATION OF WELL: Owner's No. #2
CITY AND STATE: St. Paul, Oregon

NW 1/4 NE 1/4 Sec. 36 T. 4 S. R. 2 W. WM.

Bearing and distance from section or subdivision
corner 2175' S. 86° W. from SE cor. Sec. 25.

Altitude at well

TYPE OF WELL: Drilled Date Constructed 1954

Depth drilled 76 ft. Depth cased 76 ft.

CASING RECORD: 10 inch

FINISH:

AQUIFERS:

WATER LEVEL: 10 to 12 ft. (Summer)

PUMPING EQUIPMENT: Type Peerless turbine Capacity 300 G.P.M.

WELL TESTS:

Drawdown ft. after hours G.P.M.
Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation
SOURCE OF INFORMATION G. B. Record
DRILLER or DIGGER
ADDITIONAL DATA:

REMARKS: Log Water Level Measurements
Chemical Analysis
Aquifer Test

Log: Clay
Blue clay
Fine black sand
Grey clay
Fine black sand
Coarse black sand
Irrigation of 30 acres.

State Printing 20218

18250

Section 36

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STATE WELL NO. 4/21-36B
COUNTY Marion
APPLICATION NO. GR-1378

g Lot 3

3 250

STATE ENGINEER
Salem, Oregon

144
MART. 1946 Well Record

STATE WELL NO. 473W-3681
COUNTY Marion
APPLICATION NO.

OWNER: Theodore Van Dyke

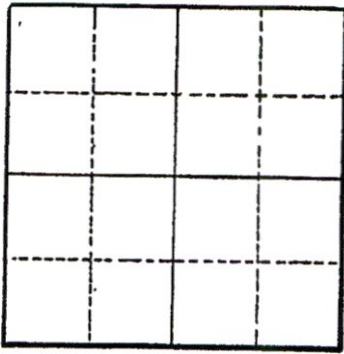
MAILING ADDRESS: Pg 2 of 3

LOCATION OF WELL: Owner's No.

CITY AND STATE:

..... 1/4 1/4 Sec. T. N. E. S, R. W., W.M.

Bearing and distance from section or subdivision corner



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Altitude at well 155

TYPE OF WELL: Drilled Date Constructed 1954

Depth drilled 76 Depth cased 76

Section

CASING RECORD:
10 inch

FINISH:

AQUIFERS:

Coarse, black sand from 73 to 76

WATER LEVEL:
10 feet

PUMPING EQUIPMENT: Type Turbine H.P. 30
Capacity G.P.M.

WELL TESTS:

Drawdown ft. after hours G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation--30 acres Temp. °F. 19

SOURCE OF INFORMATION USGS

DRILLER or DIGGER

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

Flows in winter.

STATE ENGINEER
Salem, Oregon

max.
144/6

State Well No. 4/3W-36B1
County Marion
Application No. _____

Well Log

pg 3 of 3

Owner: T. M. VanDyke Owner's No. _____

Driller: _____ Date Drilled _____

CHARACTER OF MATERIAL	(Feet below land surface)		Thickness (feet)
	From	To	
Clay	0	8	8
Clay, blue	8	51	43
Sand, black, fine	51	52	1
Clay, gray	52	59	7
Sand, black, fine	59	73	14
Sand, black, coarse	73	76	3
Casing: 10-inch to 76 feet.			

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MARI 66297

MARI 66297

WELL I.D. LABEL# L 118540

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

START CARD # 212533

ORIGINAL LOG #

(1) LAND OWNER

Owner Well I.D.
First Name Last Name
Company MC Farms
Address 3988 Davidson Rd
City St Paul State OR Zip 97037

(2) TYPE OF WORK
[X] New Well [] Deepening [] Conversion
[] Alteration (complete 2a & 10) [] Abandonment (complete 5a)

(2a) PRE-ALTERATION
Dia From To Gauge Stl Plstc Wld Thrd
Material From To Amt sacks/lbs
Seal:

(3) DRILL METHOD
[] Rotary Air [] Rotary Mud [] Cable [] Auger [] Cable Mud
[X] Reverse Rotary [] Other

(4) PROPOSED USE
[] Domestic [X] Irrigation [] Community
[] Industrial/ Commercial [] Livestock [] Dewatering
[] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 362 ft.
Special Standard (Attach copy)

Table with columns: Dia, From, To, Material, Seal, Amt, lbs. Rows include Cement and Bentonite seal details.

How was seal placed: Method [] A [] B [X] C [] D [] E
Backfill placed from 375 ft. to 385 ft. Material Pea
Filter pack from 209 ft. to 296 ft. Material CSSI Size 8/12

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER

Table with columns: Casing/Liner, Dia, From, To, Gauge, Stl, Plstc, Wld, Thrd. Includes handwritten notes and a diagram of casing sections.

(7) PERFORATIONS/SCREENS
Perforations Method
Screens Type v-wire wrap Material 304SS

Table with columns: Perf/S, Casing/Screen, Dia, From, To, Sern/slot width, Slot length, # of slots, Tel/ pipe size. Rows list screen details.

(8) WELL TESTS: Minimum testing time is 1 hour

[X] Pump [] Bailer [] Air [] Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
1,000 114 1

Temperature 57 °F Lab analysis [] Yes By
Water quality concerns? [] Yes (describe below) TDS amount 135 ppm
From To Description Amount Units

(9) LOCATION OF WELL (legal description)

County MARION Twp 4 S N/S Range 2 W E/W WM
Sec 31 NW 1/4 of the NW 1/4 Tax Lot 400
Tax Map Number 043W25 Lot
Lat Long
Street address of well Nearest address
18601 River Rd NE, St Paul, OR 97137

(10) STATIC WATER LEVEL

Table with columns: Date, SWL(psi), SWL(ft). Includes 'Existing Well / Pre-Alteration' and 'Completed Well' data.

WATER BEARING ZONES

Table with columns: Depth water was first found, SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Includes handwritten notes about sand/gravel formations.

(11) WELL LOG

Table with columns: Material, Ground Elevation, From, To. Includes handwritten entries and a 'RECEIVED' stamp.

Date Started 04-15-2016 Completed 05-16-2016

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.
License Number 1797 Date 05-31-2016

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above.
License Number 640 Date 05-31-2016

MARI 66297
MC FARMS
Start Card # 212533 - Well Tag ID # 118540
Formation Log
by Schneider Water Services

<u>FM</u>	<u>TO</u>	<u>DESCRIPTION</u>
0	24	Clay, brown, medium
24	56	Clay, grey, medium
56	74	Sand, dark grey, fine-medium, w/ clay, medium-soft
74	85	Sand, dark grey, fine-medium, w/ 3/4 minus gravel & clay
85	91	Gravel w/ sand, brown
91	101	Clay, brown, medium w/ sand & gravel
101	104	Clay, brown, medium w/ sandy
104	109	Clay, grey, medium
109	131	Clay, greenish-grey, soft-medium
131	156	Clay, blueish-grey, medium
156	158	Clay, dark grey, medium-firm
158	160	Clay, greenish-grey, medium
160	161	Clay, green, hard
161	164	Clay, green, medium
164	171	Sand, dark grey, medium, multi-color
171	191	Clay, greenish-grey, medium, silty, some wood
191	218	Clay, grey, medium, sandy
218	251	Clay, green & grey, medium, sandy
251	270	Sand, dark grey, medium
270	275	Sand & gravel, 1" minus
275	285	Clay, green & blue grey, soft-medium, sandy
285	310	Gravel, 2" minus w/ some sand, dark grey, medium
310	319	Sand, grey, medium
319	320	Clay, green, medium, sandy
320	325	Sand, dark grey, medium
325	330	Clay, green, medium, sandy
330	335	Sand, blue-green, medium, cemented
335	338	Clay, grey, medium
338	353	Sand, grey, medium
353	354	Gravel, 3/4" minus
354	370	Clay, grey, medium
370	371	Sand, grey, medium w/ clay & wood
371	385	Clay, grey, medium, sandy

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