

Application for
Water Right Instream Transfer
 Part 1 of 6 – 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 6 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL INSTREAM TRANSFER APPLICATIONS

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Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed 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.

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Note: Instream transfers are considered both a change in place of use and character of use. In addition, an automatic 50% fee waiver applies to all instream transfers.

- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Completed Instream Use Information.
- Part 6 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 96333**
 Please include a separate Part 6 for each water right. (See instructions on page 8)

Attachments:

- Completed Instream 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.
- Land Use Notice - Notice of the intent to file an instream transfer application must be provided to each affected local government along the proposed reach. Copies of the notices must be enclosed with the instream transfer application.

(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"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-_____ Date: ____/____/____

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.

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- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For list of CWREs see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/.

OR

- N/A Waiver of requirement that map be prepared by a CWRE. Completed map waiver form is signed by the Department’s Regional Manager and included in the application. The map **must** still meet Department mapping requirements described below.
- 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, quarter-quarter, 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.
- Existing diversion point(s) with distance and bearing or coordinates from a recognized survey corner. This information can generally be found in your water right certificate or permit.

Part 3 of 6 – Fee Worksheet

FEE WORKSHEET for INSTREAM TRANSFER			
1	Base Fee (includes Place of Use and Character of Use to Instream changes to one water right for up to 1 cfs)	1	\$2,450
2	Number of water rights included in transfer <u>1 (2a)</u> Subtract 1 from the number in 2a above: <u>0 (2b)</u> <i>If only one water right, this will be 0</i> Multiply line 2b by \$610 and enter » » » » » » » » » » » » » » » »	2	0
3	Enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.12 (3a)</u> Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 3c by \$410, then enter on line 3 » » » » » » » » » »	3	0
4	Add entries on lines 1 through 3 above » » » » » » » » » » Subtotal:	4	2450
5	Multiply line 4 by 0.5 and enter on line 5 » » » » » » » » » » » » » » » »	5	1225
6	Subtract line 5 from line 4 » » » » » » » » » » » » » » » Transfer Fee:	6	1225

*Example for Line 3a 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 ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - 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 3a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 3b would be 0 and Line 3 would then also become 0).

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Part 4 of 6 – Applicant Information and Signature

Is this a Permanent Instream Transfer or Time-Limited Instream Transfer?

Applicant Information

APPLICANT/BUSINESS NAME Beaver Water District		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS PO Box 306		FAX NO.	
CITY Beaver	STATE OR	ZIP 97112	E-MAIL vencloud@embarqmail.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.			

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

AGENT/BUSINESS NAME HBH Engineers		PHONE NO. 503-554-9553	ADDITIONAL CONTACT NO.
ADDRESS 501 E 1st Street		FAX NO.	
CITY Newberg	STATE OR	ZIP 97132	E-MAIL njennings@hbh-consulting.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: Mitigation plan to get application G-19008 approved. Transferring minimum required water for instream uses.

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

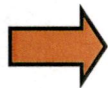
Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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 that the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer, 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: Tillamook Headlight Herald.

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



Raymond L. Cleef _____ 10/10/2022
 Applicant Signature Print Name (and Title if applicable) Date

 Applicant Signature Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail*

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

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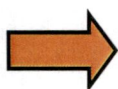
Check the following boxes that apply:

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the rights is supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction the proposed instream reach will be located.

ENTITY NAME Tillamook County	ADDRESS 201 Laurel Avenue	
CITY Tillamook	STATE OR	ZIP 97141

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 6 – Proposed Instream Use Information

Identify the Public Use for which the instream right is requested (check at least one box):

- Conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values. (Mitigation of a new water right)
- Recreation
- Navigation
- Pollution Abatement

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Instream use proposed to be created by the instream transfer:

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Originating Water Right Number (as identified in Part 5)	Priority Date	Source	Proposed Instream Period	Rate (cfs)*	Volume (ac-ft)**	
96333	10/13/1981	Beaver Cr	May 1 -May 31	0.12	7.14 AF	
TOTAL VOLUME						

***Tip:** To calculate rate (if other than the rate allowed by the right), divide the volume by the number of days in the period and then divide by 1.983471; or

****Tip:** To calculate volume, multiply the rate by the number of days in the instream period and then multiply by 1.983471.

Note: The instream rate may not exceed the max rate allowed by the existing right(s) and the total volume may not exceed to max volume or duty allowed by the existing right(s).

Additional Information: n/a.

Identify the location of the proposed instream water right.

- Water is requested to be protected at a point.
Location (i.e. the point of diversion (POD) – use the POD Name or Number from Table 1): 1.
- Water is requested to be protected within a reach:
Location of proposed reach (If an instream water right reach is requested, identify the upstream and downstream extent of the reach): _____.

Recommendations for conditions on the instream use to avoid taking away or impairing existing water rights.

- None
- Other (such conditions may include, but are not limited to, reductions in the instream flow levels in cfs per month or total ac-ft, the effective reach(es) or lake levels of the instream flow, measuring locations and the strategy for monitoring the instream flow or lake levels): _____.

Are there any existing instream water rights on the same point or within the same requested reach(es) or lake, or on a portion thereof?

- No Yes (identify other instream water rights): 59613 & 73014.

Note: New instream water rights are generally (but not always) additive to instream water rights established under ORS 537.348 (instream transfer application process) and ORS 537.470 (allocation of conserved water) and replace a portion of instream water rights established under ORS 537.341 (state agency application process) or ORS 537.346 (conversion of minimum perennial streamflows) with an earlier priority date.

Is it your intent to have the proposed instream water right transfer be additive to any instream water right established under ORS 537.348 and ORS 537.470 and replace a portion of any instream water right established under ORS 537.341 and ORS 537.346 with an earlier priority date?

- Yes No. If no, please explain your intent: _____.

If the proposed conversion would add to the amounts of an existing instream water right(s) established under ORS 537.341 or 537.346, provide documentation demonstrating why additional instream flows are necessary. Supporting documentation should include information from the Oregon Dept. of Fish and Wildlife (ODFW) (fish life), Dept. of Environmental Quality (DEQ) (pollution abatement), and/or Parks and Recreation Dept. (recreation).

Is the requested instream flow intended to exceed the estimated average natural flow or level occurring from the drainage system?

- No; **OR**
- Yes (Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.); **OR**
- Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:
- The requested flow does not exceed the maximum amount of any instream water right application applied for under ORS 537.341 (state agency instream water right application process) for the same reach or portion thereof, and the requested public use is for the same public use as the afore mentioned instream water right application, **and**
 - For the specified time period that flows are requested to exceed the estimated average natural flow or lake level, the stream is in an ODFW flow restoration priority watershed. A copy of the priority watershed map indicating the specific watershed involved should be included with the application. Priority watershed maps may be found on the OWRD web page; **or**
 - The stream is listed as water quality limited and DEQ has provided scientific information that demonstrates that increased flows would improve water quality. The scientific information provided by DEQ should be included with the transfer application.

For a Time Limited Instream Transfer, please answer the following:

- The time-limited instream transfer is for a specific number of years:
 n/a Begin Year to n/a End Year
- Time-limited instream transfer is to terminate based upon other conditions:
 Conditions: n/a.

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 6 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

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

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

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

Microsoft Word 2007

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

Microsoft Word 2010

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

Other Alternatives:

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

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 6 and paste as many additional sets of Part 6 pages as needed at the end of the application.

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

Part 6 of 6 – Water Right Information

Please use a separate Part 6 for each water right being changed. See instructions on page 8, to copy and paste additional Part 6s, or to add additional rows to tables within the form.

CERTIFICATE # 96333

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Name on Certificate: Beaver Water District

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Date(s) of Priority: 10/13/1981

Source(s) of Water to be Affected by the Transfer: Beaver Creek, trib to Nestucca River

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Description of Water Delivery System

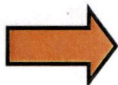
System capacity: 0.12 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **There is currently and will continue to be a surface water intake for a treatment plant at this location.**

Other Water Rights

Are there other water right certificates, water use permits or ground water registrations associated with the "from" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: T-12457 (muni).



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.

Table 1. Location of Authorized Point(s) of Diversion (POD)

(Note: If the POD name is not specified on the certificate, assign it a name or number here. Also, if the POD is not described in the Certificate, provide a description below)

POD Name or Number	Priority Date (if different between PODs)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1		3 S	9 W	30	NE SE		420 FEET NORHT AND 380 FEET WEST FROM THE SE CORNER OF NESE SECTION 30

Will the proposed instream transfer affect the entire water right?

- Yes Then Table 2 on Page 10 does not need to be completed.
- No Then complete all of Table 2 to describe the portion of the water right to be changed.

Please use additional pages of Table 2 as needed. See page 8 for instructions. If you have further questions about how to fill out the tables, contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Change to Water Right Certificate # 96333

List only the part of the right that will be changed. If more than one POD serves the lands, specify the acreage associated with each POD.

Twp	Rng	Sec	¼ ¼	Tax Lot	Gov't Lot or DLC	Acres if Applicable	Type of USE listed on Certificate	Priority Date (if not the same for all acres or type of use)	POD(s) (name or number from Table 1)		
2	S	9	E 14	NE	NW	100		15.0	Irrigation	4/1/1900	POD #1 POD #2
"	"	"	"	"	"	"	"	EXAMPLE	"	"	"
3	S	9	W 20	NE	NW				Quasi-Municipal		1
3	S	9	W 20	NW	NW				Quasi-Municipal		1
3	S	9	W 20	SW	NW				Quasi-Municipal		1
3	S	9	W 20	SE	NW				Quasi-Municipal		1
3	S	9	W 20	NE	SW				Quasi-Municipal		1
3	S	9	W 20	NW	SW				Quasi-Municipal		1
3	S	9	W 20	SW	SW				Quasi-Municipal		1
3	S	9	W 20	SE	SW				Quasi-Municipal		1
3	S	9	W 29	NW	NE				Quasi-Municipal		1
3	S	9	W 29	SW	NE				Quasi-Municipal		1
3	S	9	W 29	NE	NW				Quasi-Municipal		1
3	S	9	W 29	NW	NW				Quasi-Municipal		1
3	S	9	W 29	SW	NW				Quasi-Municipal		1

3	S	9	W	29	SE	NW				Quasi-Municipal	1
3	S	9	W	29	NE	SW				Quasi-Municipal	1
3	S	9	W	29	NW	SW				Quasi-Municipal	1
3	S	9	W	29	SW	SW				Quasi-Municipal	1
3	S	9	W	29	SE	SW				Quasi-Municipal	1
3	S	9	W	30	NE	SE				Quasi-Municipal	1
3	S	9	W	30	NW	SE				Quasi-Municipal	1
3	S	9	W	30	SW	SE				Quasi-Municipal	1
3	S	9	W	30	SE	SE				Quasi-Municipal	1
3	S	9	W	31	NW	NE				Quasi-Municipal	1
3	S	9	W	31	SW	NE				Quasi-Municipal	1
3	S	9	W	31	NE	NW				Quasi-Municipal	1
3	S	9	W	31	SW	NW				Quasi-Municipal	1
3	S	9	W	31	SE	NW				Quasi-Municipal	1
3	S	9	W	31	NE	SW				Quasi-Municipal	1
3	S	9	W	31	NW	SW				Quasi-Municipal	1
3	S	9	W	31	NW	SE				Quasi-Municipal	1

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3	S	9	W	36	SE	NE				Quasi-Municipal	1
3	S	9	W	36	NE	SE				Quasi-Municipal	1
TOTAL ACRES											

Additional remarks: _____

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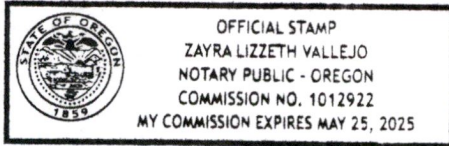
3. The water right was used for: (e.g., crops, pasture, etc.): quasi-municipal

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. Since none of those apply to a quasi-municipal system, We have instead attached a copy of the reported water use of the water right as reported to ORDW and posted on the Water Rights' page.

Raymond L Clavel
Signature of Affiant

10-12-2022
Date

Signed and sworn to (or affirmed) before me this 12th day of October, 2022.



Zayra L Vallejo
Notary Public for Oregon

My Commission Expires: May 25th, 2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" 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 Copies of reported water use to OWRD on OWRD's website
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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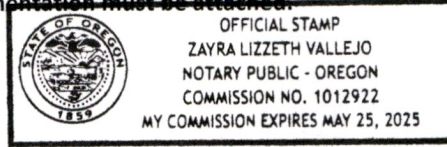
Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
 County of Tillamook) ss



I, Raymond L Cloud in my capacity as Board pres,
 mailing address P.O. Box 306 Beaver, Oregon 97108
 telephone number (503) 354-4336, being first duly sworn depose and say:

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

- Personal observation Professional expertise

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2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 96333; 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)

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)

Entity Water Use Report



PLANT OPERATOR LARRY CHITWOOD
BEAVER WATER DISTRICT

Records per page: 10

Water Year*	Report ID	Facility	Acre-feet (AF) of Water Used												Total Water Used	Irrigated Acres
			Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
2022	11028	BEAVER CR	3.96	3.76	3.59	3.59	3.39	3.71	3.63	4.27	4.19	5.01	4.97		44.08	
2021	11028	BEAVER CR	3.83	3.95	3.81	3.91	3.37	3.84	3.71	4.38	5.01	6.08	5.42	4.49	51.79	
2020	11028	BEAVER CR	4.29	3.29	3.37	3.80	3.36	3.34	3.73	4.39	3.88	5.77	5.48	5.00	49.69	
2019	11028	BEAVER CR	4.63	4.22	4.42	2.78	3.60	5.19	3.96	4.32	4.65	4.96	6.02	4.86	53.61	
2018	11028	BEAVER CR	4.47	3.94	4.17	3.51	3.94	4.42	4.26	4.73	5.65	5.86	5.89	4.70	55.53	
2017	11028	BEAVER CR	4.33	4.37	4.67	5.00	4.06	4.13	4.44	4.64	5.00	6.79	6.34	5.25	59.03	
2016	11028	BEAVER CR	3.74	3.39	4.00	3.51	3.48	3.82	3.73	4.15	4.02	5.28	5.42	4.15	48.68	
2015	11028	BEAVER CR	4.11	4.18	4.74	4.52	4.04	4.74	4.64	5.27	6.52	7.01	6.01	4.71	60.49	
2014	11028	BEAVER CR	4.49	4.22	4.55	4.24	4.03	4.14	3.95	4.56	4.93	5.60	7.66	4.84	57.23	
2013	11028	BEAVER CR	4.02	3.69	4.39	3.75	3.23	3.80	3.73	4.67	5.02	6.42	5.78	4.66	53.16	

1 2 3

*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water Use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year

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STATE OF OREGON
 COUNTY OF TILLAMOOK
 CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

BEAVER WATER DISTRICT
 PO BOX 306
 CLOVERDALE OR 97112

confirms the right to use the waters of BEAVER CREEK, a tributary of NESTUCCA RIVER for MUNICIPAL USES.

This right was perfected under Permit 46049. The date of priority is OCTOBER 13, 1981. This right is limited to 0.33 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	9 W	WM	30	NE SE	420 FEET NORTH AND 380 FEET WEST FROM THE SE CORNER, NESE, SECTION 30

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	9 W	WM	20	NE NW
3 S	9 W	WM	20	NW NW
3 S	9 W	WM	20	SW NW
3 S	9 W	WM	20	SE NW
3 S	9 W	WM	20	NE SW
3 S	9 W	WM	20	NW SW
3 S	9 W	WM	20	SW SW
3 S	9 W	WM	20	SE SW
3 S	9 W	WM	29	NW NE
3 S	9 W	WM	29	SW NE
3 S	9 W	WM	29	NE NW
3 S	9 W	WM	29	NW NW
3 S	9 W	WM	29	SW NW
3 S	9 W	WM	29	SE NW
3 S	9 W	WM	29	NE SW
3 S	9 W	WM	29	NW SW
3 S	9 W	WM	29	SW SW
3 S	9 W	WM	29	SE SW
3 S	9 W	WM	30	NE SE
3 S	9 W	WM	30	NW SE
3 S	9 W	WM	30	SW SE
3 S	9 W	WM	30	SE SE

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.

Twp	Rng	Mer	Sec	Q-Q
3 S	9 W	WM	31	NW NE
3 S	9 W	WM	31	SW NE
3 S	9 W	WM	31	NE NW
3 S	9 W	WM	31	SW NW
3 S	9 W	WM	31	SE NW
3 S	9 W	WM	31	NE SW
3 S	9 W	WM	31	NW SW
3 S	9 W	WM	31	NW SE
3 S	10 W	WM	36	SE NE
3 S	10 W	WM	36	NE SE

Beaver Water District, or its successors, shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

This certificate is issued to confirm a change in PLACE OF USE AND CHARACTER OF USE approved by an order of the Water Resources Director entered JUNE 1, 2012, at Special Order Volume 87, Page 692, approving Transfer Application T-11325, and supercedes Certificate 82602, State record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The right to the use of the water is subject to all other conditions and limitations contained in Certificate 82602 and any related decree.

JUL 01 2022

Issued _____



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

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H B H
CONSULTING
ENGINEERS

501 E First Street
Newberg, Oregon 97132
phone 503-554-9553
fax 503-537-9554

October 3, 2022

Tillamook County
201 Laurel Ave,
Tillamook, OR 97141

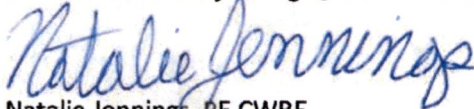
Re: Proposed Instream Water Rights Transfer

To Whom it may concern:

Beaver Water District is providing notification of its intent to transfer part of a water right seasonally for instream use. The transfer application is requesting to change a portion of water right certificate 9633 to in stream use for the Month of May. This is due to the construction of an emergency backup well that will be used in times of high turbidity. A condition of the water right application for that well was to transfer part of water right certificate 9633 for the month of May. The portion of the water right consists of a quasi-municipal use distributed from taxlot 101 T3S R9W Section 30 NE ¼ of the SE ¼ to users in the area described in the table attached.

The proposed transfer will place approximately 0.12cfs instream with an 10/13/81 priority date during the month of May each year. The 0.12cfs of water will bypass the intake during these times.

If you have any questions about this transfer, or want more information, please contact me at 503-554-9553 or njennings@hbh-consulting.com



Natalie Jennings, PE CWRE
Agent for Beaver Water District
HBH Engineers
501 E 1st Street
Newberg, OR 97132

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Twp		Rng		Sec	¼ ¼		Type of USE listed on Certificate
3	S	9	W	20	NE	NW	Quasi-Municipal
3	S	9	W	20	NW	NW	Quasi-Municipal
3	S	9	W	20	SW	NW	Quasi-Municipal
3	S	9	W	20	SE	NW	Quasi-Municipal
3	S	9	W	20	NE	SW	Quasi-Municipal
3	S	9	W	20	NW	SW	Quasi-Municipal
3	S	9	W	20	SW	SW	Quasi-Municipal
3	S	9	W	20	SE	SW	Quasi-Municipal
3	S	9	W	29	NW	NE	Quasi-Municipal
3	S	9	W	29	SW	NE	Quasi-Municipal
3	S	9	W	29	NE	NW	Quasi-Municipal
3	S	9	W	29	NW	NW	Quasi-Municipal
3	S	9	W	29	SW	NW	Quasi-Municipal
3	S	9	W	29	SE	NW	Quasi-Municipal

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3	S	9	W	29	NE	SW	Quasi-Municipal
3	S	9	W	29	NW	SW	Quasi-Municipal
3	S	9	W	29	SW	SW	Quasi-Municipal
3	S	9	W	29	SE	SW	Quasi-Municipal
3	S	9	W	30	NE	SE	Quasi-Municipal
3	S	9	W	30	NW	SE	Quasi-Municipal
3	S	9	W	30	SW	SE	Quasi-Municipal
3	S	9	W	30	SE	SE	Quasi-Municipal
3	S	9	W	31	NW	NE	Quasi-Municipal
3	S	9	W	31	SW	NE	Quasi-Municipal
3	S	9	W	31	NE	NW	Quasi-Municipal
3	S	9	W	31	SW	NW	Quasi-Municipal
3	S	9	W	31	SE	NW	Quasi-Municipal
3	S	9	W	31	NE	SW	Quasi-Municipal

3	S	9	W	31	NW	SW	Quasi-Municipal
3	S	9	W	31	NW	SE	Quasi-Municipal
3	S	9	W	36	SE	NE	Quasi-Municipal
3	S	9	W	36	NE	SE	Quasi-Municipal

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