

# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

**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.

**RECEIVED**

**FEB 22 2021**

**OWRD**

**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](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? 1 List them here: 65679**  
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"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Part 2 of 5 – Transfer Application Map**

**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/](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. See attached email from OWRD.
- 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°).



# Part 4 of 5 – Applicant Information and Signature

## Applicant Information

APPLICANT/BUSINESS NAME <b>Delta Sand &amp; Gravel Co.</b>		PHONE NO. <b>541-688-2233</b>	ADDITIONAL CONTACT NO. <b>Stan Pickett</b>
ADDRESS <b>999 Division Ave.</b>		FAX NO. <b>541-688-8610</b>	
CITY <b>Eugene</b>	STATE <b>OR</b>	ZIP <b>97404</b>	E-MAIL <b>SPickett@deltasg.com</b>
<b>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.</b>			

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

AGENT/BUSINESS NAME <b>EGR &amp; Associates, Inc.</b>		PHONE NO. <b>541-688-8322</b>	ADDITIONAL CONTACT NO. <b>Steven I. Recca</b>
ADDRESS <b>2535 B Prairie Road</b>		FAX NO. <b>541-688-8087</b>	
CITY <b>Eugene</b>	STATE <b>OR</b>	ZIP <b>97402</b>	E-MAIL <b>steverecca@egrassoc.com</b>
<b>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.</b>			

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

Existing water right certificate was for the industrial use of washing sand and gravel. This was modified to General Industrial by a letter to the file pursuant to ORS 540.520(9) and OAR 690-380-2340. This transfer is to allow dust suppression and other general industrial uses over the entire area now operated as a sand and gravel extraction operation by Delta Sand and Gravel Co. and to establish an alternative point of diversion. This transfer does not propose an increase in the amount of water or rate of use granted by certificate 65679.

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

### 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.

**RECEIVED**

**FEB 22 2021**

**OWRD**

**By my signature below, I confirm that I understand:**

- 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: Eugene Weekly.
- 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.**



**Delta Sand and Gravel Co.**  
Applicant signature

Applicant signature

**Stan Pickett, President / General Manager**  
Print Name (and Title if applicable)

**Stan Pickett, President - KAM**  
Print Name (and Title if applicable)

**2-17-2021**  
Date

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.*

RECEIVED

FEB 22 2021

OWRD

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:

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

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

RECEIVED

FEB 22 2021

Describe any special ownership circumstances here: NA

OWRD

- 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 NA		
CITY NA	STATE NA	ZIP NA	

- 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 NA		
CITY NA	STATE NA	ZIP NA	



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 <b>Lane County</b>	ADDRESS <b>125 East 8<sup>th</sup> Avenue</b>		
CITY <b>Eugene</b>	STATE <b>OR</b>	ZIP <b>97401</b>	

ENTITY NAME <b>City of Eugene</b>	ADDRESS <b>125 East 8<sup>th</sup> Avenue</b>		
CITY <b>Eugene</b>	STATE <b>OR</b>	ZIP <b>97401</b>	

## 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 # 65679

**RECEIVED**

### Description of Water Delivery System

System capacity: 7.14 cubic feet per second (cfs) OR

FEB 22 2021

3205 gallons per minute (gpm)

OWRD

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.

Water is pumped from the Willamette River via two vertical turbine electric pumps permanently installed on the bank and delivered through 12-inch steel pipes to the gravel washing facility and dust-suppression-truck filling station.

The southern pump is a Berkley pump, serial number 7701429, run by a 200hp General Electric model 5K6278XH1A electric motor with a capacity of 3,000 gpm (6.68 cfs) at 220 feet of head according to the information plaque riveted to the pump.

The northern pump is a Worthington 12HH110 vertical turbine pump, serial number VTP-10017777, run by a 150hp 3-phase 1775 RPM electric motor. The OWRD Pump Capacity Calculation Sheet gives the pumping rate for a 150hp vertical turbine pump operating at 34 feet of lift with a residual pressure of 95 psi as 14.27 cfs.

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-__)	Twp		Rng		Sec	¼-¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		17	S	3	W	18	NW	NW	4	402 FT S & 626 FT E FROM NW CORNER OF SECTION 18
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		17	S	3	W	7	NW	SW	NA	2240 FT N & 545 FT E FROM NW CORNER OF SECTION 18

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)

- |   |   |
|---|---|
| <input type="checkbox"/> Point of Diversion (POD)                         | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD)  | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water<br>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.

RECEIVED

FEB 22 2021

OWRD



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 # 65679**

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 (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	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 USE	17	S	3	W	6	SW	NW	NA	NA	8.87	General Industrial	1	8/4/1987		
											POU USE	17	S	3	W	6	NE	SW	NA	NA	0.559	General Industrial	1	8/4/1987		
											POU USE	17	S	3	W	6	NW	SW	NA	NA	31.97	General Industrial	1	8/4/1987		
											POU USE	17	S	3	W	6	SW	SW	NA	NA	26.66	General Industrial	1	8/4/1987		
											POU USE	17	S	3	W	6	SE	SW	NA	NA	0.125	General Industrial	1	8/4/1987		
17	S	3	W	7	NW	NE	NA	NA	0.585	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	NW	NE	NA	NA	0.585	General Industrial	1	8/4/1987
17	S	3	W	7	SW	NE	NA	NA	0.426	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	SW	NE	NA	NA	0.426	General Industrial	1	8/4/1987
17	S	3	W	7	NE	NW	NA	NA	13.83	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	NE	NW	NA	NA	13.83	General Industrial	1	8/4/1987
17	S	3	W	7	NW	NW	NA	NA	7.94	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	NW	NW	NA	NA	29.10	General Industrial	1	8/4/1987
17	S	3	W	7	SE	NW	NA	NA	15.59	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	SE	NW	NA	NA	15.59	General Industrial	1	8/4/1987
17	S	3	W	7	SW	NW	NA	NA	33.32	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	SW	NW	NA	NA	34.76	General Industrial	1	8/4/1987
17	S	3	W	7	NW	SW	NA	NA	24.06	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	NW	SW	NA	NA	24.62	General Industrial	1	8/4/1987
17	S	3	W	7	SW	SW	NA	NA	23.21	Washing sand and gravel	1	8/4/1987	POU USE	17	S	3	W	7	SW	SW	NA	NA	23.21	General Industrial	1	8/4/1987
17	S	3	W	18	NW	NW	NA	NA	11.28	Washing sand and gravel	1	8/4/1987	USE	17	S	3	W	18	NW	NW	NA	NA	11.28	General Industrial	1	8/4/1987

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	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	4	W	1	NE	NE	NA	NA	0.337	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	1	NE	NE	NA	NA	22.52	General Industrial	1	8/4/1987
17	S	4	W	1	NW	NE	NA	NA	0.768	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	1	NW	NE	NA	NA	1.00	General Industrial	1	8/4/1987
17	S	4	W	1	SE	NE	NA	NA	28.07	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	1	SE	NE	NA	NA	38.69	General Industrial	1	8/4/1987
17	S	4	W	1	SW	NE	NA	NA	10.32	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	1	SW	NE	NA	NA	10.32	General Industrial	1	8/4/1987
17	S	4	W	1	NE	SE	NA	NA	6.06	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	1	NE	SE	NA	NA	6.39	General Industrial	1	8/4/1987
17	S	4	W	1	NW	SE	NA	NA	0.050	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	1	NW	SE	NA	NA	0.054	General Industrial	1	8/4/1987
17	S	4	W	1	SW	SE	NA	NA	0.200	Washing sand and gravel	1	8/4/1987	POU USE													
17	S	4	W	12	NE	NE	NA	NA	12.71	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	NE	NE	NA	NA	4.59	General Industrial	1	8/4/1987
17	S	4	W	12	SE	NE	NA	NA	39.49	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	SE	NE	NA	NA	40.01	General Industrial	1	8/4/1987
17	S	4	W	12	NW	NE	NA	NA	15.02	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	NW	NE	NA	NA	1.05	General Industrial	1	8/4/1987
17	S	4	W	12	SW	NE	NA	NA	20.21	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	SW	NE	NA	NA	20.21	General Industrial	1	8/4/1987
17	S	4	W	12	NE	SE	NA	NA	39.80	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	NE	SE	NA	NA	39.80	General Industrial	1	8/4/1987
17	S	4	W	12	NW	SE	NA	NA	22.72	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	NW	SE	NA	NA	22.74	General Industrial	1	8/4/1987

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	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	4	W	12	SE	SE	NA	NA	39.96	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	SE	SE	NA	NA	39.96	General Industrial	1	8/4/1987
17	S	4	W	12	SW	SE	NA	NA	12.75	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	12	SW	SE	NA	NA	12.75	General Industrial	1	8/4/1987
17	S	4	W	13	NE	NE	NA	NA	13.66	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	13	NE	NE	NA	NA	13.66	General Industrial	1	8/4/1987
17	S	4	W	13	NW	NE	NA	NA	2.16	Washing sand and gravel	1	8/4/1987	POU USE	17	S	4	W	13	NW	NE	NA	NA	2.16	General Industrial	1	8/4/1987
TOTAL ACRES:									11.28		TOTAL ACRES:									497.49						

RECEIVED  
FEB 22 2021  
OWRD

Additional remarks: Area from certificate shown in black. Area 394.476 acres after notice of change from specific to general industrial (in blue).

**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: **28211, 32195, 43355, 67279, 65679, GR3346, GR2369.**



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 # **NA**;  
Surface water primary Certificate # **NA**.

**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:**

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](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
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

**RECEIVED**

**FEB 22 2021**

**OWRD**

**Application for Water Right  
Transfer  
Consent by Deeded Landowner**



**Oregon Water Resources  
Department**

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

**State of Oregon  
County of Lane**

I Stan Pickett in my/our capacity as Trustee, mailing address 999 Division Avenue, Eugene, OR 97404, telephone number 541-688-2233, duly sworn depose and say that I consent to the proposed change(s) to Water Right Certificate Number 65679 described in a Transfer Application to be submitted by Delta Sand and Gravel, on the following properties

Tax lot number(s) 1703060000701, Section 6, Township 17S, Range 3W W.M., located at 999 / 1001 Division Ave., Eugene, OR.

Tax lot number(s) 1703070000302, 1703070000401, 1703070000501, 1703070000600, 1703070000700, 1703070000802, and 17030700001500, Section 7, Township 17S, Range 3W W.M., located at 999 / 1001 Division Ave., Eugene, OR.

Tax lot number(s) 1703070000400, Section 7, Township 17S, Range 3W W.M., located at 795 Hunsaker Lane, Eugene.

Tax lot number(s) 1703180000400 and 1703180000699, Section 18, Township 17S, Range 3W W.M., located at 999 / 1001 Division Ave., Eugene, OR.

Tax lot number(s) 1703180000500, Section 18, Township 17S, Range 3W W.M., located at 1001 Division Ave., Eugene, OR.

Tax lot number(s) 1703180000600, Section 18, Township 17S, Range 3W W.M., located at 999 Division Ave., Eugene, OR.

Tax lot number(s) 1704010000100, 1704010000400, and 17040100006403, Section 1, Township 17S, Range 4W W.M., located at 999 Division Ave., Eugene, OR.

RECEIVED

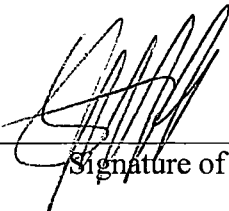
FEB 22 2021

OWRD

Tax lot number(s) 1704120001100, 1704120001200, 1704120001300, 1704120001400,  
1704124000100, 1704124000301, 1704124000700, 1704124000800, 1704124000900,  
and 1704124001300, Section 12, Township 17S, Range 4W W.M., located at 999 / 1001  
Division Ave., Eugene, OR.

Tax lot number(s) 1704120000500, Section 12, Township 17S, Range 4W W.M., located at 320 Delay  
Dr., Eugene, OR.

Tax lot number(s) 1704124001100, Section 12, Township 17S, Range 4W W.M., located at 2345  
Beaver St., Eugene, OR.

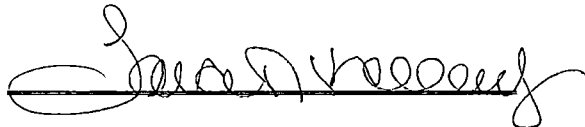
  
\_\_\_\_\_  
Signature of Affiant

2-17-2021  
\_\_\_\_\_  
Date

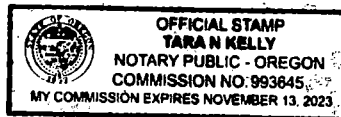
\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 17 day of February, 2021.

  
\_\_\_\_\_

Notary Public for Oregon



My commission expires November 13, 2023

RECEIVED

FEB 22 2021

OWRD

# 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 Lane )

I, Steven I. Recca, in my capacity as a Registered Geologist, mailing address 2535B Prairie Road, Eugene, Oregon 94702 telephone number (541) 688-8322, 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

RECEIVED

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 65679 ; **OR**

FEB 22 2021

OWRD

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)

3. The water right was used for: (e.g., crops, pasture, etc.): Washing sand and gravel and dust supression
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.

[Signature]  
Signature of Affiant

2/17/21  
Date

Signed and sworn to (or affirmed) before me this 17 day of February, 2021.



[Signature]  
Notary Public for Oregon

My Commission Expires: November 13, 2023

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 <b>confirming</b> 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"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<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"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED

FEB 22 2021

OWRD



# 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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

### This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

RECEIVED

FEB 22 2021

## NOTE TO LOCAL GOVERNMENTS

OWRD

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# 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): Delta Sand & Gravel Co.

Mailing Address: 999 Division Ave.

City: Eugene

State: OR

Zip Code: 97404

Daytime Phone: 541-688-2233

## 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:
<u>17</u>	<u>03</u>	<u>18</u>	<u>NWNW</u>	<u>00-00400</u>	<u>SG</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Gen. Ind.</u>
<u>17</u>	<u>03</u>	<u>7</u>	<u>NWSW</u>	<u>00-00700</u>	<u>SG</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Gen. Ind.</u>
<u>See attachment</u>									

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

City of Eugene, Lane County

**RECEIVED**  
FEB 22 2021

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

**OWRD**

- 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) Willamette River

Estimated quantity of water needed: 7.14   
 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:

Existing water right certificate was for the industrial use of washing sand and gravel. This was modified to General Industrial by a letter to the file pursuant to ORS 540.520(9) and OAR 690-380-2340. This transfer is to allow dust suppression and other general industrial uses over the entire area now operated as a sand and gravel extraction operation by Delta Sand and Gravel Co.

**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. →

## A. Land and Location -- Delta Sand & Gravel Co.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation	Water to be:	Proposed Land Use:
17	03	06		00-00701	SG	Used	Gen. Ind.
17	03	07		00-00302	SG	Used	Gen. Ind.
				00-00400	SG	Used	Gen. Ind.
				00-00401	SG	Used	Gen. Ind.
				00-00501	SG/CP	Used	Gen. Ind.
				00-00600	SG	Used	Gen. Ind.
				00-00700	SG	Diverted/Conveyed/Used	Gen. Ind.
				00-00802	SG	Used	Gen. Ind.
				00-01500	SG/CP	Used	Gen. Ind.
17	03	18		00-00400	SG	Diverted/Conveyed/Used	Gen. Ind.
				00-00500	SG	Used	Gen. Ind.
				0000600	SG	Used	Gen. Ind.
				00-00699	SG	Used	Gen. Ind.
17	04	01		00-00100	NR	Used	Gen. Ind.
				00-00400	SG	Used	Gen. Ind.
				00-06403	SG	Used	Gen. Ind.
17	04	12		00-01100	SG	Used	Gen. Ind.
				00-01200	SG	Used	Gen. Ind.
				00-01300	SG	Used	Gen. Ind.
				00-01400	SG	Used	Gen. Ind.
				40-00100	SG	Used	Gen. Ind.
				40-00301	SG	Used	Gen. Ind.
				40-00700	SG	Used	Gen. Ind.
				40-00800	SG	Used	Gen. Ind.
				40-00900	SG	Used	Gen. Ind.
				40-01300	SG	Used	Gen. Ind.
				40-01100	SG	Used	Gen. Ind.

RECEIVED

FEB 22 2021

OWRD

# 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):

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
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>FEB 22 2021</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OWRD</b>	<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.

*Use allowed per Lane Code 16.217(3)(a) and (b)*

Name: Rachel Serslev Title: Associate Planner

Signature:  Phone: 541-682-6903 Date: 12/23/2020

Government Entity: Lane 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: \_\_\_\_\_

## Steven Recca

---

**From:** CLARK Gerald E \* WRD <Gerald.E.Clark@oregon.gov>  
**Sent:** Friday, June 21, 2019 2:20 PM  
**To:** Steven Recca  
**Subject:** Place of use mapping for a non-irrigation Claim

Steve,

As we discussed earlier, OAR 690-310-050(4)(c) specifically addresses the need an irrigation related use to include the number of acres in each quarter-quarter section, donation land claim, or government lot. In the case of an industrial right, we will only need to know the place of use by quarter quarters.

Please include this message with the Claim when you submit it.

OAR 690-310-050(4)(c) The location of the place where water is to be used identified by tax lot, township, range, section and nearest quarter-quarter section along with a notation of the acreage of the proposed place of use, if appropriate. The Department also shall accept any locational coordinate information that the applicant may wish to provide, including latitude and longitude as established by a global positioning system. If for irrigation, the area to be irrigated in each quarter-quarter of a section shall be indicated by shading or hatchuring and the number of acres in each quarter-quarter section, donation land claim, government lot or other recognized public land survey lines indicated.

Please let me know if you have any additional questions.

Gerry

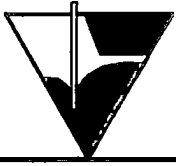
*Gerry Clark*

**Oregon Water Resources Department**  
Program Analyst, Certificate Section, Water Right Services Division  
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0811

RECEIVED

FEB 22 2021

OWRD



# *EGR & Associates, Inc.*

Engineers, Geologists and Surveyors

2535B Prairie Road  
Eugene, Oregon 97402  
(541) 688-8322  
Fax (541) 688-8087

February 17, 2021

Transfer Section  
Oregon Water Resources Department  
725 Summer Street NE  
Salem, OR 97301-1266

RECEIVED

FEB 22 2021

OWRD

To Whom It May Concern:

We enclose an application for water right transfer for Certificate 65679, which is held by Delta Sand & Gravel Co. (Delta). The application addresses several operational issues and has been prepared with the assistance of Department staff.

Before submitting this transfer application, Delta filed a Notice of Specific-to-General Industrial Water Use Change (Notice) for Certificate 65679, which was acknowledged by the Department on June 8, 2017. The Notice applies to those lands in Delta's possession at the time of permit issuance. Delta and the Department discussed how Delta may include additional lands, which Delta subsequently acquired, in the authorized place of use. The Department suggested that Delta file for a water right transfer modifying the place of use.

Delta and the Department also discussed the possibility of establishing an additional point of diversion that could be used by Delta when the primary point of diversion was unavailable due to maintenance or other issues. The Department suggested that Delta use surface water derived from dewatering of the onsite operations as a method of minimizing impacts to the Willamette while the alternative point of diversion was in use. The alternative point of diversion proposed in the transfer application is intended to follow the guidance offered by the Department.

The attached transfer application seeks to maintain the conditions noted in the Department's June 8, 2017 letter on acknowledgement of the Notice. Specifically: 1) the general industrial use at the site will include, washing sand and gravel, crushing and sorting rock and gravel, concrete and asphalt production, equipment maintenance, dust control, and maintenance of green areas for erosion control and fire protection; and 2) the quantity of water currently used for washing sand and gravel will not change, nor will it be enlarged.

If you have questions or comments, please feel free to contact us at your convenience.

Sincerely,  
*EGR & Associates, Inc.*

Steven I. Recca, R.G., C.W.R.E.

cc: Stan Pickett  
Josh Newton

Attachments