

# Application for Permanent Water Right Transfer



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

## 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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- 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: 92727 & 92728**

Please include a separate Part 5 for each water right. (See instructions on page 6)

**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.** [Joan Smith of WRD, said, via phone conversation on 14 DEC 2022, that this type of transfer having two certificates, one being primary and the other supplemental to the primary can and should go on one transfer application.](#)

**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 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- \_\_\_\_\_ Date: 14141

## Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met. OWRD

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.
- 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>Fessler Family, LLC</b>		PHONE NO. <b>503.559.1471</b>	ADDITIONAL CONTACT NO. <b>N/A</b>
ADDRESS <b>13009 McKee School Road</b>		FAX NO. <b>N/A</b>	
CITY <b>Woodburn</b>	STATE <b>OR</b>	ZIP <b>97101</b>	E-MAIL <b>See note below agent information:</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>Aspen Rural Land Consulting c/o Eric Urstadt, PE/PLS</b>		PHONE NO. <b>971.250.1520</b>	ADDITIONAL CONTACT NO. <b>503.647.1919</b>
ADDRESS <b>39290 NW Murtaugh Road</b>		FAX NO. <b>N/A</b>	
CITY <b>North Plains</b>	STATE <b>OR</b>	ZIP <b>97133</b>	E-MAIL <b>See note below</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>			
<b><u>Note:</u> We do not want all correspondence sent electronically; instead please send correspondence via both regular mail and email to: <a href="mailto:tomf@woodburnnursery.com">tomf@woodburnnursery.com</a> and <a href="mailto:ericurstadt@hotmail.com">ericurstadt@hotmail.com</a>.</b>			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**This transfer proposes to move a portion of the Place of Use for certificate 96727 together with applicable supplemental rights per certificate 96728 to another property. The acres of 96727 & 96728 that are to remain on the FROM property are shown on the transfer map for any quarter-quarter affected by the transfer.**

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

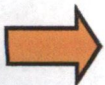
## Check One Box

- 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.

## 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: 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).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



TRF  
Applicant signature

**Tom R. Fessler\***  
Print Name (and Title if applicable)

12-20-22  
Date

**\*Tom Fessler is both the Managing Member of Fessler Family, LLC and Vice President of Woodburn Nursery, Inc.**

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:

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

RECEIVING LANDOWNER NAME <b>Fessler Family, LLC (Same as applicant)</b>		PHONE NO. <b>503.559.1471</b>	ADDITIONAL CONTACT NO. <b>N/A</b>
ADDRESS <b>13009 McKee School Road</b>		FAX NO. <b>N/A</b>	
CITY <b>Woodburn</b>	STATE <b>OR</b>	ZIP <b>97101</b>	E-MAIL <a href="mailto:tomf@woodburnnursery.com">tomf@woodburnnursery.com</a>
Describe any special ownership circumstances: <b>Tom R. Fessler is both the Managing Member of Fessler Family, LLC and the Vice President of Woodburn Nursery, Inc., so he can sign for both the FROM and TO land ownerships. All intervening tax lots that the conveyance system crosses are owned by Fessler Family, LLC. The "TO" property is in the process of being sold to Fessler Family, LLC.</b>			
The confirming Certificate shall be issued in the name of: <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner			

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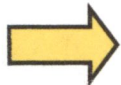
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME <b>None Known</b>	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 <b>None Known</b>	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 <b>Marion County</b>	ADDRESS <b>5155 Silverton Rd NE</b>	
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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**Part 5a 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 # **96727**

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**Description of Water Delivery System**

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System capacity: **0.20\*** cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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\*per certificate

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 a submerged pump in the river with a fish screen that pumps water via underground pipes to the various fields.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	1 W	33	SE NW	900 of S33	1695' S & 2295' E OF NW S33
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5 S	1 W	28	NW SW	1500 of S28	1830' NORTH AND 260' EAST FROM NW S33.

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

- |  |   |
|--|---|
| <input checked="" 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 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 # 96727**

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						
5	S	1	W	33	SW	NE	900	-	1	IRRIG	POD 1 & 2	1958	POU	5	S	1	W	28	NE	NE	300	-	4.3	IRRIG	POD 1 & 2	1958
5	S	1	W	33	SE	NW	900	-	3.5	IRRIG	POD 1 & 2	1958	POU	5	S	1	W	28	NW	NE	300	-	0.2	IRRIG	POD 1 & 2	1958
TOTAL ACRES:						4.5	TOTAL ACRES:						4.5													

Additional remarks: Cert. 96728 is Supplemental to all of the above acres and is being moved with this right in this transfer application.

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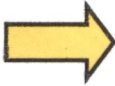
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**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: **96728.**



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **N/A**;

Surface water primary Certificate # **N/A**.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # **N/A**

**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:

**AND/OR**

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
N/A										

## Part 5b 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 # 96728**

### Description of Water Delivery System

System capacity: **0.372**\* cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

\*per certificate

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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. **There is a submerged pump in the well that pumps water via underground pipes to the various fields.**

**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 #5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	<b>MARI 19214</b>	<b>5 S</b>	<b>1 W</b>	<b>33</b>	<b>SW NE</b>	<b>900</b>	<b>2390' S &amp; 2800' E of the NW S33**</b>

\*\*Per certificate 96278

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

- |  |   |
|--|---|
| <input checked="" 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 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 # 96728**

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	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
5	S	1	W	33	SW	NE	900	-	.07	IRRIG	Well 5	1995	POU	5	S	1	W	28	NE	NE	300	-	0.7	IRRIG	Well 5	1995
5	S	1	W	33	SW	NE	900	-	1.0	SUPPL	Well 5	1995	POU	5	S	1	W	28	NE	NE	300	-	4.3	SUPPL	Well 5	1995
5	S	1	W	33	SE	NW	900	-	3.5	SUPPL	Well 5	1995	POU	5	S	1	W	28	NW	NE	300	-	0.2	SUPPL	Well 5	1995
TOTAL ACRES:							5.2						TOTAL ACRES:							5.2						

Additional remarks: \_\_\_\_\_.

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**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: 96727.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # N/A;  
Surface water primary Certificate # N/A.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # N/A

**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:

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
N/A										

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ATTACH B-1/2

# Land Use Information Form



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

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JAN 03 2023  
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Applicant(s): Tom Fessler

Mailing Address: 13009 McKee School Road

City: Woodburn State: OR Zip Code: 97101 Daytime Phone: 503.559.1471

## 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>5S</u>	<u>1W</u>	<u>28</u>	<u>N/A</u>	<u>300, 500, 700, 1000, 1500, 1800</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming</u>
<u>5S</u>	<u>1W</u>	<u>33</u>	<u>N/A</u>	<u>600, 700, 900</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>farming</u>

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) Zollner Creek

Estimated quantity of water needed: 0.121  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:

The owner is moving the place of use for the water rights so that different lands can be irrigated.

**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.

## 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.

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**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): **Marion County Code 17.136.020 (A)**
- 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

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: Nicole Inman Title: Associate Planner

Signature: Nicole Inman Phone: 503-588-5038 Date: 12/27/2022

Government Entity: Marion County Planning

**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: \_\_\_\_\_

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ATTACH C1-1/2

# 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 MARION ) ss

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I, TOM FESSLER, in my capacity as FARMER,  
mailing address 13009 MCKEE SCHOOL ROAD, WOODBURN, OR 97071  
telephone number (503)559-1471, 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 # \_\_\_\_\_; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificates 92727 & 92728 have 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)

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

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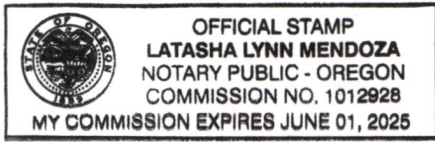
C1-2/2

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

12-20-22  
Date

Signed and sworn to (or affirmed) before me this 20 day of Dec, 2022.



[Signature]  
Notary Public for Oregon

My Commission Expires June 1, 2025

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificates that have 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 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

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# Application for Water Right Transfer

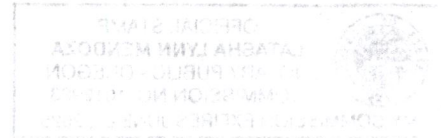
## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of MARION )



I, TOM FESSLER, in my capacity as FARMER,  
 mailing address 13009 MCKEE SCHOOL ROAD, WOODBURN, OR 97071  
 telephone number (503)559-1471, being first duly sworn depose and say:

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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 # \_\_\_\_\_; **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 Certificates 92727 & 92728 have 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)

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

ATTACH C2  
-1/2

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

FESSLER FAMILY LLC  
13009 MCKEE SCHOOL RD  
WOODBURN OR 97071

confirms the right to use the waters of ZOLLNER CREEK, A TRIBUTARY OF PUDDING RIVER for IRRIGATION of 15.8 ACRES.

This right was perfected under Permit S-25354. The date of priority is FEBRUARY 24, 1958.

The amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.20 cubic foot per second, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	33	SE NW	POD 1 (ORIGINAL) - 1695 FEET SOUTH AND 2295 FEET EAST FROM NW CORNER, SECTION 33
5 S	1 W	WM	28	NW SW	POD 2 (ADDITIONAL) - 1830 FEET NORTH AND 260 FEET EAST FROM NW CORNER, SECTION 33

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 a diversion of 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, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	28	NE NW	43	0.4
5 S	1 W	WM	28	NW NW	43	0.1
5 S	1 W	WM	28	SW NW	43	7.9
5 S	1 W	WM	28	SE NW	43	2.4
5 S	1 W	WM	28	NE SW	43	0.1
5 S	1 W	WM	28	NW SW	43	0.4
5 S	1 W	WM	33	SW NE		1.0
5 S	1 W	WM	33	SE NW		3.5

**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.

C2-2/2

The quantity of water diverted, as authorized by Certificate 29565, diverted at the new additional new point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).

The water user shall maintain and operate the fish screen at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

This certificate is issued to confirm changes in ADDITIONAL POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered APRIL 1, 2021, at Special Order Volume 120, Page 15, approving Transfer Application T-13190, supersedes Certificate 29565, State Record of Water Right Certificates.

**NOV 04 2022**

Issued \_\_\_\_\_



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department

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ATTACH C3 - 1/3

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

RECEIVED

JAN 03 2023

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THIS CERTIFICATE ISSUED TO

FESSLER FAMILY LLC  
13009 MCKEE SCHOOL RD  
WOODBURN OR 97071

confirms the right to use the waters of WELL 5 in the PUDDING RIVER BASIN for PRIMARY IRRIGATION OF 13.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 15.8 ACRES.

This right was perfected under Permit G-13673. The date of priority is MARCH 24, 1995.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed maximum total of 0.372 CUBIC FOOT PER SECOND (CFS), BEING 0.172 CFS FOR IRRIGATION OF 13.7 ACRES AND 0.200 CFS FOR SUPPLEMENTAL IRRIGATION OF 15.8 ACRES.

The period of use is March 1 through October 31 for irrigation.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	33	SW NE	WELL 5 - 2390 FEET SOUTH AND 2800 FEET EAST FROM NW CORNER, SECTION 33

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 W	WM	33	SW NE	7.6
5 S	1 W	WM	33	SE NW	6.1

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	28	NE NW	43	0.4
5 S	1 W	WM	28	NW NW	43	0.1
5 S	1 W	WM	28	SW NW	43	7.9
5 S	1 W	WM	28	SE NW	43	2.4
5 S	1 W	WM	28	NE SW	43	0.1
5 S	1 W	WM	28	NW SW	43	0.4

**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.

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SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	33	SW NE		1.0
5 S	1 W	WM	33	SE NW		3.5

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

- (1) Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:
  - (a) An average water level decline of three or more feet per year for five consecutive years; or
  - (b) A total water level decline of fifteen or more feet; or
  - (c) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.
- (2) The water user shall maintain a meter or other measuring device suitable to the Director, and shall submit an annual report of water used to the Department by December 1 of each year.
- (3) The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well.
  - (a) Use of water from a new well shall not begin until an initial static water level in the well has been measured and submitted to the Department.
  - (b) In addition to the measurement required in subsection (a) of this section, a water level measurement shall be made each year during the period March 1 through March 31.
  - (c) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
  - (d) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
  - (e) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (1) are evidenced by the well measurement required in section (3).

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C3-3/3

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered APRIL 1, 2021, at Special Order Volume 120, Page 15, approving Transfer Application T-13190, and together with Certificate 95394, supersedes Certificate 90327, State Record of Water Right Certificates.

Issued DEC 09 2022



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department

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# Aspen

Rural Land Consulting

Water Resources, Water Rights, Land  
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM  
971-250-1520 (MOBILE)

Water Resources Department  
Attn: Transfer Section  
725 Summer Street NE, Ste. A  
Salem, OR, 97301

8 DEC 2022

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**Subject: New Transfer application for certificates 96727 & 96728**

To Whom It May Concern,

Enclosed is an application for a transfer to change the Place of Use (POU) for certificates **96727 & 96728** together with the following attachments:

- A. Application Map
- B. Land Use Compatibility Statement
- C. Evidence of Use
- D. Transfer Reimbursement Authority Estimate Application
- E. 2 checks made out to "Oregon Water Resources Department".
  - a. One for \$1970.00 (per application fee worksheet), and
  - b. One for \$125.00 (for Reimbursement Authority).

Please let me know if there are any concerns or you need any more information.

Respectfully,  
**Aspen Rural Land Consulting**

Eric Urstadt, PE, PLS

14141

## Business Registry Business Name Search

[New Search](#)

## Business Entity Data

01-11-2023  
08:54

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
664872-82	DLLC	ACT	OREGON	12-10-1998	12-10-2023	
<b>Entity Name</b>	FESSLER FAMILY, LLC					
<b>Foreign Name</b>						

[New Search](#)

## Associated Names

Type	PPB PRINCIPAL PLACE OF BUSINESS					
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE					
<b>Addr 2</b>						
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT REGISTERED AGENT			Start Date	08-14-2020	Resign Date
<b>Name</b>	SANDRA	L	TRAEGER			
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE					
<b>Addr 2</b>						
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA	

Type	MAL MAILING ADDRESS					
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE					
<b>Addr 2</b>						
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA	

Type	MEM MEMBER			Resign Date	
<b>Name</b>	KAREN	S	JAEGER		
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA

Type	MEM MEMBER			Resign Date	
<b>Name</b>	RICHARD	D	FESSLER		
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE				
<b>Addr 2</b>					
<b>CSZ</b>				<b>Country</b>	

14141



WOODBURN	OR	97071		UNITED STATES OF AMERICA
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<b>Type</b>	MEM	MEMBER		<b>Resign Date</b>	
<b>Name</b>	JODI	L	ARRITOLA		
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA

<b>Type</b>	MEM	MEMBER		<b>Resign Date</b>	
<b>Name</b>	THOMAS	R	FESSLER		
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA

<b>Type</b>	MEM	MEMBER		<b>Resign Date</b>	
<b>Name</b>	SANDRA	L	TRAEGER		
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA

<b>Type</b>	MGR	MANAGER		<b>Resign Date</b>	
<b>Name</b>	SANDRA	L	TRAEGER		
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA

<b>Type</b>	MGR	MANAGER		<b>Resign Date</b>	
<b>Name</b>	KAREN	S	JAEGER		
<b>Addr 1</b>	13009 MCKEE SCHOOL RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	WOODBURN	OR	97071	<b>Country</b>	UNITED STATES OF AMERICA

[New Search](#)

Name History






Business Entity Name	Name Type	Name Status	Start Date	End Date
FESSLER FAMILY, LLC	EN	CUR	12-10-1998	

Please [read](#) before ordering [Copies](#).

[New Search](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
-----------------	--------	------------------	----------------	--------	-------------------	--------------

	AMENDED ANNUAL REPORT	12-08-2022		FI		
	AMENDED ANNUAL REPORT	11-17-2021		FI		
	ANNUAL REPORT PAYMENT	11-06-2020		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	08-14-2020		FI	Agent	
	ANNUAL REPORT PAYMENT	11-05-2019		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	10-28-2019		FI		
	ANNUAL REPORT PAYMENT	11-26-2018		SYS		
	ANNUAL REPORT PAYMENT	11-14-2017		SYS		
	ANNUAL REPORT PAYMENT	11-09-2016		SYS		
	ANNUAL REPORT PAYMENT	11-09-2015		SYS		
	ANNUAL REPORT PAYMENT	11-04-2014		SYS		
	ANNUAL REPORT PAYMENT	11-06-2013		SYS		
	ANNUAL REPORT PAYMENT	11-15-2012		SYS		
	ANNUAL REPORT PAYMENT	11-14-2011		SYS		
	CHANGE OF REGISTERED AGENT/ADDRESS	11-26-2010		FI		
	ANNUAL REPORT PAYMENT	11-05-2010		SYS		
	ANNUAL REPORT PAYMENT	11-10-2009		SYS		
	ANNUAL REPORT PAYMENT	11-06-2008		SYS		
	ANNUAL REPORT PAYMENT	10-30-2007		SYS		
	ANNUAL REPORT PAYMENT	11-01-2006		SYS		
	ANNUAL REPORT PAYMENT	11-09-2005		SYS		
	ANNUAL REPORT PAYMENT	11-04-2004		SYS		
		11-07-2003		SYS		

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	ANNUAL REPORT PAYMENT				
	ANNUAL REPORT PAYMENT	11-05-2002		SYS	
	ANNUAL REPORT PAYMENT	10-30-2001		SYS	
	STRAIGHT RENEWAL	11-17-2000		FI	
	AMENDED RENEWAL	12-07-1999		FI	
	NEW FILING	12-10-1998		FI	

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## Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T-

Checked by <u>Dante</u> Date <u>1-11-2023</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Fee Received: \$1970	X POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$1970		How many rights to be Transferred? <b>2</b>
Deficiencies and Observations: None		Certificate #(s) 96727 96728

If OK, check box; if not, fill in.

1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?  
If not, what is missing? Whose signature is missing? \_\_\_\_\_
2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D?  N/A.  
Name of the District \_\_\_\_\_
3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?  
If not, you may need to contact the applicant or agent? \_\_\_\_\_
4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (compare with OAR 690-380-3220-may need to return)  
If no, which certificates are missing a separate Part 5, tables 1 & 2? \_\_\_\_\_
5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?  
If not, what is missing? \_\_\_\_\_. Map waiver included?
6. If a change in point of appropriation, have the well logs been included?  N/A.
7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U?  N/A.
8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? \_\_\_\_\_
9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- This application is deficient, and **CANNOT** be accepted.  
It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

**Actions taken:**

\_\_\_\_\_ date \_\_\_\_\_

## Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	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 = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input 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		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	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 » <b>Transfer Fee:</b>	8	