

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.

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.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate: 97364**
 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.

Attachments:

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- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

14393 -

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Bradley and Mary Gilbert		PHONE NO. (503) 849-9933	ADDITIONAL CONTACT NO. OWRD
ADDRESS PO Box 263		FAX NO.	
CITY Molalla	STATE OR	ZIP 97038	E-MAIL Brad.w.gilbert@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc.		PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road		FAX NO. (503) 632-5983	
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
The authorized Well (CLAC 66134) is not on our property and we want to install additional new wells on our property to help cover the place of use.

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

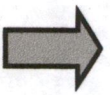
Check One Box

- 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.



Mary Gilbert
Applicant Signature

[Signature]
Applicant Signature

Mary Gilbert
Print Name (and Title if applicable)

Bradley Gilbert
Print Name (and Title if applicable)

12/27/2022
Date

12/27/22
Date

JAN 26 2024

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) 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

RECEIVING LANDOWNER NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Clackamas Co. Department of Transportation and Development, Planning Division	ADDRESS 150 Beaver Creek Road	
CITY Oregon City	STATE Oregon	ZIP 97045

14393 -

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 97364

Description of Water Delivery System

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System capacity: 1.4 cubic feet per second (cfs) OR

JAN 26 2024

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from Well 5 (CLAC 66134) using a 75 Hp submersible pump to convey water through 8-inch buried PVC mainline up to the southeast corner of our property. A buried 6-inch PVC mainline continues north up to Bear Creek where portable a mainline continues up north. Risers are located along the 6inch mainlines where either a hard hose traveler or portable handlines with impact sprinklers can be attached.

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	CLAC 66134	5	S	1	E	12	NW	SE	TL 200	2,750 feet south and 1,660 feet west from the NE corner, Section 12.
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	5	S	1	E	12	NE	NW	TL 300	1,005 feet south and 2,610 feet east from the NW corner, Section 12.
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CLAC 77513	5	S	1	E	12	NE	NW	TL 300	840 feet south and 2,475 feet east from the NW corner, Section 12.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	5	S	1	E	12	NE	NW	TL 300	945 feet south and 2,380 feet east from the NW corner, Section 12.

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

- | | |
|--|--|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" 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) |

14393 -

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.

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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 # 97364

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)										PROPOSED (the "to" or "on" 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.										The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	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	
									APOA	5	S	1	NE	SW	2300	NA	2.3	IR	Wells 2, 3, 4 & 5	11-29-2001
									APOA	5	S	1	SE	SW	2300	NA	34.5	IR	Wells 2, 3, 4 & 5	11-29-2001
									APOA	5	S	1	SW	SE	2400	NA	22.4	IR	Wells 2, 3, 4 & 5	11-29-2001
									APOA	5	S	1	NE	NW	300	NA	40.0	IR	Wells 2, 3, 4 & 5	11-29-2001
TOTAL ACRES:										TOTAL ACRES:										
										99.2										

Additional remarks: The well specifications given below for the additional wells are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the deep Troutdale aquifer.

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

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

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

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	
Well 5	Yes	CLAC 66134	See Well Log CLAC 66134								Not less than full rate of water right
Well 2	No	NA	300-400 feet	10 inch	0 to 300-400	0 to 170 feet	TBD	NA	Deep Troutdale Aquifer		
Well 3	No	NA	See Well Log CLAC 77513								
Well 4	No	NA	300-400 feet	10 inch	0 to 300-400	0 to 170 feet	TBD	NA	Deep Troutdale Aquifer		

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Witnessing or Attesting a Signature

State of OREGON

County of Clackamas

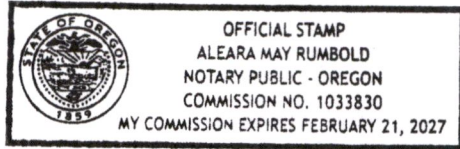
Signed (or attested) before me on (date) December 27th, 2023

by (name(s) of individual(s)) Mary L. Gilbert and Bradley W. Gilbert



Notary Public - State of Oregon

Official Stamp



Document Description

This certificate is attached to page 4 of a Permanent Water Right Transfer (title of type of document), dated 12-27, 2023, consisting of 9 pages.

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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

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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 CLACKAMAS

I, BRAD GILBERT, in my capacity as OWNER / OPERATOR,
 mailing address 15221 SE HWY 212, CLACKAMAS, OR 97015
 telephone number (503) 849-9933, 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	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # 97364 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)

14393 -

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

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]

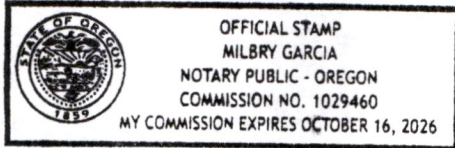
 Signature of Affiant

1/18/24

 Date

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Signed and sworn to (or affirmed) before me this 18 day of January, 2024.



Milbry Garcia

 Notary Public for Oregon

My Commission Expires: October 16, 2026

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

14393 -

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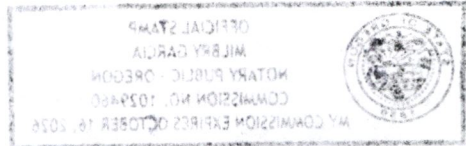
If the water right was used for (e.g., flood, pasture, etc.), how can

1. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.

Signature of Applicant

Signature of Notary Public for Oregon

Notary Public for Oregon
My Commission Expires



<p>1. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>	<p>2. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>
<ul style="list-style-type: none"> • Copy of confirming water right contract • Flood usage records for any existing flood control project • Use • Other records related to the water right • Other records related to the water right 	<p>3. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>
<ul style="list-style-type: none"> • Flood assessment records for water delivery • Flood reports submitted under a Federal Flood Control Act • Beneficial use reports available • 1975 Farm Usage Deduction Report • Agricultural Production Plan • 1975 Report 	<p>4. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>
<p>5. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p> <p>6. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p> <p>7. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p> <p>8. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p> <p>9. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p> <p>10. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>	<p>11. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>
<p>12. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>	<p>13. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below. I understand that I do not at all own or have any interest in the water right below.</p>

STATE OF OREGON
 COUNTY OF CLACKAMAS
 CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

BRADLEY GILBERT
 MARY GILBERT
 15221 SE HWY 212
 CLACKAMAS OR 97015

confirms the right to the use of water perfected under the terms of Permit G-15254. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15661

SOURCE OF WATER: ONE WELL IN BEAR CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 99.2 ACRES

MAXIMUM RATE: 1.4 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 29, 2001

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	12	NW SE	WELL 5 (NEW) - 2750 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 12

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	1	NE SW	2.3
5 S	1 E	WM	1	SE SW	34.5
5 S	1 E	WM	1	SW SE	22.4
5 S	1 E	WM	12	NE NW	40.0

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or 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.

To monitor the effect of water use from the well(s) authorized under this right, the Director may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 129.77 feet below land surface for Well 5.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Ground water for use under this right shall be produced from the deep Troutdale aquifer between approximately 300 and 400 feet below land surface.

The use of water under the terms of this certificate is subject to regulation concurrent with or prior to regulation of a senior right competing for water from the same source when regulation is the result of water level declines that exceed limits specified in the senior right.

The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation as described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	1	SW SE	WELL 1 (ORIGINAL) - 1200 FEET NORTH AND 2385 FEET WEST FROM SE CORNER, SECTION 1
5 S	1 E	WM	12	NE NW	WELL 2 (ORIGINAL) - 990 FEET SOUTH AND 2650 FEET WEST FROM NE CORNER, SECTION 12

Water shall be acquired from the same aquifer as the original points of appropriation.

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 interferences.

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

Issued **SEP 22 2023**


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

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Land Use Information Form



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

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Applicant(s): Bradley and Mary Gilbert

Mailing Address: 15221 SE Hwy 212

City: Clackamas

State: OR

Zip Code: 97015

Daytime Phone: 503-849-9933

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>1E</u>	<u>1</u>	_____	<u>2300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Nursery</u>
<u>5S</u>	<u>1E</u>	<u>1</u>	_____	<u>2400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Nursery</u>
<u>5S</u>	<u>1E</u>	<u>12</u>	_____	<u>300</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Nursery</u>
<u>5S</u>	<u>1E</u>	<u>12</u>	_____	<u>200</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Nursery</u>

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

Clackamas 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) _____

Estimated quantity of water needed: 1.4 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 Nursery

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to Add an additional three points of appropriation (well) for an existing water right (Certificate 97364) to the already existing authorized well.



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): ORS 308A.056 - "Farmuse" definition
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Aldo Rodriguez Title: Planner 1
 Signature: *Aldo Rodriguez* Phone: 503 742 4541 Date: 1/23/24
 Government Entity: Clackamas County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

Westorberg Drilling, Inc.
36728 S. Front Rd.
Molalla, OR 97038

WELL I.D. # 1 96447

START CARD # 200218

OWRD

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Name **Dickman Land, LLC** Well Number _____
Address **15829 Mt. Angel-Scotts Mills Hwy NE**
City **Silverton** State **OR** Zip **97381**

(2) TYPE OF WORK New Well
 Deepening Alteration (repair/recondition) Abandonment Conversion

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Other

(4) PROPOSED USE
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION Special Construction: Yes No
Depth of Completed Well **470** ft.
Explosives used: Yes No Type _____ Amount _____

BORE HOLE			SEAL			Sacks or Pounds
Diameter	From	To	Material	From	To	
23"	0	79	Bentonite	0	29	98 sacks
20"	79	160	Cement	29	163	215 sacks
16"	160	470				

How was seal placed: Method A B C D E
 Other **Bentonite placed dry**
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from **163** ft. to **470** ft. Size of gravel **1/4x10/6x9**

Casing	Diameter	From	To	Gauge	SEAL			
					Steel	Plastic	Welded	Threaded
	12"	+1.5	366	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10"	403	437	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	10"	455.5	470	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	bottom plate	welded	on tail		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:	pipe @	470'			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) **16" cut off @ 470'**

(7) PERFORATIONS/SCREENS
 Perforations Method _____
 Screens Type **V-wire** Material **stainless**

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
366	404	.065		10"	PS	<input type="checkbox"/>	<input type="checkbox"/>
437	455.5	.065		10"	PS	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian
Yield gal/min **750** Drawdown **129'** Drill stem at _____ Time **8 hr.**

Temperature of water **56** Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL (legal description)
County **Clackamas**
Tax Lot **200** Lot _____
Township **5** S Range **1** E WM
Section **12** NW 14 SE 14
Lat _____ " or _____ (degrees or decimal)
Long _____ " or _____ (degrees or decimal)

Street Address of Well (or nearest address) **adjacent to (E. of) 16131 S. Hwy 211 Molalla, OR 97038**

(10) STATIC WATER LEVEL
153'3" ft. below land surface. Date **7-16-09**
_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES
Depth at which water was first found **41'**

From	To	Estimated Flow Rate	SWL
366	449	>750 gpm	153'3"

(12) WELL LOG Ground Elevation

Material	From	To	SWL
Topsoil	0	1	
Clay brown	1	6	
Clay w/ cobbles & boulders	6	38	
Clay	38	41	
Gravel, cobbles w/ clay	41	69	
Clay reddish brown	69	72	
Clay tan brown w/ some gravels	72	101	
Clay dark brown	101	118	
Clay grey	118	123	
Sand grey	123	126	
Sandy grey clay	126	138	
Clay grey dense	138	176	
Clay grey w/ sand	176	178	
Clay grey	178	246	
Clay blue sticky	246	279	

continued on page 2

Date Started **5-26-09** Completed **7-24-09**

(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number _____ Date _____
Signed _____

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment of this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number **688** Date **7-27-09**
Signed *Steven N. Stadelis*

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CLAC 77513

WELL I.D. LABEL# 145215

STATE OF OREGON WATER SUPPLY WELL REPORT

WESTERBERG DRILLING INC. START CARD # 218656

(as required by ORS 537.545 & 537.765 and OAR 690-205-0210)

PO BOX 1228 ORIGINAL LOG #

MOLALLA, OR 97038

(1) LAND OWNER Owner Well I.D. First Name Last Name Company Address City State Zip

(2) TYPE OF WORK New Well Deepening Conversion Alteration Abandonment

(2a) PRE-ALTERATION Dia From To Gauge Stl Plstc Wld Thrd Casing Seal

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

(4) PROPOSED USE Domestic Irrigation Community Industrial/ Commercial Livestock Dewatering Thermal Injection Other test well

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

Table with columns: Dia, From, To, Material, From, To, Amt, lbs. Rows for Bore Hole and Seal.

How was seal placed: Method A B C D E Other bent placed dry & hydrated

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

(6) CASING/LINER Casing Liner Dia From To Gauge Stl Plstc Wld Thrd Shoe Inside Outside Other Location of shoe(s) Temp casing

(7) PERFORATIONS/SCREENS Perforations Method none Screens Type Material Perf/ Casing/Screen Screen Liner Dia From To width length slots # of slots pipe size

(8) WELL TESTS: Minimum testing time is 1 hour Pump Bailer Air Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Table for Water quality concerns: From, To, Description, Amount, Units

(9) LOCATION OF WELL (legal description) County CLACKAM Twp 5 S N/S Range 1 E E/W WM Sec 12 NE 1/4 of the NW 1/4 Tax Lot 300

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft) Existing Well / Pre-Alteration Completed Well

Table for WATER BEARING ZONES: SWL Date, From, To, Est Flow, SWL(psi), + SWL(ft)

(11) WELL LOG Ground Elevation Material From To top soil clay brown cobbles, gravel with clay brown

Date Started 9-15-2022 Completed 9-26-2022

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

Signed Steven M. Stach Date

(bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above.

Signed Steven M. Stach Date 10-6-2022 Contact Info (optional)

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Oregon Water Resources Department
Groundwater Use Recording Mapping Tool

725 Summer St NE, Salem
Return Contact

Step 1: Search for Well

Step 2: Create Well Map

Mark Well Point and Create Map

Zoom in closer to the well location, if needed. Mark the location of the well by either of the following methods:

A. Drawing on the map using the draw tool

Click on the draw tool icon and draw a point on the map.

B. Type in the GPS Decimal Degrees:

GPS Latitude: 45.15569

GPS Longitude: -122.63097

Mark Point Converter
Clear Point

Results:

Latitude: 45.15569 Longitude: -122.63097

Complete the form:

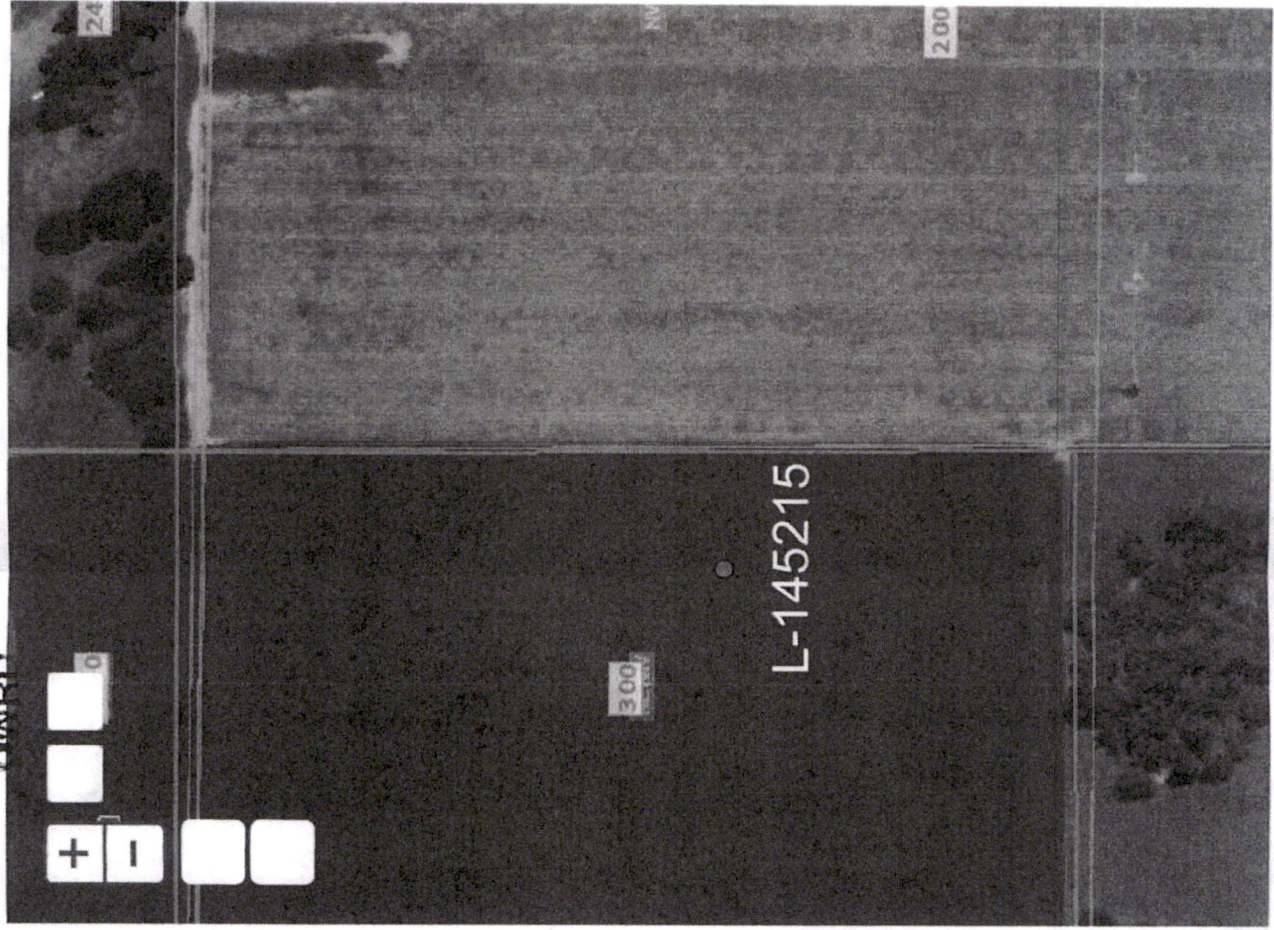
Submitted by: Steven N Stadel

Address of Well: 11600 S. Tolliver Rd.

City: Molalla

Special Notes: L-145215

Make Map



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14393 -

