

regular

Name Lane County Public Works
Waste Mgmt DivisionAddress JEFF Arkundini
3100 East 17th Ave
Eugene OR 97403Change in USE POBDate Filed 7/22/2021Initial notice date 8/17/2021

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO _____ Vol _____ Page _____

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream C. Fork Willamette riverTrib. of Willamette riverUse irrigation County Lane

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# 537975 Per # 528317 Cert # 36521 PR Date 8/21/2021

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
7-22-2021	\$2,090.00	135915

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Lane County Public Works - Chad Hoffman

CWRE _____

CC's list Lane County☐ - Oversized map - Location _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13780

Transfer Specialist: Scott

Transfer Type: Regular Transfer

Applicant: JEFF ORLANDINI 3100 E 17TH AVENUE EUGENE, OR 97403 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A CHAD HOFFMAN 3100 E 17TH AVENUE EUGENE, OR 97403 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Lane County Planning Department Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	S-37975	S-28317	36521	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: July 22, 2021	Proposed Action(s): POINT OF DIVERSION; USE	
Fees Pd: 2090.00	WM District: 2	ODFW District:
Initial Public Notice: August 17, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <u>1/19/23</u> Initials: <u>Scott</u>	Date: <u>1/25/23</u> Initials: <u>Scott</u>	Date: <u>1/25/23</u> Initials: <u>PKS</u>	Date: <u>1/25/23</u> Initials: <u>PKS</u>	Date: <u>1/25/23</u> Initials: <u>Scott</u>	Date: <u>1/25/23</u>	Date: <u>4/6/23</u>

Special Issues: _____

Special Order Volume: Vol. 127 Pages 330



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904

February 3, 2023

JEFF ORLANDINI
3100 E 17TH AVENUE
EUGENE, OR 97403

ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-13780

The above referenced transfer application was withdrawn from the record of the Water Resources Department on February 3, 2023, by Special Order Volume 127, Page 330 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.A.Grew@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)
Lane County
Chad Hoffman, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER WITHDRAWING
T-13780, Lane County, Oregon)	AN APPLICATION FOR A CHANGE IN POINT OF
)	DIVERSION AND CHARACTER OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right.

Applicant

LANE COUNTY PUBLIC WORKS
WASTE MANAGEMENT DIVISION:
JEFF ORLANDINI
3100 E 17TH AVENUE
EUGENE, OR 97403

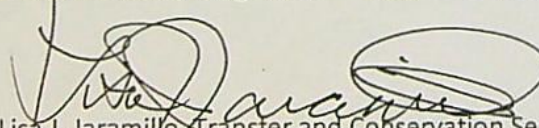
Findings of Fact

1. On July 22, 2021, LANE COUNTY PUBLIC WORKS WASTE MANAGEMENT DIVISION: JEFF ORLANDINI, filed an application to change in point of diversion and character of use under Certificate 36521. The Department assigned the application number T-13780
2. On January 19, 2023, the applicant submitted a written request asking that Transfer Application T-13780 be withdrawn.

Now, therefore, it is ORDERED:

Transfer Application T-13780, in the name of LANE COUNTY PUBLIC WORKS WASTE MANAGEMENT DIVISION: JEFF ORLANDINI, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on **FEB 03 2023**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing date: **FEB 06 2023**

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or 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.

GREW Scott A * WRD

From: BLAKELY Lanaya F * WRD
Sent: Thursday, January 19, 2023 4:49 PM
To: WRD_DL_transfer
Subject: Fwd: Cert 36521 Permanent Water Right Transfer Application T 13780

Please see withdrawal request below.

From: HOFFMAN Chad M <chad.hoffman@lanecountyor.gov>
Sent: Thursday, January 19, 2023 4:37 PM
To: BLAKELY Lanaya F * WRD <Lanaya.F.BLAKEY@water.oregon.gov>; MCCORD Mike L * WRD <Mike.L.MCCORD@water.oregon.gov>
Subject: RE: Cert 36521 Permanent Water Right Transfer Application T 13780

Hi Lanaya/Mike,

Following up on my recent phone message.

Lane County would like to formally withdraw application T 13780 for Cert 36521 that is currently under review. Please feel free to call/e-mail if you have any questions or if I need to submit any other additional information for the withdraw request. Thanks--Chad

Chad M. Hoffman
Environmental Engineering Specialist
Waste Management Division, Lane County Public Works
3100 E. 17th Avenue, Eugene, OR 97403
Office: 541-682-4479 Cell: 541-520-1105

From: HOFFMAN Chad M
Sent: Tuesday, August 17, 2021 4:01 PM
To: 'MCCORD Mike L * WRD' <Mike.L.Mccord@oregon.gov>
Subject: RE: Cert 36521 Supplemental Information for Permanent Water Right Transfer Application T 13780

Mike,

Attached is a .pdf with minor revisions to Pages 7-8 of an Application for Permanent Water Right Transfer for Certificate Number 36521 (T 13780). Feel free to call/e-mail if you require any additional information. Thanks--Chad

Chad M. Hoffman
Environmental Engineering Specialist
Waste Management Division, Lane County Public Works
3100 E. 17th Avenue, Eugene, OR 97403
Office: 541-682-4479 Cell: 541-520-1105

From: HOFFMAN Chad M
Sent: Monday, August 2, 2021 3:10 PM
To: 'MCCORD Mike L * WRD' <Mike.L.Mccord@oregon.gov>
Subject: RE: Cert 36521 Supplemental Information for Permanent Water Right Transfer Application

Thanks Mike, that idea works for us. Just keep us posted if any modifications need to be made.--Chad

Chad M. Hoffman


Environmental Engineering Specialist
Waste Management Division, Lane County Public Works
3100 E. 17th Avenue, Eugene, OR 97403
Office: 541-682-4479 Cell: 541-520-1105

From: MCCORD Mike L * WRD [mailto:Mike.L.Mccord@oregon.gov]

Sent: Sunday, August 1, 2021 12:40 PM

To: HOFFMAN Chad M <chad.hoffman@lanecountyor.gov>

Subject: Re: Cert 36521 Supplemental Information for Permanent Water Right Transfer Application

[EXTERNAL 

Hi Chad, after thinking about this I think I have a simple fix. I'm not looking at the application but it may already be done. I'll check tomorrow. If you add the additional point of diversion at the new site and maintain the original point of diversion then it will not be an issue when you transfer the acres back to the original place of use. I'll call you if any changes to your application need to be made.

Sent from my iPhone

On Jul 31, 2021, at 11:06 AM, HOFFMAN Chad M <chad.hoffman@lanecountyor.gov> wrote:

Mike,

See attached for a letter that includes supplemental information for a permanent water right transfer application (Cert 36521) that was submitted on July 21, 2021. Please feel free to call/e-mail if you have any questions or require additional information. Thanks for all the help with this application submittal, it is appreciated.--Chad

Chad M. Hoffman

Environmental Engineering Specialist
Waste Management Division, Lane County Public Works
3100 E. 17th Avenue, Eugene, OR 97403
Office: 541-682-4479 Cell: 541-520-1105

<Cert36521_Letter_2021_07_31.pdf>

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-13780

Date of review: 9/8/21

A. Please check box if you believe there is a potential for injury to an instream water right.

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____ [stream], tributary to _____, because _____.

(Please attach any available supporting information.)

Note: This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ **2. Screen Now**

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ **3. Screen 2 Year**

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **4. Screen Future**

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **5. No Screen Needed**

[Check this box if fish are not currently present, and are not expected in the future.]


Signature

Jason Brandt
Printed Name

(541) 315-6222
Phone

SW Hydro Coordinator
Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-13780

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Hilary Doulos

Address: 3561 Klindt Dr

City/State/Zip: The Dalles, OR 97058

Phone: (541) 296-8026

- ☒ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Jason Brandt

Address: 4192 North Umpqua Highway

City/State/Zip: Roseburg, OR 97470

Phone: (541) 464-2182

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13780

Review Due Date: 09/11/2021

Applicant Name: LANE COUNTY PUBLIC WORKS; JEFF ORLANDINI

Proposed Changes: ☐ POU ☒ POD ☐ POA ☒ USE ☐ OTHER

Reviewer(s): L. Blakely

Date of Review: 08/31/2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

The Willamette River was regulated in 2015 to satisfy an instream water right. This right is senior to the instream water right.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☐ No ☒ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☒ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☐ No If "Yes", explain:

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☒ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☒ No If "Yes", explain:

Changes affect the entire place authorized under Certificate 36521. I don't think the applicant has authority/permission to add a POD to the residential areas.

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☒ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, ☒ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices; that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13780



In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed prior to diversion of water, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Lanaya Blakely

District: 2

Address: 125 E. 8th Ave

City/State/Zip: Eugene, OR 97401

Phone: 541-682-3620

Email: Lanaya.F.Blakely@Oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device

T- 13780

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

August 12, 2021

JEFF ORLANDINI
3100 E 17TH AVENUE
EUGENE, OR 97403

Reference: Application T-13780

On July 22, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2090.00. Our receipt number 135915 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

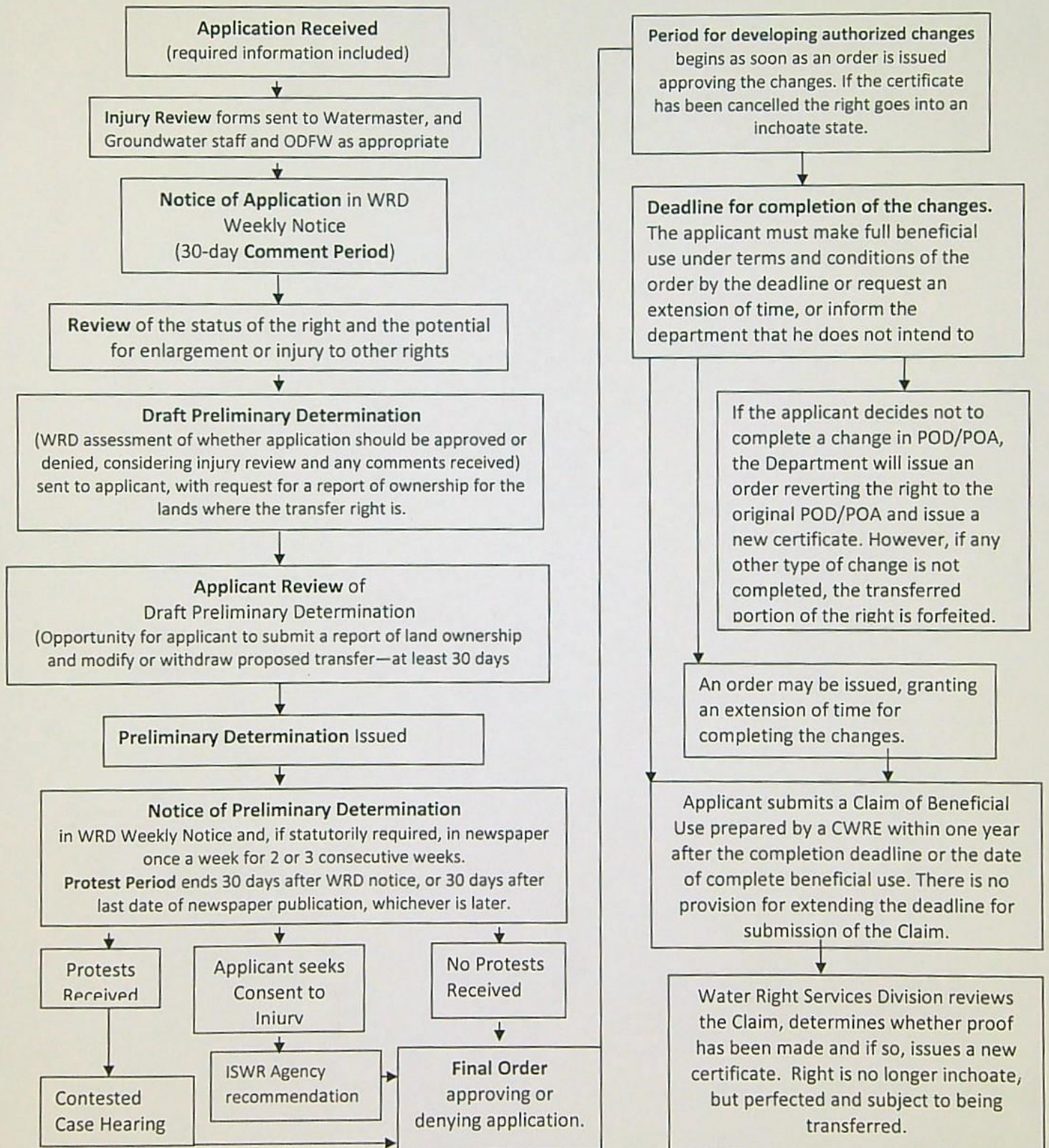
If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #2, Lanaya F. Blakely (*via email*)
Lane County
Chad Hoffman, Agent

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 135915

INVOICE # _____

RECEIVED FROM: Lane County
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER T-13780

CASH: ☐ CHECK: # 992388 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 2,090.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____
0203 GROUND WATER \$ _____
0205 TRANSFER \$ 2,090.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____
LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____
0210 MONITORING WELLS \$ _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: 135915

DATED: 7-22-2021

BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Check Date: 07/02/2021		Vendor ID: 0000008975		OREGON WATER RESOURCE DEPARTMENT		Check No: 992388	
Voucher ID	Invoice Number	Inv Dt	Message		Invoice Amount		
01146379	PW2021-06-15	06/15/2021	WATER RIGHT TRANSFER #36521		2,090.00		

Total Paid Amount		LANE COUNTY, 125 EAST 8TH AVENUE, EUGENE, OR 97401-2926 541-682-4183		Page Total	
\$2,090.00		Report Fraud waste or abuse at 1-844-290-0008		\$2,090.00	

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Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Cert# 36521**

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

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

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

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Lane County Public Works Waste Management Division: Jeff Orlandini		PHONE NO. 541-682-3761	ADDITIONAL CONTACT NO. 541-515-9575
ADDRESS 3100 East 17th Avenue		FAX NO. 541-682-2353	
CITY Eugene	STATE Oregon	ZIP 97403	E-MAIL jeffrey.orlandini@lanecountyor.gov
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Lane County Public Works Waste Management Division: Chad Hoffman		PHONE NO. 541-682-4479	ADDITIONAL CONTACT NO. 541-520-1105
ADDRESS 3100 East 17th Avenue		FAX NO. 541-682-2353	
CITY Eugene	STATE Oregon	ZIP 97403	E-MAIL chad.hoffman@lanecountyor.gov
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:
Lane County Public Works Waste Management desires to change an existing irrigation water right 1) Character of Use and 2) Point of Diversion (POD) to utilize water for dust abatement associated with a multi-year construction project.
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

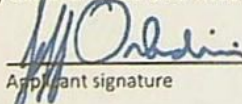
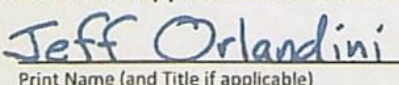
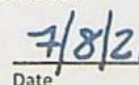
Check One Box

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

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


Applicant signature
Print Name (and Title if applicable)
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right was 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			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here:

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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	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	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	ADDRESS		
Lane County	125 East 8 th Avenue		
CITY	STATE	ZIP	
Eugene	Oregon	97401	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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 # 36521

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Description of Water Delivery System

System capacity: 0.77 cubic feet per second (cfs) OR
 gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Current water is irrigated with a 30 hp pump through a 5" pipe, to a water reel traveler with a nozzle rated less than 300 gallons per hour.

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 (65931)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	3 W	36	SE SE	74	43.95351, -122.99139 (WGS1984); 1720 Feet N and 1150 Feet W from SE Corner, DLC 74
POD 2 (65932)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		19 S	3 W	1	NE NE	74	43.95142, -122.98970 (WGS1984); 940 Feet N and 730 Feet W from SE Corner, DLC 74
NEW POD 1 (65931)	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		18 S	3 W	36	SE SE	74	43.95436, -122.99165 (WGS1984); 2010 Feet N & 1193 Feet W from SE Corner, DLC 74

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 checked="" type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" 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 # 36521

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		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
18	S	03	W 36 SE SW	100	69	8.3	Irrigation	POD 1 & 2	08/21/1962	USE/POD	18	S	03	W 36 SE SW	100	69	8.3	Dust Control	POD 1	08/21/1962		
18	S	03	W 36 SW SE	100	69	10.9	Irrigation	POD 1 & 2	08/21/1962	USE/POD	18	S	03	W 36 SW SE	100	69	10.9	Dust Control	POD 1	08/21/1962		
18	S	03	W 36 SE SE	100	69	2	Irrigation	POD 1 & 2	08/21/1962	USE/POD	18	S	03	W 36 SE SE	100	69	2	Dust Control	POD 1	08/21/1962		
19	S	03	W 01 NE NE	100	74	14	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 NE NE	100	74	14	Dust Control	POD 1	08/21/1962		
19	S	03	W 01 NW NE	100	74	38.7	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 NW NE	100	74	38.7	Dust Control	POD 1	08/21/1962		
19	S	03	W 01 SW NE	100	74	10	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 SW NE	100	74	10	Dust Control	POD 1	08/21/1962		
19	S	03	W 01 SW NE	100	73	10.9	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 SW NE	100	73	10.9	Irrigation	POD 1	08/21/1962		
19	S	03	W 01 SE NE	100	74	5	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 SE NE	100	74	5	Dust Control	POD 1	08/21/1962		
19	S	03	W 01 NE NW	100	74	29	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 NE NW	100	74	29	Dust Control	POD 1	08/21/1962		
19	S	03	W 01 SE NW	100	74	7.1	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 SE NW	100	74	7.1	Dust Control	POD 1	08/21/1962		
19	S	03	W 01 SE NW	100	73	14.2	Irrigation	POD 1 & 2	08/21/1962	USE/POD	19	S	03	W 01 SE NW	100	73	14.2	Irrigation	POD 1	08/21/1962		
TOTAL ACRES:						150.1					TOTAL ACRES:						150.1	RECEIVED				

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Additional remarks:

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: _____.

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 # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

OWRD**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

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- =

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of _____ Lane) ss

I, H. Timothy Fassbender, PLS, CWRE, in my capacity as an Oregon Certified Water Right Examiner,
mailing address 2896 Sarah Lane Eugene, OR 97408

telephone number (541) 485-3136, 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:

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☐ 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)
36521	18	S	03	W	WM	100	SW – SE	69	8.84
36521	18	S	03	W	WM	100	SE – SE	69	1.51
36521	19	S	03	W	WM	100	NE – NE	74	14.0
36521	19	S	03	W	WM	100	NW – NE	74	32.58
36521	19	S	03	W	WM	100	SW – NE	74	10.02
36521	19	S	03	W	WM	100	SE – NE	74	4.73
36521	19	S	03	W	WM	100	NE – NW	74	4.09
36521	19	S	03	W	WM	100	SE – NW	74	4.34

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for
non-use would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

7-21-21
Date

Signed and sworn to (or affirmed) before me this 21st day of July, 2021.



[Signature]
Notary Public for Oregon

My Commission Expires: 1/08/2023

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

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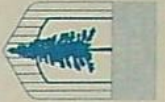
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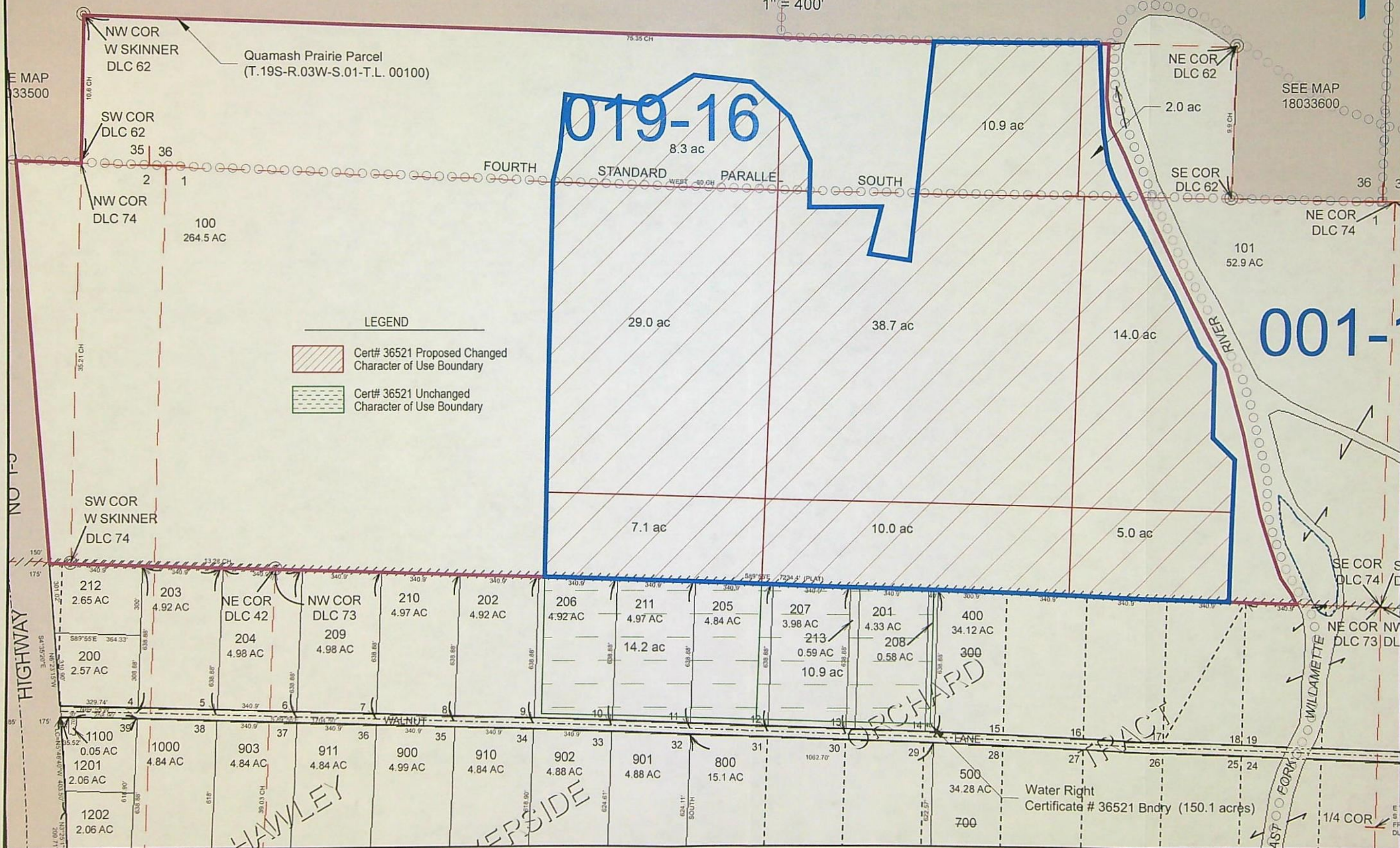
LANE COUNTY
DEPARTMENT OF PUBLIC WORKS
WASTE MANAGEMENT DIVISION
JEFFREY T. ORLANDINI
Public Works Director



FOR ASSESSMENT AND
TAXATION ONLY

SECTION 1 T.19S. R.3W. W.M.
Lane County

1" = 400'



Owner: Lane County
Address: 125 E 8th Ave, Eugene, Oregon 97401
Phone Number: 541-682-6900
Tax Lot Information: 19-03-01-00-00100

Quamash Prairie
Tax Lot Map
Cert# 36521

DATE: July 2021 PROJECT NO: 365730722 ROAD NO: N/A

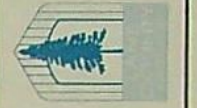
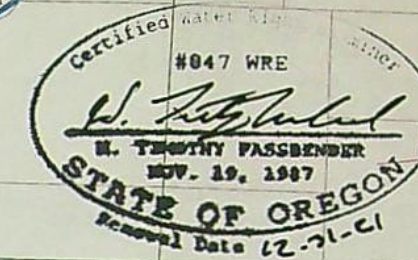
LEGEND

- Roads
- Waterways
- Railroad
- Parcels
- Cert# 36521 Proposed Changed Character of Use Boundary
- Cert# 36521 Unchanged Character of Use Boundary

NOTE

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. IT IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

T18S, R3W, W.M. & T19S, R3W, W.M.



LANE COUNTY
DEPARTMENT OF PUBLIC WORKS
WASTE MANAGEMENT DIVISION
DAVID M. HURLEY, P.E.
Public Works Director
JEFFERY J. ORLANDINI
Waste Management Manager
GRAPHIC SCALE
0 660 1320 (in feet)

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Quamash Prairie Parcel
(T.19S-R.03W-S.01-T.L. 00100)

Proposed New POD 1
(65931) Location
2010' N & 1193' W of SE
Skinner DLC #74

Existing P.O.D. 1 (65931); 1720' N &
1150' W of SE Skinner DLC #74

P.O.D. 2 (65932); 940' N &
730' W of SE Skinner DLC
#74

Water Right
Certificate # 36521 Bndry
(150.1 acres)

$\frac{1}{4}$ - $\frac{1}{4}$ Bndry Lines

Section Bndry Lines

13780

Owner: Lane County
Address: 125 E 8th Ave, Eugene, Oregon 97401
Phone Number: 541-682-6900
Tax Lot Information: 19-03-01-00-00100

Quamash Prairie
Transfer Application Map
Cert# 36521



1000 ft



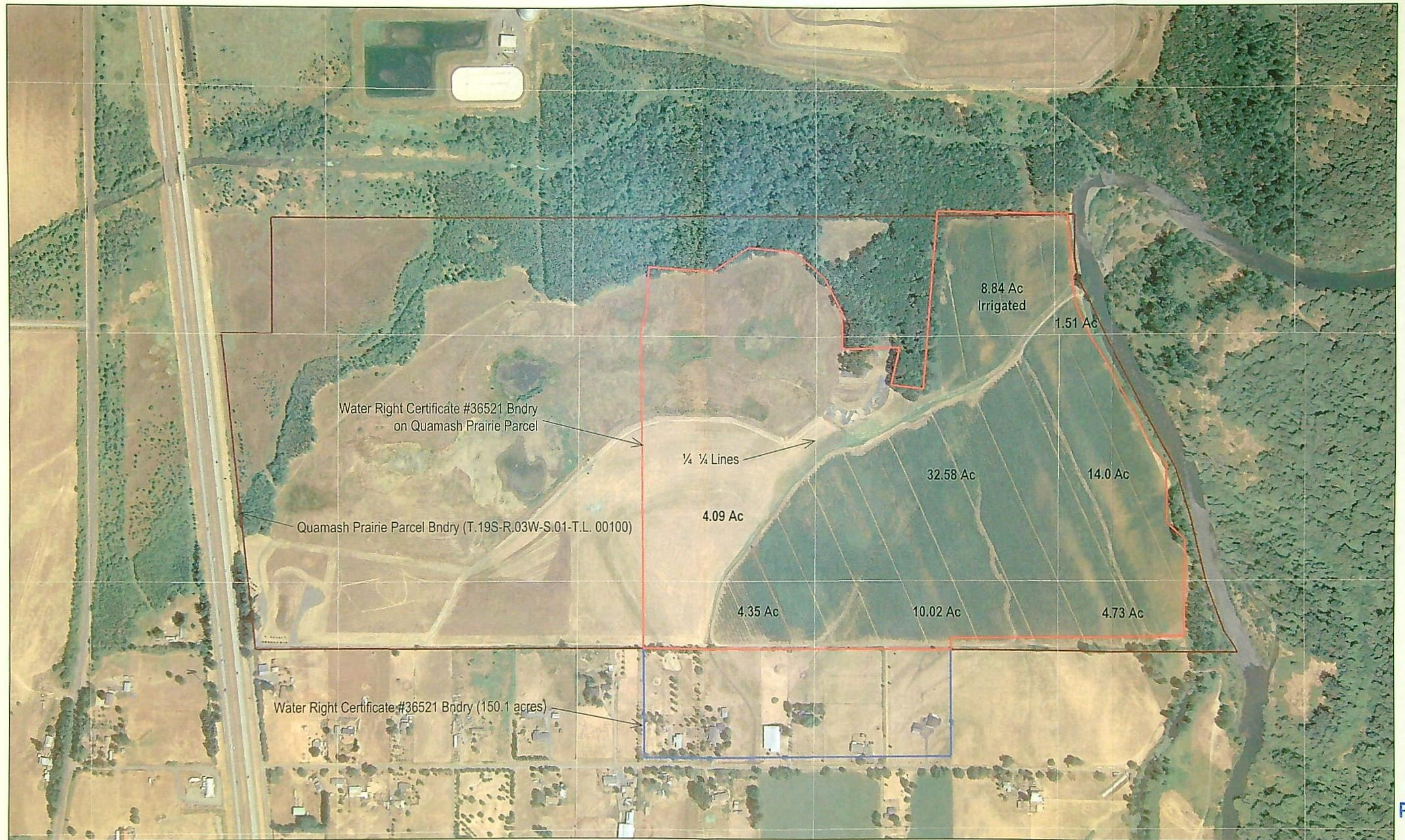
Aerial Photograph (Google Earth)
August 02, 2019

13780

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Aerial Photograph (Google Earth)
July 28, 2018



1000 ft



Aerial Photograph (Google Earth)
July 28, 2018

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1000 ft



Aerial Photograph (Google Earth)
June 28, 2017

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Aerial Photograph (Google Earth)
May 29, 2016

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8/4/2021



Lane County Public Works Department

July 21, 2021

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JUL 22 2021

OWRD

To: Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
ATTN: Mike McCord

From: Chad M. Hoffman, Lane County Public Works Waste Management Environmental Services Section

Subject: Application for Permanent Water Right Transfer for Certificate Number 36521

Enclosed is an 'Application for Permanent Water Right Transfer for Certificate Number 36521' for a parcel (T.19S-R.03W-S.01-T.L. 00100) known as Quamash Prairie owned by Lane County Public Works Waste Management. Please feel free to contact me (chad.hoffman@lanecountyor.gov, or by phone (541) 520-1105), if you have any comments, questions, or would like to visit the site.

Thank You,

Chad M. Hoffman

Enclosures: Application for Permanent Water Right Transfer for Certificate Number 36521

Land Use Information Form



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

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JUL 22 2021

NOTE TO APPLICANTS

OWRD

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

13780

Land Use Information Form



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

RECEIVED

JUL 22 2021

OWRD

Applicant: Lane County Public Works Waste Management: Agent - Chad Hoffman
First Last

Mailing Address: 3100 East 17th Avenue

Eugene Oregon 97403 Daytime Phone: Chad Hoffman (541-520-1105)
City State Zip

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:
19S	3W	36		00100	E25 - Exclusive Farm Use (25 acre minimum)	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Earthworks Construction

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

Lane 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) Coast Fork Willamette River

Estimated quantity of water needed: 0.77 ☒ 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 Earthworks Construction

Briefly describe:

Lane County is submitting an 'Application for Permanent Water Right Transfer' to the Oregon Water Resources Department for Water Right Cert# 36521. The application call for a change in character of use from crop irrigation to dust control and soil moisture conditioning associated with earthworks construction. Dust control water will evaporate and be absorbed in the soil.

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.

13780

See bottom of Page 3.

JUL 22 2021

For Local Government Use Only

OWRD

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): LC 16.02-1.1.5
- ☐ 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

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.

Drawing water for earthworks construction & soil moisture conditioning
Dust abatement for earthworks construction associated to Quamash
prairie & wetland mitigation

Name: Deanna Wright Title: Associate Planner
 Signature: Deanna Wright Phone: 541-682-4080 Date: 7-12-2021
 Government Entity: Lane County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: 13780 Date: _____

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13780

Checked by: <u>Joan</u> Date: _____	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution Gov Action	Supplemental to Primary Surface to Ground	<input checked="" type="checkbox"/> POU USE	<input checked="" type="checkbox"/> POD POA	APOD APOA
Fee Received: <u>\$2090.00</u>						
Calculated Fee: <u>\$2450.00</u>	<u>\$360.00 short</u>	How many rights to be Transferred? Certificate # <u>36521</u>				
Additional Observations: _____ _____ _____						

If OK and complete, check box to the left; if **NOT**, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? _____
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
Name of the district: _____
- ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
- ☒ 4. Is there only one (1) water right included in this transfer application? yes
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No _____
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
- ☒ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
- ☒ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? ☐ Yes ☐ No
- ☒ 7. If a change in point of appropriation (POA), have the well logs been included? ☒ N/A.
- ☒ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application.
Put this application intake completeness check sheet in the transfer folder.

OR: ☐ If all boxes to the left are **NOT** checked, then 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: send letter asking for additional fees Date: _____
luc

Permanent Transfer Application Intake Completion 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		
	Type(s) 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) If only one change, this will be 0.				
2	Multiply line 2b by \$1,090 and enter »	2	0		
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0				
3	Multiply line 3b by \$610 and enter »	3	0		
	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes = \$480 (4a) If YES: enter the number of wells being proposed: _____ (4b) Subtract 1 from the number in line 4b = _____ (4c) If only one well this will be 0. Multiply line 4c by \$410 = _____ (4d)				
4	Add lines 4a and 4d and enter »	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?				
7	If no box is applicable, enter 0 on line 7» »	7	0		
8	Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:	8			