

T-12372

T-12372

gular

PARTIAL ASSIGNED

Name Mark CampbellAddress 33462 McKenzie View Dr.
Eugene OR, 97408Change in POU, USEDate Filed 5-6-2016

Initial notice date _____

DPD issued date _____

PD issued date 08-07-2019PD notice date 08-13-2019Date of FO 9/30/2019Vol 113 Page 1262-1265

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A WellTrib. of Ingram SLUse IrrigationCounty LaneWM# 2

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

App # G-5160 Per # G-4892 Cert # 41539 PR Date 1970

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 #
5-6-16	\$1,000.00	119723
2/6/17	\$800.00	122886
4/6/17	\$85.00	123093

FEES REFUNDED

Date	Amount	Receipt#
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Assignments: 4/23/2017 : Mark Campbell
33462 McKenzie View Dr. Eugene, OR 97408 AND Thermal Farms, LLC
28859 Hwy 36 Junction City, OR 97448

Irrigation District _____

Agent _____

CWRE _____

CC's list _____

☐ - Oversized map - Location _____

Water Right Transfer Cover Sheet

Transfer T-12372

Transfer Specialist: Aula

Transfer Type: Regular

Applicant Name/Address: MARK CAMPBELL 33462 MCKENZIE VIEW DRIVE EUGENE, OR 97408	Agent Name/Address:	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Lane County Planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G-5160	G-4892	41539	☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: May 6, 2016	Proposed Action(s): place of use	
Fees Pd: 1000.00	WM District: 2	ODFW District:
Initial Notice: May 17, 2016	WM Review sent: 5/12/2016	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent:

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

☐ WM measurement contact sheet sent, or ☐ N/A

PD Signed: 8-07-2019

PD Weekly Notice: 08-13-2019

Newspaper quote requested: _____

☐ not required

Request for news \$ sent: _____

News \$ received: _____

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

Register Guard

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>TS</u>	Reviewer: <u>Corey</u>
Date: _____	Date: <u>7/17/19</u>	Date: <u>8/22/19</u>
Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>
Date: <u>3/8/19</u>	Date: <u>7/31/19</u>	Date: <u>9-12-2019</u>
Comments/Special Issues: <u>Deny; no response from applicant</u>		

Special Order Volume: Vol 113 Pages 1262-1265 Final Order Signature Date: 9-30-2019
 Notice of FO email'd to processors _____



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

September 30, 2019

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408

THERMAL FARMS LLC
28859 HWY 36
JUNCTION CITY, OR 97448

Reference: Transfer Application T-12372

The above referenced transfer application was denied in the records of the Water Resources Department on September 30, 2019, by Special Order Volume 113, Page 1262-1265 (copy enclosed).

The transfer application is of no further force or effect.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 986-0806 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

Ashley N. Mosley
Water Right Services Support
Transfers and Conservation Section

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)
Lane County Planning Department

Enclosure



5. On February 6, 2017 the Department received amended application pages to correct the deficiencies and additional monies sufficient to cover requested changes. The revised map received on February 6, 2017 did not satisfy the deficiency.
6. On February 22, 2017 the Department communicated the CWRE by phone and explained that the application map showed layering of Groundwater Registration GR-1388.
7. On February 27, 2017 the Department received a new application map sufficient to satisfy the deficiency.
8. On April 7, 2017 the Department approved a partial assignment of T-12372 to Thermal Farms, LLC, 28859 Highway 36, Junction City, Oregon 97448.
9. On July 31, 2017 the Department was contacted by the agent that they were no longer working with the applicant on Transfer Application T-12372.
10. On August 17, 2017 the Department contacted the applicant regarding deficiencies with the revised map received from the applicant. The applicant was given a deadline of September 17, 2017 to satisfy the deficiencies with the map.
11. On August 18, 2017 the applicant requested a meeting in person and on August 22, 2017 the applicant met with the caseworker for Transfer Application T-12372 regarding deficiencies with the revised map. A deadline of October 1, 2017 was given to satisfy the deficiencies.
12. On April 2, 2018 the Department attempted to contact the applicant and the CWRE regarding deficiencies in the map, no response to the e-mail was received by the Department.
13. On December 20, 2018 an e-mail was sent to the applicant and CWRE again requesting correspondence regarding deficiencies with the map. No response was received by the applicant. The CWRE responded that they were waiting for correspondence from the applicant to move forward with a new revised map. The phone number and email address for the applicant are no longer valid.
14. On February 14, 2019, the Department sent a deficiency letter to the applicant by mail regarding deficiencies with the map. The letter set forth a deadline of March 22, 2019 to satisfy the deficiency. No correspondence was received by the Department to satisfy the deficiency.
15. On May 30, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to deny Transfer Application T-12372 to the applicants. The Draft Preliminary Determination cover letter set forth a deadline of June 28, 2019, for the applicant to respond. No response was received by the Department from the applicant.
16. On August 7, 2019, the Department issued a Preliminary Determination proposing to deny Transfer T-12372 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 13, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

17. The portion of the right to be transferred is as follows:

Certificate: 41539 in the name of WALLACE AND OPAL KRENIK (perfected under Permit G-4892)
Use: IRRIGATION of 4.0 ACRES
Priority Date: APRIL 15, 1970
Rate: 0.033 CUBIC FOOT PER SECOND (CFS)
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL No. 1, a tributary to INGRAM SLOUGH (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	200	4.0

18. Transfer Application T-12372 proposes to change the character of use to nursery.
19. Transfer Application T-12372 also proposes to change the place of use of the right to:

NURSERY						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	202	0.7
16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

20. Certificate 41539 does not describe the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the basin as March 1 to October 31.
21. The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season.

Transfer Review Criteria (OAR 690-380-4010)

22. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

23. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.
24. The proposed changes, as conditioned, would not result in enlargement of the right.
25. The proposed changes would not result in injury to other water rights.
26. The application is incomplete. The deficiencies described in Finding of Fact No. 3 and No. 4 were not resolved.

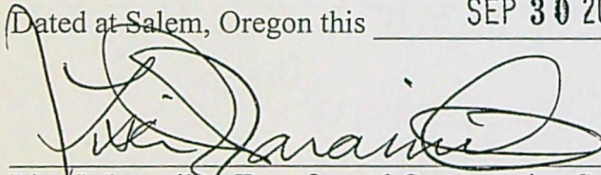
Conclusions of Law

The change in place of use and character of use proposed in Transfer Application T-12372 are not consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in place of use and character of use proposed in Transfer Application T-12372 are denied.

Dated at Salem, Oregon this SEP 30 2019



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: OCT 01 2019

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER PROPOSING DENIAL
T-12372, Lane County	)	OF A CHANGE IN PLACE OF USE AND
	)	A CHANGE IN CHARACTER OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

align
MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE OR 97408

THERMAL FARMS LLC
28859 HIGHWAY 36
JUNCTION CITY OR 97448

Findings of Fact

1. On May 6, 2016, MARK CAMPBELL filed an application to change the place of use and to change the character of use under Certificate 41539. The Department assigned the application number T-12372.
2. Notice of the application for transfer was published on May 17, 2016 and March 7, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 22, 2016, the Department notified the applicant by mail of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.
4. On January 25, 2017, the Department notified the applicant via email of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.

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.

5. On February 6, 2017 the Department received amended application pages to correct the deficiencies and additional monies sufficient to cover requested changes. The revised map received on February 6, 2017 did not satisfy the deficiency.
6. On February 22, 2017 the Department communicated the ^{with Certified Water Rights Examiner} (CWRE) by phone and explained that the application map showed layering of GR-1388.
7. On February 27, 2017 the Department received a new application map sufficient to satisfy the deficiency. ^{Groundwater Registration}
8. On April 7, 2017, the Department approved a partial assignment of T-12372 to Thermal Farms, LLC, 28859 Highway 36, Junction City, Oregon 97448.
9. On July 31, 2017, the Department was contacted by the agent that they were no longer working with the applicant on Transfer Application T-12372.
10. On August 17, 2017, the Department contacted the applicant regarding deficiencies with the revised map received from the applicant. The applicant was given a deadline of September 17, 2017 to satisfy the deficiencies with the map.
11. On August 18, 2017, the applicant requested a meeting in person and on August 22, 2017 the applicant met with the caseworker for Transfer Application T-12372 regarding deficiencies with the revised map. A deadline of October 1, 2017 was given to satisfy the deficiencies.
12. On April 2, 2018, the Department attempted to contact the applicant and the CWRE regarding deficiencies in the map, no response to the e-mail was received by the Department.
13. On December 20, 2018, an e-mail was sent to the applicant and CWRE again requesting correspondence regarding deficiencies with the map. No response was received by the applicant. The CWRE responded that they were waiting for correspondence from the applicant to move forward with a new revised map. The phone number and email address for the applicant are no longer valid.
14. On February 14, 2019, the Department sent a deficiency letter to the applicant by mail regarding deficiencies with the map. The letter set forth a deadline of March 22, 2019 to satisfy the deficiency. No correspondence was received by the Department to satisfy the deficiency.
15. On May 30, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to deny Transfer Application T-12375 to the applicants. The Draft Preliminary Determination cover letter set forth a deadline of June 28, 2019, for the applicant to respond. No response was received by the Department from the applicant.
16. On August 7, 2019, the Department issued a Preliminary Determination proposing to ~~X~~ deny Transfer T-12372 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 13, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

17. The portion of the right to be transferred is as follows:

Certificate: 41539 in the name of WALLACE AND OPAL KRENIK (perfected under Permit G-4892)
Use: IRRIGATION of 4.0 ACRES
Priority Date: APRIL 15, 1970
Rate: 0.033 CUBIC FOOT PER SECOND (CFS)
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL No. 1, a tributary to INGRAM SLOUGH ~~in the WILLAMETTE BASIN~~ (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	200	4.0

18. Transfer Application T-12372 proposes to change the character of use to nursery.
19. Transfer Application T-12372 also proposes to change the place of use of the right to:

NURSERY						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	202	0.7
16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

20. Certificate 41539 does not describe the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the basin as March 1 to October 31.
21. The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season.

Transfer Review Criteria (OAR 690-380-4010)

22. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

23. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.

24. The proposed changes, ~~as conditioned~~, would not result in enlargement of the right.

25. The proposed changes would not result in injury to other water rights.

26. *The application is not complete. The deficiencies described in finding Nos. 3 and 4 were not resolved. The applicant*

Conclusions of Law

The change in place of use and character of use proposed in Transfer Application T-12372 ~~appear to not be~~ consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. *The Department has not received a response from the applicant regarding mapping deficiencies.*

Now, therefore, it is **ORDERED**:

1. The changes in place of use and character of use proposed in Transfer Application T-12372 are denied.

Dated at Salem, Oregon this _____

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 7, 2019

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408

THERMAL FARMS, LLC
28859 HIGHWAY 36
JUNCTION CITY, OR 97448

SUBJECT: Water Right Transfer Application T-12372

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to NOT approve application T-12372. This document is an intermediate step in the denial process. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0806 or arla.l.davis@oregon.gov if I may be of assistance.

Sincerely,

Arla L Davis
Transfer Specialist
Transfer and Conservation Section

cc: T-12372

encs

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12372, Lane County	)	PROPOSING DENIAL OF A CHANGE
	)	IN PLACE OF USE AND A CHANGE
	)	IN CHARACTER OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR), Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE OR 97408

THERMAL FARMS LLC
28859 HIGHWAY 36
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Findings of Fact

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Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
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6. On February 22, 2017 the Department communicated the CWRE by phone and explained that the application map showed layering of GR-1388.
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16. The portion of the right to be transferred is as follows:

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Source: WELL No. 1, a tributary to INGRAM SLOUGH in the WILLAMETTE BASIN

Authorized Point of Appropriation:

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Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
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16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

19. Certificate 41539 does not describe the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the basin as March 1 to October 31.
20. The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season.

Transfer Review Criteria (OAR 690-380-4010)

21. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.
23. The proposed changes, as conditioned, would not result in enlargement of the right.
24. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use and character of use proposed in Transfer Application T-12372 appear to not be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied unless a revised map is received by the Department, satisfying the deficiency.

Notwithstanding this denial, if the deficiency can be resolved and subsequent review determines Transfer Application T-12372 can be approved, the final order will include the following:

1. *The changes in place of use and character of use proposed in Transfer Application T-12372 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 41539 and any related decree.*
3. *The use of water for the proposed nursery use shall be limited to the irrigation season being March 1 to October 31.*
4. *The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season, bring May 1 through September 30.*
5. *The proposed nursery operations shall be further limited such that:*

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.008 cfs per acre and 2.5 AF per acre per season.

For irrigation of containerized nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season

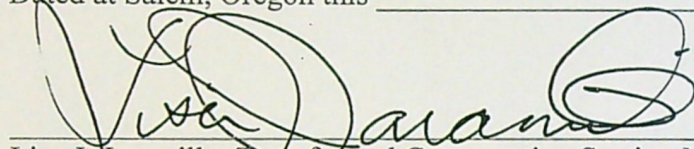
For irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season

For irrigation of any other crop, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season. The place of use of water for irrigation of any other crop shall be limited to 1.1 acres.

6. *Water right Certificate 41539 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*

7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this AUG 07 2019



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Arla Davis. If you have any questions about the information in this document, you may reach me at 503-986-0806 or arla.l.davis@oregon.gov.

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WALLACE AND OPAL KRENK

of Box 223, Cheahire, State of Oregon, ⁹⁷⁴¹⁹ has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Well No. 1.

a tributary of Ingram Slough (Willamette River) for the purpose of irrigation of 13.3 acres

under Permit No. G-4892 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 15, 1970

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.11 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 NE 1/4, Section 7, T. 16 S., R. 4 W., W. M., 770 feet North and 2530 feet East from Center Section 7.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

*0.033 cfs
10.0 acre feet } "face" value*

*0.11 113.3
0.0082706 x 4
0.033 ✓*

	OFF	RR
8.6 acres SE 1/4 NE 1/4 Section 7	4.0	4.6
4.7 acres Lot 2 (SW 1/4 NW 1/4) Section 8		4.7
T. 16 S., R. 4 W., W. M.	4.0	9.3
	<u>0.033 cfs</u>	<u>0.077</u>

COPY

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

WIT :SS the signature of the State Engineer, affixed this date. January 22, 1975

.....Chris L. Wheeler.....
State Engineer



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. 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? ONE List them here: Cert #41539**
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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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):

___ Application fee not enclosed/insufficient ___ Map not included or incomplete

___ Land Use Form not enclosed or incomplete

___ Additional signature(s) required

___ Part ___ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

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Part 2 of 5 – Transfer Application Map Checklist

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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°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Mark Campbell			PHONE NO. 502-645-4580	ADDITIONAL CONTACT NO.
ADDRESS 33462 McKenzie View Dr			FAX NO.	
CITY Eugene	STATE Or	ZIP 97408	E-MAIL	
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			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
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:
Transfer 4.53 acres from existing area within certificate #41539 being a portion of tax lot 200 of tax map no. 16-04-07 to tax lot 202 within same tax map. Water to be used for irrigation.

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

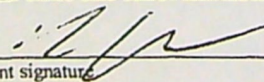
☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer 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: Registered Guard.

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


Applicant signature

Mark Campbell
Print Name (and Title if applicable)

5/2/16
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

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

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Check the following boxes that apply:

- ☐ 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:
<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME <i>Mark Campbell</i>		PHONE NO. <i>(502) 645-4588</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>33462 McKenzie View Dr</i>		FAX NO.	
CITY <i>Eugene</i>	STATE <i>OR</i>	ZIP <i>97408</i>	E-MAIL <i>mark.jes.124@gmail.com</i>

Describe any special ownership circumstances here: _____

- ☐ 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 <i>LANE COUNTY</i>	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

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

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

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

Microsoft Word 2007

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

Microsoft Word 2010

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

Other Alternatives:

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

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

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

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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 # 41539

Description of Water Delivery System

System capacity: 0.08 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **1.25 submersible pump in well pumping to above ground mainline and handline sprinklers**

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	☒ Authorized ☐ Proposed		16 S	4 W	7	SE NE	200	770' N & 2530' E from center section 7
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ 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.

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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 # 41539

List the change proposed for the acreage in each 1/4 1/4. 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	1/4 1/4	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	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
2	S	4	E	7	SE	NE	200	8.6	Irrigation	POD 1	POU	16	s	4	w	7	SE	NE	202	0.7	NURSEY	POD 1	1970
												16	s	4	w	7	SW	NE	202	1.3	NURSEY	POD 1	1970
												16	S	4	W	7	SW	NE	200	1.5	NURSEY	POD 1	1970
												16	s	4	w	7	SE	NE	200	0.5	NURSEY	POD 1	1970
TOTAL ACRES:						8.6						TOTAL ACRES:						4.00					

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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 # _____

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
POD 1	Yes	7813	37'	5"			4"	4.5'	sand	50gpm

T 12372



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 14, 2018

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408

THERMAL FARMS, LLC
28859 HWY 36
JUNCTION CITY, OR 97448

SUBJECT: Water Right Transfer Application T-12372

Your water right transfer is being processed however the Department has determined there are still deficiencies in your map for Transfer Application T-12372, as listed below:

1. The revised map received by the Department on October 17, 2017, did not clearly indicate the "transferred to" lands. The map needs to clearly indicate the area of "transferred from" land and the area of "transferred to" land on the map as well as providing information on the map of where the boundaries of the nursery area are located.

If you wish to proceed with your application, you must submit the following:

1. A new revised map clearly indicating the "transferred from" and "transferred to" lands as well as the boundary of the nursery.

Conditions to your water right...

If you modify the map so as to allow approval, conditions may need to be added to the transfer. The Department will notify you of any required conditions prior to issuing the Preliminary Determination.

If we do not receive the revised map by March 14, 2019, a Draft Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0806 or arla.l.davis@oregon.gov if I may be of assistance.

Sincerely,

Arla Davis
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12372
Lanaya Blakely, District 2 Watermaster (via e-mail)
Tim Fassbender, CWRE (via e-mail)

Jim

File Prep

CW		CW	
☒	File Assigned (computer entry)	☒	Print Tax Lot Map(s)/Ownership info if available on the web
☒	Make Copies App, Map, GW review, (WM Review, ODFW to send to applicant later) Affidavits if applicable	☒	Print: Certs, WR maps, (Tabulations, Sp Or, Air Photos or other helpful info to aid in processing)
☒	Bundle Originals with cover sheet	☒	Check Area of Interest – print if needed
☒	Check for any public comments submitted electronically. Print any comments received.	☒	Any irrigation districts that need notice based on Area of Interest Check. ☐ Yes ☒ No Note:

APPLICATION/MAP REVIEW

PR	CW		PR	CW	
☒	☒	Appropriately signed	☒	☒	Ditch Company, Irr. Dist. and/or BOR sent copies
☒	☒	Checked WRIS contact address/e-mail for accuracy	☒	☒	Appropriate Fees Paid <i>new fees added</i>
☒	☒	Revisit application checklist & Supporting Docs	☒	☒	Overpayment of Fees, Refund Request with FO
☒	☒	Any deficiencies that need to be addressed? ☒ Yes ☒ No Notes: <i>all corrections made</i>	☒	☒	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

DETERMINING THE "FROM" AND "TO" LANDS

PR	CW		PR	CW	
☒	☒	Only the authorized POD's/POA's and POU's to be transferred are listed.	☒	☒	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
☒	☒	Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.	☒	☒	Marked on certificate the quantity of water being transferred, cancelled, and remaining
☒	☒	Compare Water Right map to App Map for Accuracy	☒	☒	Check and notate on Plat Card for Conflicts (To and From Lands) N/A if no change in POU or Use

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW				
☒	☒	ODFW	☐ Fish Screens	☐ Other:	
☒	☒	Ground water			
☒	☒	Watermaster	☐ Headgate	☐ Prior to diverting	☐
☒	☒		☐ Measuring Devices	☐ Prior to diverting	☐ Type of Device?
☒	☒	Injury	☐ Yes ☒ No	☐ Enlargement	☐ Yes ☒ No
☒	☒	Conditions to Avoid Enlargement/Injury	<i>NA</i>		

DPD

PD

FO

COV

DPD/PD/ FINAL ORDER/COVER LETTER

PR	CW	PR	CW	PR	CW	PR	CW	
☒	☒	☐	☐	☐	☐	☐	☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
☒	☒	☐	☐	☐	☐	☐	☐	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
☒	☒	☐	☐	☐	☐	☐	☐	Correct address? Add Agent, Receiving Landowner if applicable etc...
☒	☒	☐	☐	☐	☐	☐	☐	Compare "from lands" with marked up Certificate
☒	☒	☐	☐	☐	☐	☐	☐	Compare Authorized POD(s)/POA(s) with marked up Certificate
☒	☒	☐	☐	☐	☐	☐	☐	Add Watermaster conditions (send copy of review to applicant if applicable)
☒	☒	☐	☐	☐	☐	☐	☐	Add Ground water conditions
☒	☒	☐	☐	☐	☐	☐	☐	ODFW recommendations (send copy of review to applicant if applicable)
☒	☒	☐	☐	☐	☐	☐	☐	Hidden findings unveiled?
☒	☒	☐	☐	☐	☐	☐	☐	Add any cancellation language or special situations
☒	☒	☐	☐	☐	☐	☐	☐	Attach supporting documents to cover letter if applicable

OWNERSHIP VERIFICATION					
PR	CW		PR	CW	
☐	☐	The deed/ROI matches the “ <i>from</i> ” lands.	☐	☐	Notarized, signed statement of consent (if applicable)
☐	☐	All owners on the deed/ROI have signed the application.	☐	☐	Compare with current tax lot map.
PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER			
☐	☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
☒	☐	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
☒	☐	Format matches current template			
☐	☐	Content matches PD info?			
☒	☐	Spell checked?			
☒	☐	Correct address?			
☐	☐	Cost Estimate for Newspaper if applicable send email to support staff ☐ 2 weeks ☐ three weeks			
☐	☐	Send Letter to Applicant/Agent regarding newspaper notice cost			
☐	☐	Have funds been received from Applicant/Agent for newspaper costs?			
PR	CW	REMAINING RIGHT CERTIFICATE			
☐	☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
☒	☐	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
☒	☐	Table Format matches current template			
☒	☐	Content format matches original certificate			
☒	☐	Spell checked?			
☒	☐	Name and address matches originating certificate?			
CW	CASEWORKER WRAP UP				
☐	Organize Working Docs For Peer Review (Remove Duplicates)				
☐	Update Computer entry (add postal confirmation receipt number and date file was mailed)				
☐	Put file contents on Salem Exchange Folder				
☐	Print e-mail and correspondence put it in order of the findings of PD (if applicable)				
☐	Has Affidavit of Publication been received? ☐ N/A ☐ Yes--Date for FO: _____ ☐ No—have Codi call newspaper				

COMMENTS:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

HENDERSON Sarah A * WRD

To: HEARD Arla L * WRD
Subject: RE: T-12372 - Questions and Conditions

From: HEARD Arla L * WRD
Sent: Tuesday, May 30, 2017 2:33 PM
To: HENDERSON Sarah A * WRD
Subject: T-12372 - Questions and Conditions

Good Afternoon ,

After some review from our lead worker, there are some additional changes that will need to be made to your application and map before we can proceed with this transfer. Because this application is requesting to change the character of use to a Nursery Use, there are conditions that will be required and you will need to identify what type of nursery use this will be, containerized nursery use or in-ground nursery use or both. Also, after doing the equations, the 4.0 acre area you are requesting will not be allowed, I will try to explain below.

The equations we have to use to determine rate and acre is shown below.

All nursery use rights have language showing the limitation of rate and duty allowed shown below in italics:

"The amount of water used for nursery use within the Willamette Basin is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to one-eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year."

Your water right is for 0.033 cfs and the calculations are shown below recognizing the above limitations:

Maximum acreage for nursery use for 0.033 cfs would be:

Nursery Operations (0.15 cfs/ac) ----- $\frac{0.033 \text{ cfs}}{0.15 \text{ cfs/ac}} = 0.22 \text{ acres}$ ----- further limited to a maximum total quantity of 1.1 acre feet (0.22 acre x 5.0 acre feet) during the irrigation season.

Containerized Nursery Plants - $\frac{1}{40}(0.025)\text{cfs/ac} \text{ ----- } 0.033 \text{ cfs} \div 0.025 = 1.32 \text{ acres}$ ----- further limited to a maximum total quantity of 6.6 acres feet (1.32 acre x 5.0 acre feet) during the irrigation season.

In-Ground Nursery Plants - $\frac{1}{80}(0.0125)\text{cfs/ac} \text{ ----- } 0.033 \text{ cfs} \div 0.0125 = 2.64 \text{ acres}$ ----- further limited to a maximum total quantity diverted of 6.6 acre feet (2.64 acres x 2.5) during the irrigation season.

Therefore, as the above calculations show, you will only be allowed the highlighted acreage on this transfer. The application will need to be amended to reflect the changes above as well as the map.

I do apologize for any inconvenience and I do believe that this is the last change necessary before the draft preliminary determination (DPD) can go out.

Thank you,

Arla L. Heard
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
Direct: 503-986-0806

arla.l.heard@oregon.gov

**Notice of Preliminary Determination for
Water Right Transfer T-12372**

* T-12372 filed by Mark Campbell, 33462 McKenzie View Dr., Eugene, OR 97408 and Thermal Farms, LLC 28859 Hwy 36, Junction City, OR 97448, propose to change the place of use and ^{to} change the character of use under Certificate 41539. The right allows the use of ~~0.11~~ ^{0.033} cfs from a well in Sec. 7, T16S, R4W, WM. for irrigation in Sec. 7. The applicants propose to change the place of use ^{within} to Sec. 7, 16S, R4W, WM. ⁷ and to change the character of use to nursery. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 122586

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Thermal Farms
BY: LLC

APPLICATION
PERMIT
TRANSFER T-12372

CASH: ☐ CHECK: # ☒ 2783 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 800.00

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 46110
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ 800.00		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

		CARD #
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: 122586

DATED: 2/6/17

BY: Felicia B

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 122586

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Thermal Farms
BY: LLC

APPLICATION
PERMIT
TRANSFER T-12372

CASH: ☐ CHECK: # ☒ 2783 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 800.00

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 46110
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ 800.00		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

		CARD #
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: 122586

DATED: 2/6/17

BY: Felicia B

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



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Permanent Water Right Transfer

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. 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? ONE List them here: Cert #41539**
Please include a separate Part 5 for each water right. (See instructions on page 6)

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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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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):

☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete

☐ Land Use Form not enclosed or incomplete

☐ Additional signature(s) required

☐ Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____ / ____ / ____

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Part 2 of 5 – Transfer Application Map Checklist

SALEM, OR 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°).

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed: ☒ Place of Use ☒ Character of Use ☐ Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » »	2	\$800
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? ☒ No: enter 0 » ☐ Yes: enter \$350 »		
4		4	0
	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.057cfs (5a)</u> Subtract 1.0 from the number in 5a above: <u>0.94 (5b)</u> 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 \$300, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1,000
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »		
7		7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	\$1,000

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*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each “on the ground” acre included in the transfer. (*In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

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Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Mark Campbell		PHONE NO. 502-645-4588	ADDITIONAL CONTACT NO.
ADDRESS 33462 McKenzie View Dr			FAX NO.
CITY Eugene	STATE Or	ZIP 97408	E-MAIL mark.desil24@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		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
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: Transfer 4.53 acres from existing area within permit CERTIFICATE #41539 being a portion of tax lot 200 of tax map no. 16-04-07 to tax lot 202 within same tax map. Water to be used for irrigation of a proposed Nursery operation.

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

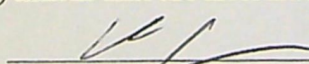
- ☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); OR
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; OR
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer 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: Registered Guard.

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


Applicant signature

Mark Campbell
Print Name (and Title if applicable)

1-31-2017
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

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Check the following boxes that apply:

- ☐ 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:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME Mark Campbell		PHONE NO. 502-645-4588	ADDITIONAL CONTACT NO.
ADDRESS 33462 McKenzie View Drive			FAX NO.
CITY Eugene	STATE Or	ZIP 97408	E-MAIL mark.desil24@gmail.com

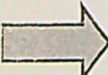
Describe any special ownership circumstances here: _____

- ☐ 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 Lane County	ADDRESS 125 E. 8 th Ave	
CITY Eugene	STATE Or	ZIP 97401

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED BY OWRD

FEB 06 2017

SALEM, OR

INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

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

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

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

Microsoft Word 2007

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

Microsoft Word 2010

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

Other Alternatives:

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

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

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

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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 # 41539

Description of Water Delivery System

System capacity: 0.08 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. 1.25hp submirisble pump in well pumping to above ground mainline and handline sprinkleres.

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	☒ Authorized ☐ Proposed		16 S	4 W	7	SE	NE	200	770' N & 2530' E from center section 7
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								

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

- | | |
|---|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☒ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water
POA (SW/GW) | ☐ 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.

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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 # 41539

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	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	
16	s	4	w	7	SE	NE	200		4.0	Irrigation	POD 1		POU	16	s	4	w	7	SE	NE	202		0.7	NURSEY	POD 1	1970
														16	s	4	w	7	SW	NE	202		1.3	NURSEY	POD 1	1970
														16	S	4	W	7	SW	NE	200		1.5	NURSEY	POD 1	1970
														16	s	4	w	7	SE	NE	200		0.5	NURSEY	POD 1	1970
TOTAL ACRES:						4.0						TOTAL ACRES:						4.00								

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

➔ 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 # _____

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

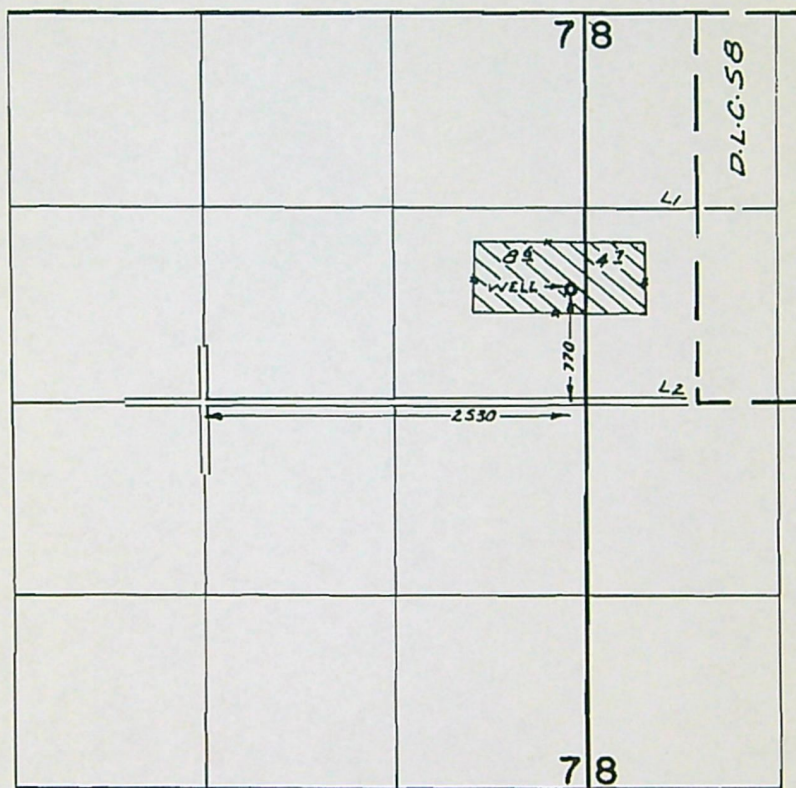
- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed 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
POD 1	Yes	7813	37'	5"			4"	4.5'	sand	50gpm

T.16S.R.4W.W.M.



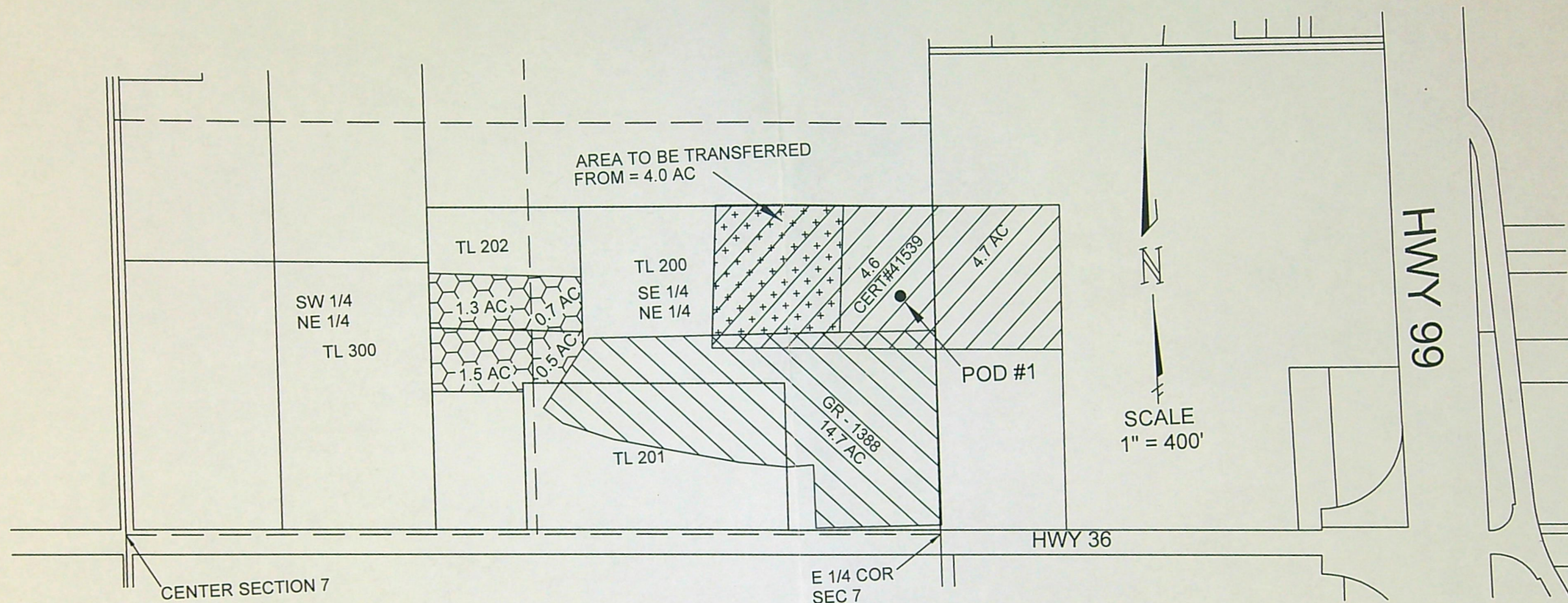
FINAL PROOF SURVEY
UNDER

Application No. G-5140 Permit No. G-4892
IN NAME OF

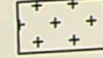
WALLACE E. OPAL KRENICK

Surveyed SEPT. 28 1973, by R. MUCKEN

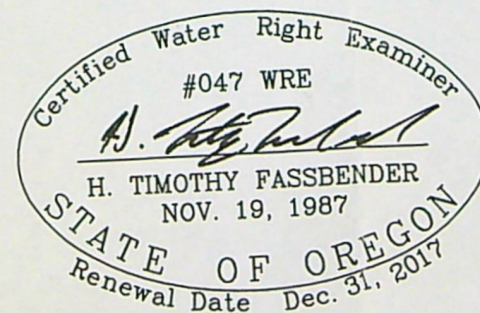
TOWNSHIP 16 SOUTH, RANGE 4 WEST, W.M.



WELL LOCATION: POD 1
770' NORTH & 2530' EAST FROM CENTER
SECTION 7

-  DENOTES WATER RIGHT PER CERT #41539
-  DENOTES WATER PERMIT GR - 1388
-  DENOTES AREA WATER RIGHT TO BE TRANSFERRED TO
-  DENOTES AREA WATER RIGHT TO BE TRANSFERRED FROM

NOTE:
THE PREPARATION OF THE MAP WAS
FOR THE PURPOSE OF IDENTIFYING THE
LOCATION OF THE WATER RIGHT ONLY.
IT IS NOT INTENDED TO PROVIDE
LOCATION NOR DIMENSION OF PROPERTY
OWNERSHIP LINES.



PERMANENT WATER RIGHT TRANSFER APPLICATION MAP

FOR
MARK CAMPBELL
33462 MCKENZIE VIEW DR.
EUGENE, OR. 97408
502-645-4588

BY
H. TIMOTHY FASSBENDER, PLS, CWRE
2896 SARAH LANE
EUGENE, OR. 97408
541-485-3136

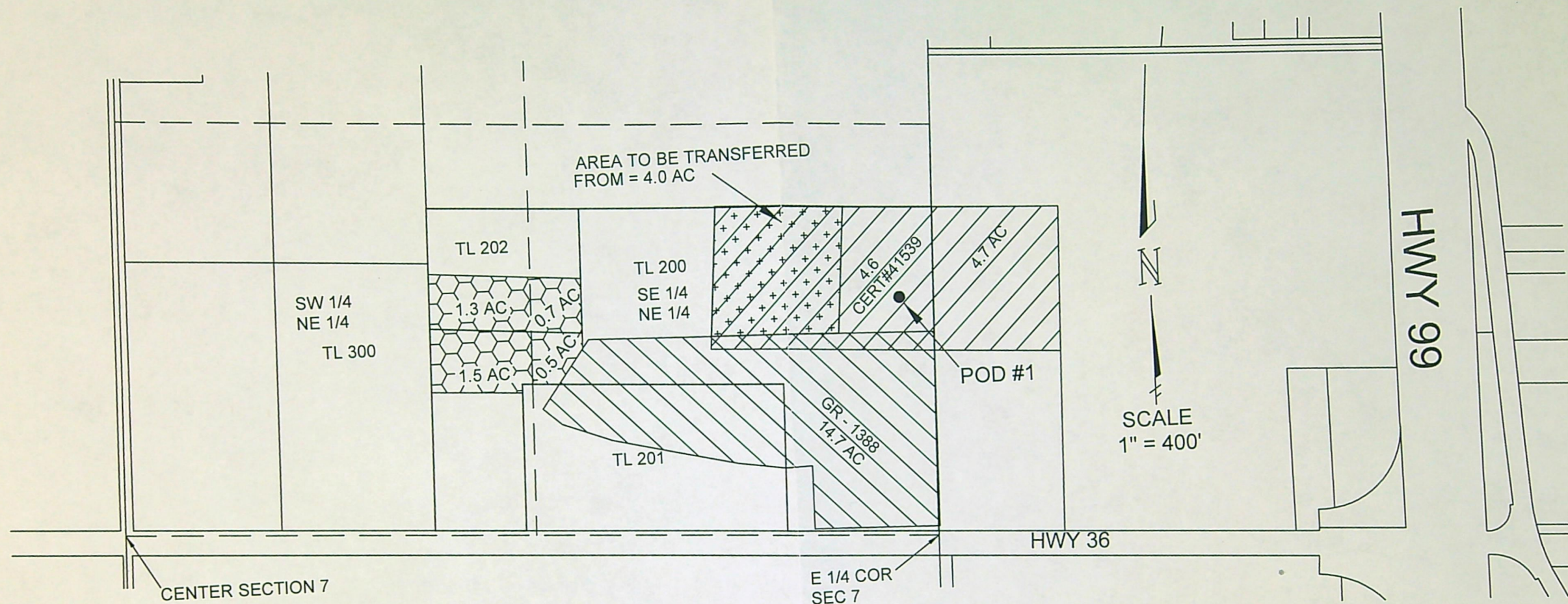
APRIL 12, 2016
REVISED FEBRUARY 22, 2017

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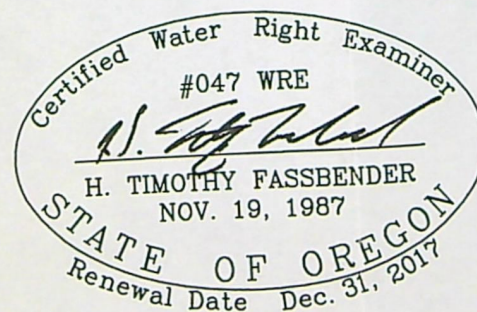
TOWNSHIP 16 SOUTH, RANGE 4 WEST, W.M.



WELL LOCATION: POD 1
770' NORTH & 2530' EAST FROM CENTER
SECTION 7

-  DENOTES WATER RIGHT PER CERT #41539
 DENOTES WATER PERMIT GR - 1388
 DENOTES AREA WATER RIGHT TO BE TRANSFERRED TO
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PERMANENT WATER RIGHT TRANSFER APPLICATION MAP

FOR
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33462 McKENZIE VIEW DR.
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502-645-4588

BY
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541-485-3136
APRIL 12, 2016
REVISED FEBRUARY 22, 2017

RECEIVED BY OWRD

FEB 27 2017

SALEM, OR

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12372, Lane County	)	PROPOSING DENIAL OF A CHANGE
	)	IN PLACE OF USE AND A CHANGE
	)	IN CHARACTER OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE OR 97408

THERMAL FARMS LLC
28859 HIGHWAY 36
JUNCTION CITY OR 97448

Findings of Fact

1. On May 6, 2016, MARK CAMPBELL filed an application to change the place of use and to change the character of use under Certificate 41539. The Department assigned the application number T-12372.
2. Notice of the application for transfer was published on May 17, 2016 and March 7, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 22, 2016 the Department notified the applicant by mail of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.
4. On January 25, 2017 the Department notified the applicant via email of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

5. On February 6, 2017 the Department received amended application pages to correct the deficiencies and additional monies sufficient to cover requested changes. The revised map received on February 6, 2017 did not satisfy the deficiency.
6. On February 22, 2017 the Department spoke ^{with or to} the CWRE and explained that the application map showed layering of GR-1388. *communicated with*
7. On February 27, 2017 the Department received a new application map sufficient to satisfy the deficiency.
8. On April 7, 2017 the Department approved a partial assignment of T-12372 to Thermal Farms, LLC, 28859 Highway 36, Junction City, Oregon 97448.
9. On July 31, 2017 the Department was contacted by the agent that they were no longer working with the applicant on Transfer Application T-12372.
10. On August 17, 2017 the Department contacted the applicant regarding deficiencies with the revised map received from the applicant. The applicant was given a deadline of September 17, 2017 to satisfy the deficiencies with the map.
11. On August 18, 2017 the applicant requested a meeting in person and on August 22, 2017 the applicant met with the caseworker for Transfer Application T-12372 regarding deficiencies with the revised map. A deadline of October 1, 2017 was given to satisfy the deficiencies.
12. On April 2, 2018 the Department attempted to contact the applicant and the CWRE regarding deficiencies in the map, no response to the e-mail was received by the Department.
13. On December 20, 2018 an e-mail was sent to the applicant and CWRE again requesting correspondence regarding deficiencies with the map. No response was received by the applicant. The CWRE responded that they were waiting for correspondence from the applicant to move forward with a new revised map. The phone number and email address for the applicant are no longer valid.
14. On February 14, 2019, the Department sent a deficiency letter to the applicant by mail regarding deficiencies with the map. The letter set forth a deadline of March 22, 2019 to satisfy the deficiency. No correspondence was received by the Department to satisfy the deficiency.
15. On May 30, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to deny Transfer Application T-12375 to the applicants. The Draft Preliminary Determination cover letter set forth a deadline of June 28, 2019, for the applicant to respond. No response was received by the Department from the applicant.

16. The portion of the right to be transferred is as follows:

Certificate: 41539 in the name of WALLACE AND OPAL KRENIK (perfected under Permit G-4892)
Use: IRRIGATION of 4.0 ACRES
Priority Date: APRIL 15, 1970
Rate: 0.033 CUBIC FOOT PER SECOND (CFS)
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL No. 1, a tributary to INGRAM SLOUGH in the WILLAMETTE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	200	4.0

17. Transfer Application T-12372 proposes to change the character of use to nursery.
18. Transfer Application T-12372 also proposes to change the place of use of the right to:

NURSERY						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	202	0.7
16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

19. Certificate 41539 does not describe the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the basin as March 1 to October 31.
20. The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season.

Transfer Review Criteria (OAR 690-380-4010)

21. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.
23. The proposed changes, as conditioned, would not result in enlargement of the right.
24. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use and character of use proposed in Transfer Application T-12372 appear to not be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied unless a revised map is received by the Department, satisfying the deficiency.

Notwithstanding this denial, if the deficiency can be resolved and subsequent review determines Transfer Application T-12372 can be approved, the final order will include the following:

1. *The changes in place of use and character of use proposed in Transfer Application T-12372 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 41539 and any related decree.*
3. *The use of water for the proposed nursery use shall be limited to the irrigation season being March 1 to October 31.*
4. *The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season, bring May 1 through September 30.*
5. *The proposed nursery operations shall be further limited such that:*

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.008 cfs per acre and 2.5 AF per acre per season.

For irrigation of containerized nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season

For irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season

For irrigation of any other crop, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season. The place of use of water for irrigation of any other crop shall be limited to 1.1 acres.

6. *Water right Certificate 41539 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*

7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Arla Davis. If you have any questions about the information in this document, you may reach me at 503-986-0806 or arla.l.davis@oregon.gov.

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

**Notice of Preliminary Determination for
Water Right Transfer T-12372**

T-12372 filed by Mark Campbell, 33462 McKenzie View Dr., Eugene, OR 97408 and Thermal Farms, LLC 28859 Hwy 36, Junction City, OR 97448, propose to change the place of use and the character of use under Certificate 41539. The right allows the use of 0.11 cfs from a well in Sec. 7, T16S, R4W, WM. for irrigation in Sec. 7. The applicants propose to change the place of use within Sec. 7, 16S, R4W, WM and to change the character of use to nursery. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by an \$810 protest fee for non-applicant, or \$410 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Water Right Transfer Cover Sheet

Transfer T-12372

Transfer Specialist:

Ar/a

Transfer Type: Regular

Applicant Name/Address: MARK CAMPBELL 33462 MCKENZIE VIEW DRIVE EUGENE, OR 97408	Agent Name/Address:	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Lane County Planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G-5160	G-4892	41539	☒ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: May 6, 2016	Proposed Action(s): place of use	
Fees Pd: 1000.00	WM District: 2	ODFW District:
Initial Notice: May 17, 2016	WM Review sent: 5/12/2016	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent:

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

☐ WM measurement contact sheet sent, or ☐ N/A

PD Signed: _____

PD Weekly Notice: _____

Newspaper quote requested: *Register Guard*

☐ not required

Request for news \$ sent: _____

News \$ received: _____

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <i>John</i>	Reviewer: _____	Reviewer: _____
Date: <i>4/27/17</i>	Date: _____	Date: _____
Coordinator: <i>[Signature]</i>	Coordinator: _____	Coordinator: _____
Date: <i>5-23-17</i>	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 30, 2019

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408

THERMAL FARMS, LLC
28859 HIGHWAY 36
JUNCTION CITY, OR 97448

SUBJECT: Water Right Transfer Application T-12372

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-12372. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the transfer because the revised map received by the Department on October 17, 2017, did not clearly indicate the "transferred to" lands. The map needs to clearly indicate the area of "transferred from" land and the area of "transferred to" land on the map as well as providing information on the map of where the boundaries of the nursery area are located.

The issue that we have identified could be resolved by one of the following alternatives:

- Provide the Department a new revised map clearly indicating the "transferred from" and "transferred to" lands as well as the boundary of the nursery.

At this point, you may decide to continue processing the application (see below), or to send a letter requesting to withdraw the transfer application.

If you wish to proceed with your application, you must submit the following:

1. Describe how you will overcome the issues identified above and submit modifications or additional information as needed, or indicate whether you wish to protest a Preliminary Determination to deny the transfer.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) will be required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date the ownership report was generated or prepared; and
 - ii) List of owners at that time; and
 - iii) Legal description of the property where the water right to be transferred is currently located.

- c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Register Guard as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because of a change in character of use, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below).

Conditions to your water right...

If you modify the application so as to allow approval, conditions may need to be added to the transfer. The Department will notify you of any required conditions prior to issuing the Preliminary Determination.

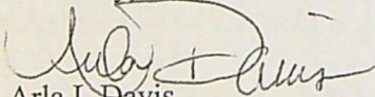
Issuance of the Preliminary Determination will occur shortly after we receive

1. your written response modifying the application to resolve the issues that we have identified or by requesting that we proceed with processing of the application
2. report of ownership information.
3. name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

If we do not receive your response to withdraw the application or the items listed above by June 28, 2019, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0806 or arla.l.davis@oregon.gov if I may be of assistance.

Sincerely,



Arla L Davis

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-12372
Lanaya Blakely, District 2 Watermaster (via e-mail)
Tim Fassbender, CWRE #047 (via e-mail)

encs

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application
T-12372, Lane County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING DENIAL OF A CHANGE
) IN PLACE OF USE AND A CHANGE
) IN CHARACTER OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE OR 97408

THERMAL FARMS LLC
28859 HIGHWAY 36
JUNCTION CITY OR 97448

Findings of Fact

1. On May 6, 2016, MARK CAMPBELL filed an application to change the place of use and to change the character of use under Certificate 41539. The Department assigned the application number T-12372.
2. Notice of the application for transfer was published on May 17, 2016 and March 7, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 22, 2016 the Department notified the applicant by mail of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.
4. On January 25, 2017 the Department notified the applicant via email of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.

5. On February 6, 2017 the Department received amended application pages to correct the deficiencies and additional monies sufficient to cover requested changes. The revised map received on February 6, 2017 did not satisfy the deficiency.
6. On February 22, 2017 the Department spoke the CWRE and explained that the application map showed layering of GR-1388.
7. On February 27, 2017 the Department received a new application map sufficient to satisfy the deficiency.
8. On April 7, 2017 the Department approved a partial assignment of T-12372 to Thermal Farms, LLC, 28859 Highway 36, Junction City, Oregon 97448.
9. On July 31, 2017 the Department was contacted by the agent that they were no longer working with the applicant on Transfer Application T-12372.
10. On August 17, 2017 the Department contacted the applicant regarding deficiencies with the revised map received from the applicant. The applicant was given a deadline of September 17, 2017 to satisfy the deficiencies with the map.
11. On August 18, 2017 the applicant requested a meeting in person and on August 22, 2017 the applicant met with the caseworker for Transfer Application T-12372 regarding deficiencies with the revised map. A deadline of October 1, 2017 was given to satisfy the deficiencies.
12. On April 2, 2018 the Department attempted to contact the applicant and the CWRE regarding deficiencies in the map, no response to the e-mail was received by the Department.
13. On December 20, 2018 an e-mail was sent to the applicant and CWRE again requesting correspondence regarding deficiencies with the map. No response was received by the applicant. The CWRE responded that they were waiting for correspondence from the applicant to move forward with a new revised map. The phone number and email address for the applicant are no longer valid.
14. On February 14, 2019, the Department sent a deficiency letter to the applicant by mail regarding deficiencies with the map. The letter set forth a deadline of March 22, 2019 to satisfy the deficiency. No correspondence was received by the Department to satisfy the deficiency.
15. The portion of the right to be transferred is as follows:

Certificate:	41539 in the name of WALLACE AND OPAL KRENİK (perfected under Permit G-4892)
Use:	IRRIGATION of 4.0 ACRES
Priority Date:	APRIL 15, 1970
Rate:	0.033 CUBIC FOOT PER SECOND (CFS)
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-

EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL No. 1, a tributary to INGRAM SLOUGH in the WILLAMETTE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	200	4.0

16. Transfer Application T-12372 proposes to change the character of use to nursery.
17. Transfer Application T-12372 also proposes to change the place of use of the right to:

NURSERY						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	202	0.7
16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

18. Certificate 41539 does not describe the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the basin as March 1 to October 31.
19. The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season.

Transfer Review Criteria (OAR 690-380-4010)

20. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
21. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.
22. The proposed changes, as conditioned, would not result in enlargement of the right.
23. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use and character of use proposed in Transfer Application T-12372 appear to not be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied unless a revised map is received by the Department, satisfying the deficiency.

Notwithstanding this denial, if the deficiency can be resolved and subsequent review determines Transfer Application T-12372 can be approved, the final order will include the following:

- 1. The changes in place of use and character of use proposed in Transfer Application T-12372 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 41539 and any related decree.*
- 3. The use of water for the proposed nursery use shall be limited to the irrigation season being March 1 to October 31.*
- 4. The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season, bring May 1 through September 30.*

- 5. The proposed nursery operations shall be further limited such that:*

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.008 cfs per acre and 2.5 AF per acre per season.

For irrigation of containerized nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season

For irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season

For irrigation of any other crop, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season. The place of use of water for irrigation of any other crop shall be limited to 1.1 acres.

- 6. Water right Certificate 41539 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 7. The former place of use of the transferred right shall no longer receive water under the right.*
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Arla Davis. If you have any questions about the information in this document, you may reach me at 503-986-0806 or arla.l.davis@oregon.gov.

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application
T-12372, Lane County

)
) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING DENIAL OF A CHANGE
) IN PLACE OF USE AND A CHANGE
) IN CHARACTER OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE OR 97408

THERMAL FARMS LLC
28859 HIGHWAY 36
JUNCTION CITY OR 97448

Findings of Fact

1. On May 6, 2016, MARK CAMPBELL filed an application to change the place of use and to change the character of use under Certificate 41539. The Department assigned the application number T-12372.
2. Notice of the application for transfer was published on May 17, 2016 and March 7, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 22, 2016 the Department notified the applicant by mail of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.
4. On January 25, 2017 the Department notified the applicant via email of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.

5. On February 6, 2017 the Department received amended application pages to correct the deficiencies and additional monies sufficient to cover requested changes. The revised map received on February 6, 2017 did not satisfy the deficiency.
6. On February 22, 2017 the Department spoke the CWRE and explained that the application map showed layering of GR-1388.
7. On February 27, 2017 the Department received a new application map sufficient to satisfy the deficiency.
8. On April 7, 2017 the Department approved a partial assignment of T-12372 to Thermal Farms, LLC, 28859 Highway 36, Junction City, Oregon 97448.
9. On July 31, 2017 the Department was contacted by the agent that they were no longer working with the applicant on Transfer Application T-12372.
10. On August 17, 2017 the Department contacted the applicant regarding deficiencies with the revised map received from the applicant. The applicant was given a deadline of September 17, 2017 to satisfy the deficiencies with the map.
11. On August 18, 2017 the applicant requested a meeting in person and on August 22, 2017 the applicant met with the caseworker for Transfer Application T-12372 regarding deficiencies with the revised map. A deadline of October 1, 2017 was given to satisfy the deficiencies.
12. On April 2, 2018 the Department attempted to contact the applicant and the CWRE regarding deficiencies in the map, no response to the e-mail was received by the Department.
13. On December 20, 2018 an e-mail was sent to the applicant and CWRE again requesting correspondence regarding deficiencies with the map. No response was received by the applicant. The CWRE responded that they were waiting for correspondence from the applicant to move forward with a new revised map. The phone number and email address for the applicant are no longer valid.
14. On February 14, 2019, the Department sent a deficiency letter to the applicant by mail regarding deficiencies with the map. The letter set forth a deadline of March 22, 2019 to satisfy the deficiency. No correspondence was received by the Department to satisfy the deficiency.
15. The portion of the right to be transferred is as follows:

Certificate:	41539 in the name of WALLACE AND OPAL KRENIK (perfected under Permit G-4892)
Use:	IRRIGATION of 4.0 ACRES
Priority Date:	APRIL 15, 1970
Rate:	0.033 CUBIC FOOT PER SECOND (CFS)
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-

EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL No. 1, a tributary to INGRAM SLOUGH in the WILLAMETTE BASIN

Authorized Point of Appropriation:

Twsp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twsp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	200	4.0

16. Transfer Application T-12372 proposes to change the character of use to nursery.
17. Transfer Application T-12372 also proposes to change the place of use of the right to:

NURSERY						
Twsp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	202	0.7
16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

18. Certificate 41539 does not describe the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the basin as March 1 to October 31.

19. The amount of water used for nursery use within the Willamette Basin is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

20. Using the nursery use rate and duty described in Finding of Fact No. 12, the maximum acreage for nursery use for 0.033 cfs is 0.22 acre, further limited to a maximum total quantity diverted of 1.1 acre feet (0.22 acre x 5.0 acre feet) during the irrigation season.

X Containerized nursery plants – $0.033 \text{ cfs} \div 0.025 = 1.32 \text{ acres}$, further limited to a maximum total quantity diverted of 6.6 acre feet ($1.32 \text{ acre} \times 5.0 \text{ acre feet}$) during the irrigation season.

600
Strike
delete
not needed
X In-Ground nursery plants – $0.033 \text{ cfs} \div 0.0125 = 2.64 \text{ acres}$, further limited to a maximum total quantity diverted of 6.6 acre feet ($2.64 \text{ acre} \times 5.0 \text{ acre feet}$) during the irrigation season..

Transfer Review Criteria (OAR 690-380-4010)

21. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.
23. The proposed changes, as conditioned, would not result in enlargement of the right.
24. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use and character of use proposed in Transfer Application T-12372 appear to not be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied unless a revised map is received by the Department, satisfying the deficiency.

Notwithstanding this denial, if the deficiency can be resolved and subsequent review determines Transfer Application T-12372 can be approved, the final order will include the following:

1. *The changes in place of use and character of use proposed in Transfer Application T-12372 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 41539 and any related decree.*
3. *The use of water for the proposed nursery use shall be limited to the irrigation season being March 1 to October 31.*
4. *The rate of diversion, total quantity of water diverted, and place of use allowed for the proposed nursery use shall not exceed a rate of diversion of 0.033 cubic foot per second (cfs), further limited to a maximum total volume of water diverted of 1.1 acre feet during the irrigation season of each year, and a place of use of 0.22 acre in area. Containerized nursery use shall be limited to a rate of diversion of 0.033 cfs, further limited to a maximum total volume of water diverted being 6.6 acre feet during the irrigation season of each year, and a place of use of 1.32 acres in area. In-ground nursery use shall be limited to a rate of diversion of 0.033 cfs, further limited to a maximum total volume of water diverted being*

6.6 acre feet during the irrigation season of each year, and a place of use of 2.64 acres in area.

5. *Water right Certificate 41539 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before ~~October 1, 2019~~²⁰²⁰. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____

D R A F T

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

This draft Preliminary Determination was prepared by Arla Heard. If you have any questions about the information in this document, you may reach me at 503-986-0806 or arla.l.heard@wrdd.state.or.us.

Attached
sheet

finding

19. The proposed nursery use shall be limited to a rate of not to exceed 0.033 cubic foot per second (cfs) and shall be further limited to a total volume diverted of 10.0 acre-feet (AF) per season, being 2.5 AF per acre per season.

conditions

- 4 The rate of diversion for the proposed nursery use shall be limited to 0.033 cubic foot per second (cfs) and shall be further limited to a total quantity diverted of 10.0 (AF) during the original season of use, being May 1 through September 30.
- 5 The proposed nursery operations shall be further limited such that:
- a. The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.008 cfs per acre and 2.5 AF per acre per season.
 - b. For irrigation of containerized nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season.
 - c. For irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season.
 - d. For irrigation of any other crop, the amount of water diverted is limited to 0.008 cfs per acre and 2.5 AF per acre per season. The place of use of water for irrigation of any other crop shall be limited to 1.1 acres.

0.008 cfs per acre comes from original
rate of IR right

EXAMPLE

Char. of Use Change
"IR to NU"

See F.O.F.
#7 & #8

and
Condition #4

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-12324, Jackson County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN PLACE OF USE, AND
) CHARACTER OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish 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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

MICHAEL DORMAN
6871 SW HOLLY BROOK
WILSONVILLE, OR 97070

Findings of Fact

1. On March 28, 2016, MICHAEL DORMAN filed an application to change the place of use and to change the character of use under Certificate 66591. The Department assigned the application number T-12324.
2. Notice of the application for transfer was published on April 5, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 30, 2017, the Department contacted the applicant to notify him of a deficiency in the application. On January 30, 2017, the applicant submitted an amended application page resolving the deficiency.
4. The right to be transferred is as follows:

Certificate: 66591 in the name of ROBERT DEAN PECK (perfected under Permit S-46380)
Use: DOMESTIC USE FOR ONE FAMILY INCLUDING IRRIGATION OF NOT TO EXCEED ONE HALF ACRE LAWN AND NONCOMMERCIAL GARDEN
Priority Date: AUGUST 7, 1981
Rate: 0.01 CUBIC FOOT PER SECOND (CFS)
Source: A SPRING, tributary of TRAIL CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
33 S	1 W	WM	17	SE NW	710 FEET NORTH AND 3850 FEET WEST FROM THE E1/4 CORNER OF SECTION 17

Authorized Place of Use:

DOMESTIC USE FOR ONE FAMILY INCLUDING IRRIGATION OF NOT TO EXCEED ONE HALF ACRE LAWN AND NONCOMMERCIAL GARDEN					
Twp	Rng	Mer	Sec	Q-Q	
33 S	1 W	WM	17	NW SE	

5. Transfer Application T-12324 proposes to change the place of use of the right to within:

NURSERY					
Twp	Rng	Mer	Sec	Q-Q	Acre
33 S	1 W	WM	17	NW SE	0.8

6. Transfer Application T-12324 proposes to change the character of use of 0.01 cfs to nursery.

7. The amount of water used for nursery use is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

8. Using the Nursery use rate and duty described in Finding of Fact No. 7, the maximum acreage for nursery use for 0.01 cfs is 0.8 acre, further limited to:

Containerized – $(1/40)(0.025)\text{cfs/ac}$ $0.01 \text{ cfs} \div 0.025 = 0.4 \text{ acres}$, further limited to $0.4 \text{ acre} \times 5.0 \text{ acre feet} = 2.0 \text{ acre feet year}$.

In-Ground – $(1/80)(0.0125)\text{cfs/ac}$ $0.01 \text{ cfs} \div 0.0125 = 0.8 \text{ acres}$, further limited to $0.8 \text{ acre} \times 2.5 = 2.0 \text{ acre feet year}$.

Transfer Review Criteria [OAR 690-380-4010(2)]

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, with gravity flow from the spring to the household and garden area sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12324.
11. The proposed change, as conditioned, would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use and change in character of use proposed in Transfer Application T-12324 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-12324 is approved, the final order will include the following:

1. *The changes in place of use and change in character of use proposed in Transfer Application T-12324 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 66591 and any related decree.*
3. *Water right Certificate 66591 is cancelled.*
4. *The quantity of water and place of use allowed for the proposed nursery use shall not exceed a rate of diversion of 0.01 cubic foot per second (cfs) and a place of use of 0.8 acre in area. Containerized nursery use shall be limited to a rate of diversion of 0.01 cfs and a place of use of 0.4 acre in area, further limited to a total volume of water diverted being 2.0 acre feet per year. In-ground nursery use shall be limited to a rate of diversion of 0.01 cfs and a place of use of 0.8 acre in acre, further limited to a total volume of water diverted being 2.0 acre feet per year.*
5. *Water use measurement conditions:*
 - 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 the point of diversion.*
 - b. *The water user shall maintain the meter or measuring device in good working order.*
 - c. *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.*

6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
7. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2017.

D R A F T

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

This draft Preliminary Determination was prepared by Sarah Henderson. If you have questions about the information in this document, you may reach me at 503-986-0890 or Sarah.A.Henderson@oregon.gov.

See
12372-DPD-approve track changes
(5-30-2017)

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application
T-12372, Lane County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF
) CHANGES IN PLACE OF USE AND
) CHARACTER OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408

THERMAL FARMS, LLC
28859 HIGHWAY 36
JUNCTION CITY, OR 97448

Findings of Fact

1. On May 6, 2016, MARK CAMPBELL filed an application to change the place of use and the character of use under Certificate 41539. The Department assigned the application number T-12372.
2. Notice of the application for transfer was published on May 17, 2016 and March 7, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 25, 2017 the Department notified the applicant via email of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.
4. On February 6, 2017 the Department received amended application pages to correct the deficiencies and additional monies sufficient to cover requested changes. The revised map received on February 6, 2017 did not satisfy the deficiency.
5. On February 22, 2017 the Department spoke the CWRE and explained that the application map showed layering of GR-1388.

6. On February 27, 2017 the Department received a new application map sufficient to satisfy the deficiency.
7. On April 7, 2017 the Department approved a partial assignment of T-12372 to Thermal Farms, LLC.
8. The portion of the right to be transferred is as follows:

Certificate: 41539 in the name of WALLACE and OPAL KRENİK (perfected under Permit G-4892)

Use: IRRIGATION of 4.0 ACRES

Priority Date: APRIL 15, 1970

Rate: 0.033 CUBIC FOOT PER SECOND (CFS)

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: Well No. 1 within INGRAM SLOUGH BASIN in the WILLAMETTE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	200	4.0

11. Certificate 41539 does not specify the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the area as March 1 to October 31.
12. Transfer Application T-12531 proposes to change the character of use to nursery. The requested use of nursery will be limited to the irrigation season of March 1 through October 31.
13. Transfer Application T-12372 also proposes to change the place of use of the right to:

NURSERY						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	202	0.7
16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

14. The total volume of water that may be diverted for nursery use is 10.0 acre-feet, March 1 to October 31. ($2.5 \times 4.0 = 10.0$)
15. The amount of water used for nursery use is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.
16. Using the Nursery use rate and duty described in Finding of Fact No. 7, the maximum acreage for nursery use for 0.01 cfs is 0.8 acre, further limited to:

Containerized – $(1/40)(0.025)\text{cfs/ac}$ $0.01 \text{ cfs} \div 0.025 = 0.4 \text{ acres}$, further limited to $0.4 \text{ acre} \times 5.0 \text{ acre feet} = 2.0 \text{ acre feet year}$.

In-Ground – $(1/80)(0.0125)\text{cfs/ac}$ $0.01 \text{ cfs} \div 0.0125 = 0.8 \text{ acres}$, further limited to $0.8 \text{ acre} \times 2.5 = 2.0 \text{ acre feet year}$.

Transfer Review Criteria (OAR 690-380-4010)

17. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
18. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.
19. The proposed change, as conditioned, would not result in enlargement of the right.
20. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use and character of use proposed in Transfer Application T-12372 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12372 is approved, the final order will include the following:

- 1. The changes in place of use and character of use proposed in Transfer Application T-12372 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 41539 and any related decree.*
- 3. The use of water for nursery shall be limited to the season of use for the original use of Irrigation (March 1 – October 31).*
- 4. The quantity of water and place of use allowed for the proposed nursery use shall not exceed a rate of diversion of 0.01 cubic foot per second (cfs) and a place of use of 0.8 acre in area. Containerized nursery use shall be limited to a rate of diversion of 0.01 cfs and a place of use of 0.4 acre in area, further limited to a total volume of water diverted being 2.0 acre feet per year. In-ground nursery use shall be limited to a rate of diversion of 0.01 cfs and a place of use of 0.8 acre in acre, further limited to a total volume of water diverted being 2.0 acre feet per year.*
- 5. Water right Certificate 41539 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 6. The former place of use of the transferred right shall no longer receive water under the right.*
- 7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
- 8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2017.

D R A F T

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

This draft Preliminary Determination was prepared by Arla Heard. If you have any questions about the information in this document, you may reach me at 503-986-0806 or arla.l.heard@wrд.state.or.us.

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

✓ looks good w/ Joan's edits.

THIS CERTIFICATE ISSUED TO

WALLACE AND OPAL KRENIK
BOX 223
CHESHIRE, OR 97419

confirms the right to use the waters of ^{No 1} WELL in the INGRAM SL BASIN for IRRIGATION of 9.3 ACRES. *slough*

This right was perfected under Permit G-4892. The date of priority is APRIL 15, 1970. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.077 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
16 S	4 W	WM	7	SE NE		4.6
16 S	4 W	WM	8	SW NW	2	4.7

This certificate describes that portion of the water right confirmed by Certificate 41539, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-12372.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed _____.

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

Dated at Salem, Oregon this ____ day of _____ 2017.

DRAFT

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

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This draft Preliminary Determination was prepared by Arla Heard. If you have any questions about the information in this document, you may reach me at 503-986-0806 or arla.l.heard@wrд.state.or.us.

Transfer Review Criteria (OAR 690-380-4010)

- 14 1. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- 15 2. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.
- 16 3. The proposed change, *as conditioned,* would not result in enlargement of the right.
- 17 4. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change ^s in place of use ^{and character of use} proposed in Transfer Application T-12372 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12372 is approved, the final order will include the following:

1. The change ^s in place of use ^{and character of use} proposed in Transfer Application T-12372 ^{are} is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 41539 and any related decree.
3. Water right Certificate 41539 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. The former place of use of the transferred right shall no longer receive water under the right.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
6. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

See: Cond. #4 of Sarah's dpt on T-12324, attached.
Add a condition: The use of water for nursery shall be limited to the the season ^{use} for the original use of Irrigation (March 1 - October 30).

↑ something like that

6. On April 7, 2017 the Department approved a partial assignment of T-12372 to Thermal Farms, LLC.

7. The portion of the right to be transferred is as follows:

Certificate: 41539 in the name of WALLACE ^{and} OPAL KRENIK (perfected under Permit G-4892) ✓
Use: IRRIGATION of 4.0 ACRES ✓
Priority Date: APRIL 15, 1970 ✓
Rate: 0.033 CUBIC FOOT PER SECOND (CFS)
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source:

~~A WELL within the INGRAM SL BASIN~~

Well No. 1 within ~~the~~ Ingram Slough ^{Basin} in the Willamette BASIN

8. Authorized Point(s) of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

9. Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Use
16 S	4 W	WM	7	SE NE	200	4.0	IRRIGATION

10. Certificate 41539 does not specify the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the area as March 1 to October 31.

11. Transfer Application T-12372 ^{also} proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Use
16 S	4 W	WM	7	SE NE	202	0.7	Nursery
16 S	4 W	WM	7	SW NE	202	1.3	Nursery
16 S	4 W	WM	7	SW NE	200	1.5	Nursery
16 S	4 W	WM	7	SE NE	200	0.5	Nursery
Total						4.0	Nursery

12. Transfer Application T-12531 proposes to change the character of use to nursery. The use will be limited to the irrigation season of March 1 through October 31.

13. The total volume of water that may be diverted for Nursery use is 10.0 acre-feet, March 1 to October 31. (2.5 x 4.0 = 10.0)

Add Kelly's "Nursery" Language HERE.
(see F.O.F. #7 & #8 ~~and~~ of Sarah's dtd on T-12324, attached.)

Talk to Kelly, if you have questions.
-Lisa.

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-12372, Lane County

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF
CHANGES IN PLACE OF USE AND
CHARACTER OF USE

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a
space*

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408

THERMAL FARMS, LLC
28859 HIGHWAY 36
JUNCTION CITY, OR 97448

Findings of Fact

1. On May 6, 2016, MARK CAMPBELL filed an application to change the place of use and the character of use under Certificate 41539. The Department assigned the application number T-12372.
2. Notice of the application for transfer was published on May 17, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 25, 2017 the Department notified the applicant regarding deficiencies with the application and the map. Specifically, the applicant proposed to change the character of use; however the change was not indicated in the application and requires another fee; the amount of acres being proposed on the To and From in table 2 on page 9 of the application did not balance and a portion of the from lands on the map appear to be layered with GR-1388. *Specifically, in addition to a place of use change, the applicant proposed to change the character of use; however...*
Ground water Registration GR-1388
4. On February 6, 2017, the Department received updated application pages sufficient to satisfy the deficiencies and additional monies for the character of use changes. The revised map received was still insufficient to satisfy the deficiency, and on February 22, 2017 the Department spoke the CWRE explaining the map was still showing layering with GR-1388. *via email of*
amended
on Feb 6, 2017 did not
showed
and explained that the application
5. On February 27, 2017 the Department received an updated application map sufficient to satisfy the deficiency. *new*

BEFORE THE WATER RESOURCES DEPARTMENT
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In the Matter of Transfer Application
T-12372, Lane County

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Applicants

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Findings of Fact

1. On May 6, 2016, MARK CAMPBELL filed an application to change the place of use and to change the character of use under Certificate 41539. The Department assigned the application number T-12372.
2. Notice of the application for transfer was published on May 17, 2016 and March 7, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 25, 2017 the Department notified the applicant via email of deficiencies with the application and the map. Specifically in addition to a place of use change, the applicant proposed to change the character of use; however the change was not indicated in the application and required fees for the change were not received. Additionally, the number of acres proposed on the To and From in Table 2 on page 9 of the application did not balance and a portion of the "from" lands on the map appeared to be layered with Groundwater Registration GR-1388.
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6. On February 27, 2017 the Department received a new application map sufficient to satisfy the deficiency.

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7. On April 7, 2017 the Department approved a partial assignment of T-12372 to Thermal Farms, LLC, 28859 Highway 36, Junction City, Oregon 97448.

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8. The portion of the right to be transferred is as follows:

Certificate: 41539 in the name of WALLACE AND OPAL KRENİK (perfected under Permit G-4892)

Use: IRRIGATION of 4.0 ACRES

Priority Date: APRIL 15, 1970

Rate: 0.033 CUBIC FOOT PER SECOND (CFS)

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL No. 1, a tributary to INGRAM SLOUGH in the WILLAMETTE BASIN

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Comment [pks1]: They will have to limit the proposed place of use to the acreage calculated in Finding No. 13. 0.22 acre for Nursery use, or 1.32 acres for containerized nursery plants, or 2.64 acres for in-ground nursery plants.

Moved (insertion) [1]

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Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	4 W	WM	7	SE NE	770 FEET NORTH AND 2530 FEET EAST FROM THE CENTER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	200	4.0

9. Transfer Application T-12372 proposes to change the character of use to nursery.

10. Transfer Application T-12372 also proposes to change the place of use of the right to:

NURSERY						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	4 W	WM	7	SE NE	202	0.7
16 S	4 W	WM	7	SW NE	202	1.3
16 S	4 W	WM	7	SW NE	200	1.5
16 S	4 W	WM	7	SE NE	200	0.5
Total						4.0

11. Certificate 41539 does not describe the irrigation season. However, the Willamette Basin Program establishes the irrigation season for the basin as March 1 to October 31.

12. The amount of water used for nursery use within the Willamette Basin is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made at any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

13. Using the nursery use rate and duty described in Finding of Fact No. 12, the maximum acreage for nursery use for 0.033 cfs is 0.22 acre, further limited to a maximum total quantity diverted of 1.1 acre feet (0.22 acre x 5.0 acre feet) during the irrigation season.

Containerized nursery plants - $0.033 \text{ cfs} \div 0.025 = 1.32$ acres, further limited to a maximum total quantity diverted of 6.6 acre feet (1.32 acre x 5.0 acre feet) during the irrigation season.

In-Ground nursery plants - $0.033 \text{ cfs} \div 0.0125 = 2.64$ acres, further limited to a maximum total quantity diverted of 6.6 acre feet (2.64 acre x 5.0 acre feet) during the irrigation season.

Transfer Review Criteria (OAR 690-380-4010)

14. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12372.

16. The proposed changes, as conditioned, would not result in enlargement of the right.

17. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use and character of use proposed in Transfer Application T-12372 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

Comment [pks2]: Beware of Finding citations in the body of the order. Finding numbers change as new findings are added.

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Comment [pks3]: Multiple changes are involved

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If Transfer Application T-12372 is approved, the final order will include the following:

1. The changes in place of use and character of use proposed in Transfer Application T-12372 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 41539 and any related decree.
3. The use of water for the proposed nursery use shall be limited to the irrigation season, being March 1 to October 31,
4. The rate of diversion, total quantity of water diverted, and place of use allowed for the proposed nursery use shall not exceed a rate of diversion of 0.033 cubic foot per second (cfs), further limited to a maximum total volume of water diverted of 1.1 acre feet during the irrigation season of each year, and a place of use of 0.22 acre in area. Containerized nursery use shall be limited to a rate of diversion of 0.033 cfs, further limited to a maximum total volume of water diverted being 6.6 acre feet during the irrigation season of each year, and a place of use of 1.32 acres in area. In-ground nursery use shall be limited to a rate of diversion of 0.033 cfs, further limited to a maximum total volume of water diverted being 6.6 acre feet during the irrigation season of each year, and a place of use of 2.64 acres in area.
5. Water right Certificate 41539 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
6. The former place of use of the transferred right shall no longer receive water under the right.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018.** A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.

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8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2017.

DRAFT

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

This draft Preliminary Determination was prepared by Arla Heard. If you have any questions about the information in this document, you may reach me at 503-986-0806 or arla.l.heard@wrdd.state.or.us.

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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-12372

Review Due Date: 6/10/2016

Applicant Name: Mark Campbell

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

Reviewer(s): MM

Date of Review: _____

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: _____
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. 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: _____
12. What alternatives may be available for addressing any issues identified above: NA
13. 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 below:
- ☐ 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 3)
- 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.*
- 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 3)
- 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 | ☐ Submerged Orifice |
| ☐ Parshall Flume | ☐ Flow Restrictor |
| ☐ Other: _____ | |

Oregon Water Resources Department**Measurement Condition Information for the Applicant***(to be sent with the Draft Preliminary Determination or Final Order)*

Transfer #: T-_____

☐ In order to avoid enlargement of the right or injury to other rights, a _____ 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: _____

District: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

***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-_____

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

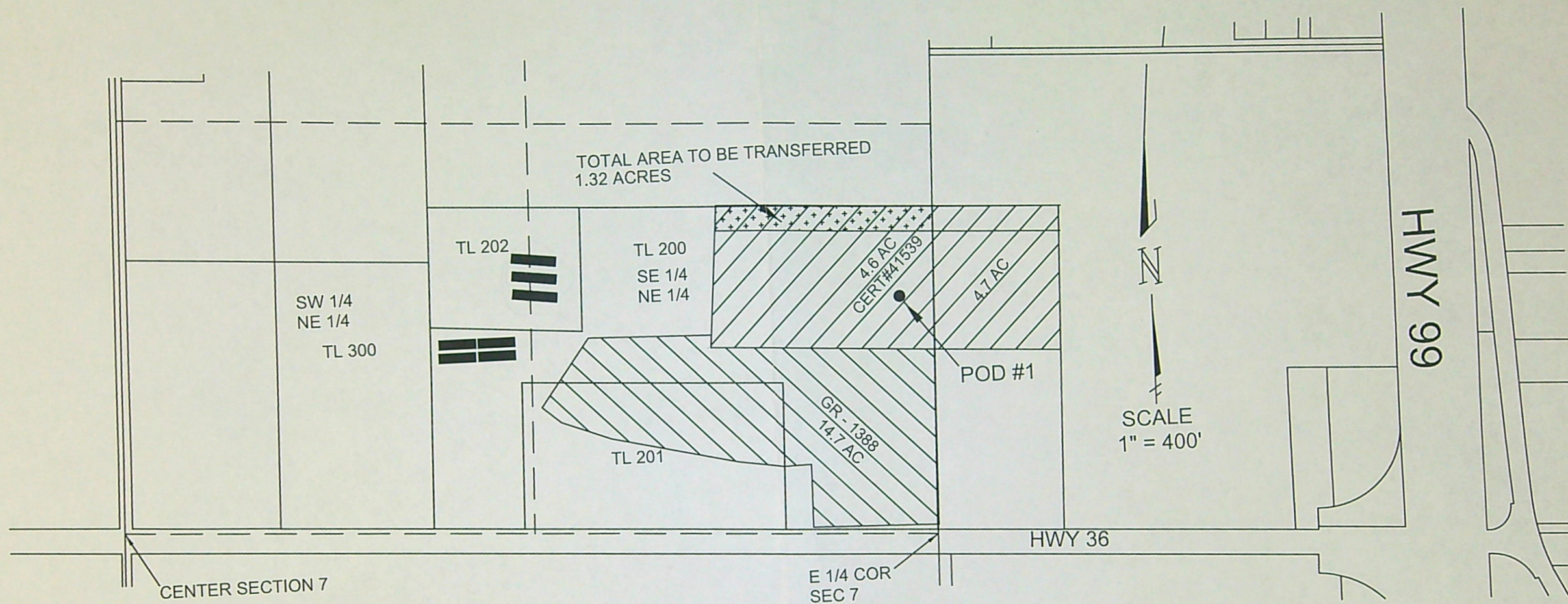
On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

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

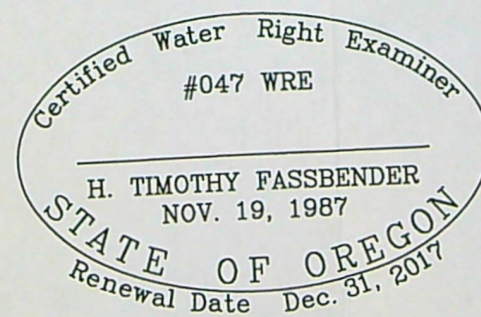
TOWNSHIP 16 SOUTH, RANGE 4 WEST, W.M.



WELL LOCATION: POD 1
770' NORTH & 2530' EAST FROM CENTER
SECTION 7

- DENOTES WATER RIGHT PER CERT #41539
- DENOTES WATER PERMIT GR - 1388
- DENOTES AREA WATER RIGHT TO BE TRANSFERRED TO
- DENOTES AREA WATER RIGHT TO BE TRANSFERRED FROM
- DENOTES PROPOSED GREENHOUSE LOCATIONS AND AREA WHERE CONTAINERIZED NURSERY PLANTS TO BE WATERED FROM WATER TRANSFERRED FROM SHOWN TRANSFER AREA.

NOTE:
THE PREPARATION OF THE MAP WAS
FOR THE PURPOSE OF IDENTIFYING THE
LOCATION OF THE WATER RIGHT ONLY.
IT IS NOT INTENDED TO PROVIDE
LOCATION NOR DIMENSION OF PROPERTY
OWNERSHIP LINES.



PERMANENT WATER RIGHT TRANSFER APPLICATION MAP

FOR
MARK CAMPBELL
33462 McKENZIE VIEW DR.
EUGENE, OR. 97408
502-645-4588

BY
H. TIMOTHY FASSBENDER, PLS, CWRE

2896 SARAH LANE
EUGENE, OR. 97408

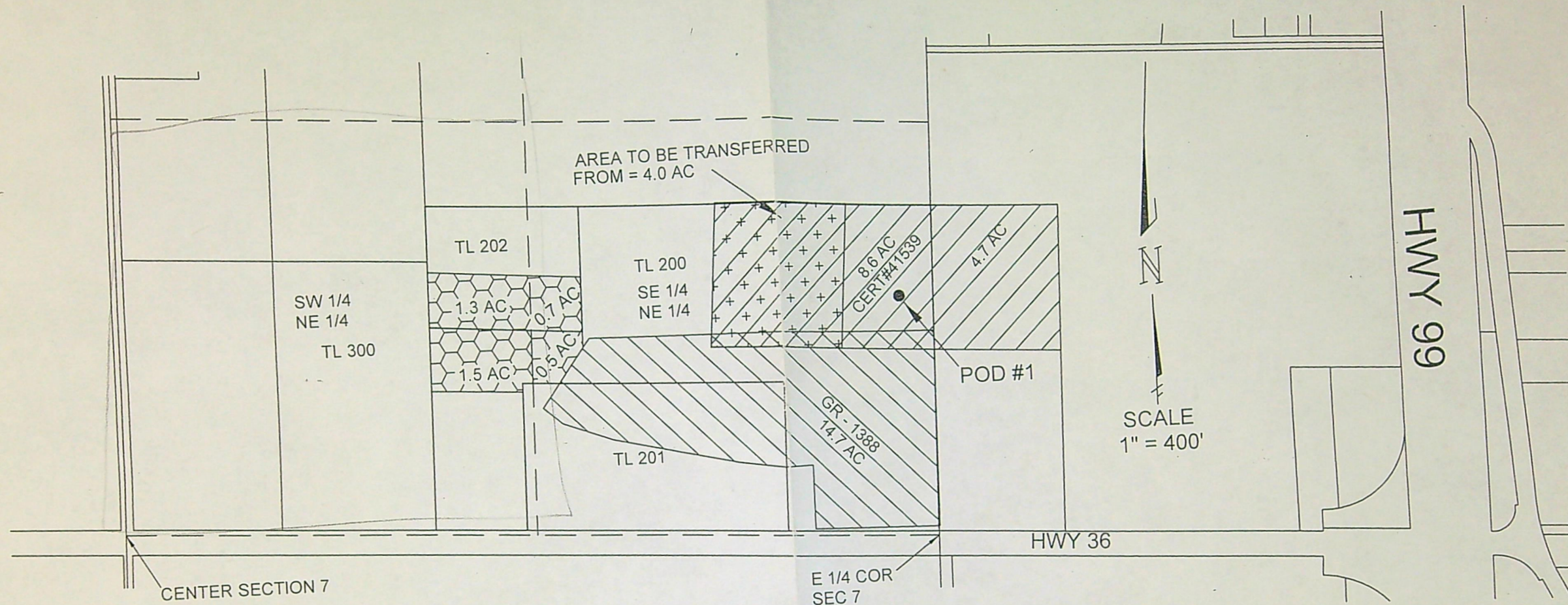
541-485-3136
APRIL 12, 2016
REVISED OCTOBER 13, 2017

RECEIVED BY OWRD

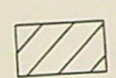
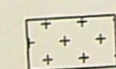
OCT 13 2017

SALEM, OR

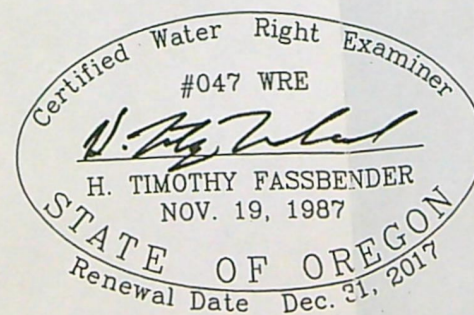
TOWNSHIP 16 SOUTH, RANGE 4 WEST, W.M.



WELL LOCATION: POD 1
770' NORTH & 2530' EAST FROM CENTER
SECTION 7

-  DENOTES WATER RIGHT PER CERT #41539
-  DENOTES WATER PERMIT GR - 1388
-  DENOTES AREA WATER RIGHT TO BE TRANSFERRED TO
-  DENOTES AREA WATER RIGHT TO BE TRANSFERRED FROM

NOTE:
THE PREPARATION OF THE MAP WAS
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PERMANENT WATER RIGHT TRANSFER APPLICATION MAP

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BY
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2896 SARAH LANE
EUGENE, OR. 97408

541-485-3136
APRIL 12, 2016
REVISED JANUARY 31, 2017

RECEIVED BY OWRD

FEB 06 2017

SALEM, OR

T-12392

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **119723**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Rachel Y. Campbell
BY: Mark B. Campbell

APPLICATION	
PERMIT	
TRANSFER	<u>T-12372</u>

CASH: ☐ CHECK: # 11685 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1000.00

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 46110

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

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$ _____	0202 \$ _____
0203	GROUND WATER	\$ _____	0204 \$ _____
0205	TRANSFER	\$ <u>1,000.00</u>	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$ _____	0219 \$ _____
	LANDOWNER'S PERMIT		0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____

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 \$ _____

**RECEIVED
OVER THE COUNTER**

RECEIPT: **119723** DATED: 5/6/16 BY: Carlos O. Turner



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. 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? ONE List them here: Cert #41539**
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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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):

☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete
☐ Land Use Form not enclosed or incomplete
☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

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Part 2 of 5 – Transfer Application Map Checklist

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°).

Part 3 of 5 – Fee Worksheet

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1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each “on the ground” acre included in the transfer. (*In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Mark Campbell			PHONE NO. 502-645-4580	ADDITIONAL CONTACT NO.
ADDRESS 33462 McKenzie View Dr			FAX NO.	
CITY Eugene	STATE Or	ZIP 97408	E-MAIL	
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			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
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:
Transfer 4.53 acres from existing area within certificate #41539 being a portion of tax lot 200 of tax map no. 16-04-07 to tax lot 202 within same tax map. Water to be used for irrigation.

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

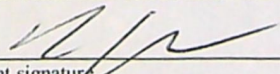
☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer 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: Registered Guard.

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


Applicant signature

Mark Campbell
Print Name (and Title if applicable)

5/2/16
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

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Check the following boxes that apply:

- ☐ 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:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME <i>Mark Campbell</i>		PHONE NO. <i>(502) 645-4588</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>33462 McKenzie View Dr</i>		FAX NO.	
CITY <i>Eugene</i>	STATE <i>OR</i>	ZIP <i>97408</i>	E-MAIL <i>mark.desilva@gmail.com</i>

Describe any special ownership circumstances here: _____

- ☐ 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 <i>LANE COUNTY</i>	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

T 12372

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

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

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

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

Microsoft Word 2007

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

Microsoft Word 2010

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

Other Alternatives:

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

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

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

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T 12372

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 # 41539

Description of Water Delivery System

System capacity: 0.08 cubic feet per second (cfs) **OR**
 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **1.25 submirsible pump in well pumping to above ground mailine and handline sprinklers**

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	☒ Authorized ☐ Proposed		16 S	4 W	7	SE NE	200	770' N & 2530' E from center section 7
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ 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.

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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 # 41539

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						
16	s	4	w	7	SE	NE	200		8.6	Irrigation	POD 1		POU	16	s	4	w	7	SE	NE	202		0.7	NURSEY	POD 1	1970						
														16	s	4	w	7	SW	NE	202		1.3	NURSEY	POD 1	1970						
														16	S	4	W	7	SW	NE	200		1.5	NURSEY	POD 1	1970						
														16	s	4	w	7	SE	NE	200		0.5	NURSEY	POD 1	1970						
TOTAL ACRES:									8.6					RECEIVED										TOTAL ACRES:				4.00				

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

 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 # _____

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
POD 1	Yes	7813	37'	5"			4"	4.5'	sand	50gpm

T 12372



BARGAIN AND SALE DEED

Lance Kaufman Grantor,

Conveys to
Mark Campbell Grantee,

Hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lane, State of Oregon, described as follows, to-wit:

See Exhibit A attached

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

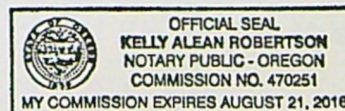
The true consideration for this conveyance is \$10 and other good consideration.
Dated this 22 day of June, 2013.

Lance Kaufman
[Signature]

STATE OF Oregon } ss.
COUNTY OF Lane

This instrument was acknowledged before me on June 22, 2016, by
Lance Kaufman and Mark Campbell

[Signature]
(Notary signature)
Notary Public for Oregon
My Commission expires: 7/21/2016



Until a change is requested
all tax statements shall be
sent to the following address:

Mark Campbell
33462 McKenna View Dr.
Eugene, OR 97408

Lance Kaufman
1894 Harbor Dr
Springfield OR 97477
Grantor's Name and Address

Mark Campbell
33462 McKenna View Dr.
Eugene, OR 97408
Grantee's Name and Address

After recording return to:

Mark Campbell
33462 McKenna View Dr.
Eugene, OR 97408

RECEIVED

MAY 06 2016

CWRD

RECEIVED
MAY 06 2016
OWRD

EXHIBIT A

BEGINNING AT A POINT ON THE EAST BOUNDARY OF SECTION 7 IN TOWNSHIP 16 SOUTH RANGE 4 WEST OF THE WILLAMEITE MERIDIAN SAID POINT BEING SOUTH $00^{\circ} 07' 34''$ EAST 1584.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 7; THENCE CONTINUING ALONG THE EAST BOUNDARY OF SAID SECTION 7 SOUTH $00^{\circ} 07' 34''$ EAST 1064.50 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 7, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 17 OF WASHBURNE AND MILLETT'S PLAT AS PLATTED AND RECORDED IN BOOK 3, PAGE 21 OF THE LANE COUNTY OREGON PLAT RECORDS; THENCE RUNNING ALONG THE SOUTH BOUNDARY OF SAID LOT 17 NORTH $88^{\circ} 37' 09''$ WEST 497.52 FEET; THENCE LEAVING SAID SOUTH BOUNDARY AND RUNNING NORTH $00^{\circ} 02' 20''$ WEST 494.08 FEET; THENCE NORTH $88^{\circ} 37' 09''$ WEST 660.00 FEET TO A POINT IN THE EAST BOUNDARY OF LOT 12 OF SAID WASHBURNE AND MILLETT'S PLAT; THENCE CONTINUING NORTH $88^{\circ} 37' 09''$ WEST 195.56 FEET; THENCE SOUTH $00^{\circ} 02' 20''$ EAST 494.08 FEET TO A POINT IN THE SOUTH BOUNDARY OF LOT 12 OF SAID WASHBURNE AND MILLETT'S PLAT; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 12 NORTH $88^{\circ} 37' 09''$ WEST 299.44 FEET TO A POINT 30 RODS WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 12; THENCE LEAVING SAID SOUTH BOUNDARY AND RUNNING NORTH $00^{\circ} 02' 20''$ WEST 659.25 FEET TO A POINT IN THE SOUTH BOUNDARY OF LOT 11 OF SAID WASHBURNE AND MILLETT'S PLAT; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 11 SOUTH $88^{\circ} 37' 36''$ EAST 495.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE ALONG THE EAST BOUNDARY OF SAID LOT 11 NORTH $00^{\circ} 02' 20''$ WEST 399.94 FEET TO A POINT WHICH IS 1584.00 FEET SOUTH OF THE NORTH BOUNDARY OF SAID SECTION 7; THENCE PARALLEL TO THE NORTH BOUNDARY OF SAID SECTION 7 SOUTH $88^{\circ} 52' 39''$ EAST 1155.78 FEET TO THE POINT OF BEGINNING, ALL IN LANE COUNTY OREGON. EXCEPT: ANY PORTION OF THE ABOVE DESCRIBED TRACT LYING WITHIN THE RIGHT OF WAY FOR STATE HWY. NO. 36

Tax Parcel Number: 1604070000200



BARGAIN AND SALE DEED

Lance Kaufman

Grantor,

Conveys to

Mark Campbell

Grantee,

Hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lane, State of Oregon, described as follows, to-wit:

See Exhibit A attached

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The true consideration for this conveyance is \$10 and other good consideration.
Dated this 22 day of June, 2013.

Lance Kaufman

[Signature]

STATE OF Oregon

}ss.

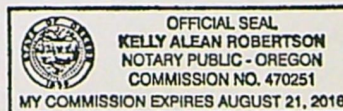
COUNTY OF Lane

This instrument was acknowledged before me on June 22, 2016, by
Lance Kaufman and Mark Campbell

[Signature]
(Notary signature)

Notary Public for Oregon

My Commission expires: 7/21/2016



Until a change is requested
all tax statements shall be
sent to the following address:

Mark Campbell
33462 McKenna View Dr.
Eugene, OR 97408

Lance Kaufman
1894 Harbor Dr.
Springfield OR 97477
Grantor's Name and Address

Mark Campbell
33462 McKenna View Dr.
Eugene, OR 97408
Grantee's Name and Address

After recording return to:

Mark Campbell
33462 McKenna View Dr.
Eugene, OR 97408

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MAY 06 2016

CWRD



BARGAIN AND SALE DEED

RPR-DEED Cnt=1 Stn=15 CASHIER 11
\$10.00 \$11.00 \$16.00 \$10.00

Mark Campbell

Grantor,

Conveys to

Lance Kaufman

Grantee,

Hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lane, State of Oregon, described as follows, to-wit:

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The true consideration for this conveyance is \$10 and other good consideration
Dated this 22 day of June, _____.

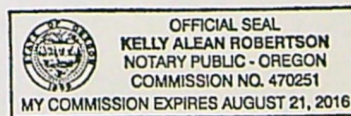
Mark Campbell

[Signature]

STATE OF Oregon } ss.
COUNTY OF Lane

This instrument was acknowledged before me on June 22, 2013, by
Mark Campbell and Lance Kaufman

Kelly Alean Robertson
(Notary signature)
Notary Public for Oregon
My Commission expires: 8/21/16



Until a change is requested
all tax statements shall be
sent to the following address:

Mark Campbell
33462 McKenzie View Dr
Eugene, OR 97408

Mark Campbell
33462 McKenzie View Dr
Eugene, OR 97408
Grantor's Name and Address

1894 Harbor Dr
Springfield, Oregon
Lance Kaufman
Grantee's Name and Address

After recording return to:

Mark Campbell
33462 McKenzie View Dr
Eugene, OR 97408

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MAY 06 2016

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EXHIBIT A

~~ALSO~~: BEGINNING AT THE SOUTHEAST CORNER OF LOT 11 OF WASHBURNE AND MILLEITS PLAT AS PLATTED AND RECORDED IN BOOK 3, PAGE 21 OF THE LANE COUNTY OREGON PLAT RECORDS; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 11 NORTH 88° 37' 36" WEST 495.00 FEET; THENCE LEAVING SAID SOUTH BOUNDARY AND RUNNING PARALLEL TO THE EAST BOUNDARY OF SAID LOT 11 NORTH 00° 02' 20" WEST 397.77 FEET TO A POINT WHICH IS 1584.00 FEET SOUTH OF THE NORTH BOUNDARY OF SECTION 7 IN TOWNSHIP 16 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN; THENCE PARALLEL TO THE NORTH BOUNDARY OF SAID SECTION 7 SOUTH 88° 52' 39" EAST 494.95 FEET TO A POINT ON THE EAST BOUNDARY OF SAID LOT 11; THENCE ALONG THE EAST BOUNDARY OF SAID LOT 11 SOUTH 00° 02' 20" EAST 399.94 FEET TO THE POINT OF BEGINNING, ALL IN LANE COUNTY OREGON.

Tax Parcel Number: 1604070000200

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON
within 30 days from the date
of well completion.

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JUL 21 1969

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No.

State Permit No.

LANE
7813

16/4W-7 ad

G 5160

(1) OWNER:

Name WALLACE KRENICK
Address CHESHIRE ORE Box 223-47H19

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☒ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

5" Diam. from 0 ft. to 35 ft. Gage 255
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used Acetylene

Size of perforations 1/4 in. by 4 in.
66 perforations from 25 ft. to 35 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Static level 4'-6" ft. below land surface Date 6/23/69

Artesian pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller

Flow: 50 gal./min. with 16 ft. drawdown after 2 hrs.

" " " "

" " " "

Ballot test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water 53 Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Bentonite

Depth of seal 19 ft.

Diameter of well bore to bottom of seal 9 in.

Were any loose strata cemented off? ☐ Yes ☒ No Depth

Was a drive shoe used? ☐ Yes ☒ No

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(11) LOCATION OF WELL:

County LANE Driller's well number

1/4 1/4 Section 7 T. 16S R. 4W W.M.

Bearing and distance from section or subdivision corner

(12) WELL LOG:

Diameter of well below casing 5

Depth drilled 37 ft. Depth of completed well 35 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Topsoil + Brown Clay + Limestone	0	22	
yellow Clay + gravel	22	25	
medium Brown sand Water bearing	25	28	4'-6"
packed sand	28	35	
yellow clay	35	37	

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Work started 6/18 1969 Completed 6/23 1969

Date well drilling machine moved off of well 6/23 1969

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] O. B. Mye Date 6/23, 1969
(Drilling Machine Operator)

Drilling Machine Operator's License No. 211

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME O. B. MYE
(Person, firm or corporation) (Type or print)

Address JUNCTION CITY ORE

[Signed] O. B. Mye
(Water Well Contractor)

Contractor's License No. 151 Date 6/23, 1969

(USE ADDITIONAL SHEETS IF NECESSARY)

112572

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of LANE)

I, MARK CAMPBELL, in my capacity as OWNER,

mailing address 33462 MCKENZIE VIEW DR. EUGENE, OR. 97408

telephone number (541)____, 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 # 41539; **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)
41539	16	S	4	W	wm	7	SE	NE		8.6
41539	16	S	4	W	wm	8	SW	NW		4.7

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.): _____

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 of Affiant

Date

Signed and sworn to (or affirmed) before me this 4th day of May, 2016.



Karin M. Hubbard
Notary Public for Oregon

My Commission Expires: 11/02/2018

Supporting Documents	Examples
☐ 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
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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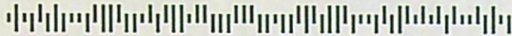
33733 Seavey Loop
Eugene OR 97405-9602

(541) 746-1593 or (800) 422-4086

www.epud.org

LANCE D KAUFMAN
11200 FOREST DR
ANCHORAGE AK 99516-1379

1 1



Account Number [REDACTED]

Statement Date 07/15/2015

Billing Summary

Balance From Last Billing	0.00
No Payments Received	0.00
Balance Into Billing	0.00
Current Charges - Due 08/03/15	60.21
Total Amount Due	\$60.21

Messages

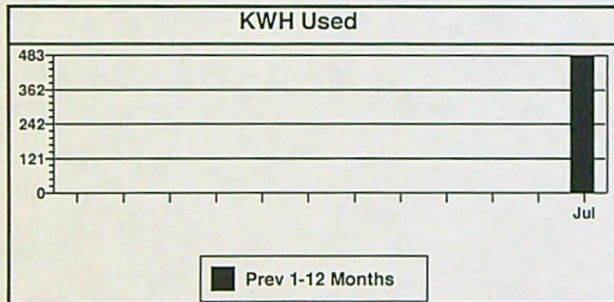
Make your voice heard! Vote for your favorite local renewable energy project to win the GREEN Grant of up to \$40K! Go to www.epud.org to learn more.

Service Details

Service Address Map Number HWY 36, 1/4 MI W OF HWY 9\1604080601 Description IRRIGATION PUMP New

Meter Reading Details Meter 108511097
Rate COMMERCIAL TYPE KW < 50
Current KWH Reading 07/09/15 28374
Previous KWH Reading 06/11/15 27891
Total KWH Usage(Multiplier: 1) 483
Days Served 28

Detail of Charges
Electric System Charge 18.67
kWh Usage 483 KWH @ .08600 41.54
Total Current Charges 60.21



KWH & Cost Comparison	No. Days	Total KWH	KWH Per Day	Avg. Temp.	Avg. Cost Per Day
Current Month	28	483	17	71	2.15
Last Month	0	0	0	0	0.00
This Month Last Year	0	0	0	0	0.00

For more detailed information, log onto www.epud.org

RECEIVED
MAY 06 2016
OWRD

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

CHECK BELOW IF YOU ARE INTERESTED IN:

- ☐ Equal Payment Plan
- ☐ AutoPay/Paperless Billing
- ☐ Change of Address (see form on back)
- ☐ Helping Hands Donation (Recurring/Round Up)
- ☐ GREEN Renewable Energy Program

See reverse side for more information on Emerald's programs and services.

LANCE D KAUFMAN

[REDACTED]

Due Date

08/03/2015

Total Amount Due

Auto Pay

Helping Hands Donation

\$

Total Paid

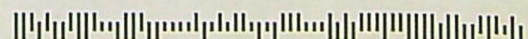
\$

To be paid by credit card on 08/03/2015

Make Check Payable To:

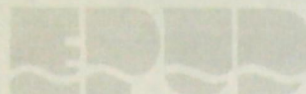
Emerald PUD
33733 Seavey Loop
Eugene OR 97405-9602

03



01252147000006021

T 12372



33733 Seavey Loop
Eugene OR 97405-9602

Emerald People's Utility District

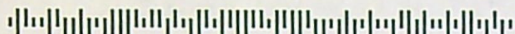
(541) 746-1583 or (800) 422-4086

www.epud.org

4083 1 MB 0.436
LANCE D KAUFMAN
11200 FOREST DR
ANCHORAGE AK 99516-1379

4 4083
C-18 P-18 # #

#



Account Number [REDACTED]

Statement Date 08/19/2015

Billing Summary

Balance From Last Billing	60.21
Payment Received 08/03/15	60.21 CR
Balance Into Billing	0.00
Current Charges - Due 09/03/15	95.59
Total Amount Due	\$95.59

Messages

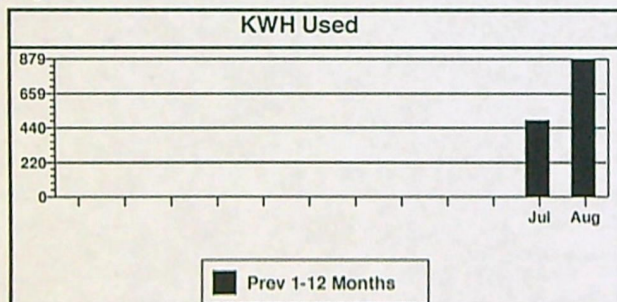
Manage your electric account easily with SmartHub, Emerald's online bill payment system. Accessible from your PC or mobile device, SmartHub allows you to view/pay your bill, monitor your usage, and report an outage. Access SmartHub at www.epud.org or download the free SmartHub app.

Service Details

Service Address Map Number HWY 36, 1/4 MI W OF HWY 9\1604080601 Description IRRIGATION PUMP Active

Meter Reading Details Meter 108511097
Rate COMMERCIAL TYPE KW < 50
Current KWH Reading 08/11/15 29253
Previous KWH Reading 07/09/15 28374
Total KWH Usage(Multiplier: 1) 879
Days Served 33

Detail of Charges
Electric System Charge 20.00
kWh Usage 879 KWH @ .08600 75.59
Total Current Charges 95.59



KWH & Cost Comparison	No. Days	Total KWH	KWH Per Day	Avg. Temp.	Avg. Cost Per Day
Current Month	33	879	27	70	2.90
Last Month	28	483	17	72	2.15
This Month Last Year	0	0	0	0	0.00

For more detailed information, log onto www.epud.org

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MAY 06 2016
OWRD

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

CHECK BELOW IF YOU ARE INTERESTED IN:

- ☐ Equal Payment Plan
- ☐ AutoPay/Paperless Billing
- ☐ Change of Address (see form on back)
- ☐ Helping Hands Donation (Recurring/Round Up)
- ☐ GREEN Renewable Energy Program

See reverse side for more information on Emerald's programs and services.

LANCE D KAUFMAN

Account Number [REDACTED]

Due Date

09/03/2015

Total Amount Due

Helping Hands Donation

\$

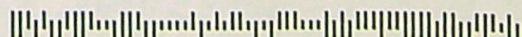
Total Paid

\$

Make Check Payable To:

Emerald PUD
33733 Seavey Loop
Eugene OR 97405-9602

03





33733 Seavey Loop
Eugene OR 97405-9602

(541) 746-1583 or (800) 422-4086
www.epud.org

4101 1 MB 0.436 4 4101
LANCE D KAUFMAN C-18 P-18 # #
11200 FOREST DR # #
ANCHORAGE AK 99516-1379 # #



Account Number [REDACTED]

Statement Date 09/16/2015

Billing Summary

Balance From Last Billing	95.59
Payment Received 09/03/15	95.59 CR
Balance Into Billing	0.00
Current Charges - Due 10/01/15	69.02
Total Amount Due	\$69.02

Messages

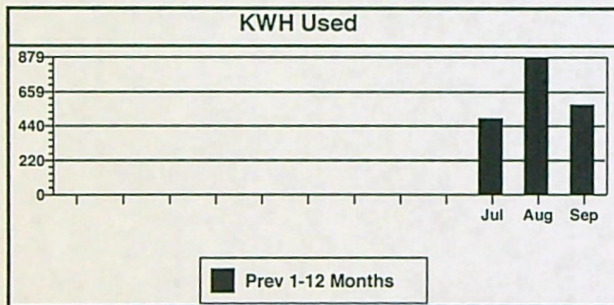
Celebrate Public Power Week with EPUD! We invite YOU, our customer-owners, to celebrate with us during Public Power Week, October 5-8. Join us at our Open House or come take part in the fun of our third annual Harvest Celebration! Learn more about these events at www.epud.org.

Service Details

Service Address Map Number HWY 36, 1/4 MI W OF HWY 9\1604080601 Description IRRIGATION PUMP Active

Meter Reading Details Meter 108511097
Rate COMMERCIAL TYPE KW < 50
Current KWH Reading 09/10/15 29823
Previous KWH Reading 08/11/15 29253
Total KWH Usage(Multiplier: 1) 570
Days Served 30

Detail of Charges
Electric System Charge 20.00
kWh Usage 570 KWH @ .08600 49.02
Total Current Charges 69.02



KWH & Cost Comparison	No. Days	Total KWH	KWH Per Day	Avg. Temp.	Avg. Cost Per Day
Current Month	30	570	19	66	2.30
Last Month	33	879	27	71	2.90
This Month Last Year	0	0	0	0	0.00

For more detailed information, log onto www.epud.org

RECEIVED
MAY 06 2016
OWRD

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

CHECK BELOW IF YOU ARE INTERESTED IN:

- ☐ Equal Payment Plan
- ☐ AutoPay/Paperless Billing
- ☐ Change of Address (see form on back)
- ☐ Helping Hands Donation (Recurring/Round Up)
- ☐ GREEN Renewable Energy Program

See reverse side for more information on Emerald's programs and services.

LANCE D KAUFMAN

Due Date

10/01/2015

Total Amount Due

Helping Hands Donation

\$

Total Paid

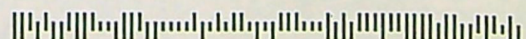
\$

To be paid by credit card on 10/01/2015

Make Check Payable To:

Emerald PUD
33733 Seavey Loop
Eugene OR 97405-9602

03





LAND MANAGEMENT DIVISION

Date Received:

RECEIVED MAY 04 2016

LAND USE APPLICATION - ADMINISTRATIVE
Land Use Compatibility Statement

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE #

509.
PAW-053107 FEE: 130.00 EF

Applicant (print name):

Mark Campbell

Mailing address:

33462 McKenzie View Dr., Eugene, OR 97408

Phone:

(502) 645-4588

Email:

Mark.Jesil24@gmail.com

Applicant Signature:

PROPERTY LOCATION

16 4 7 200

Township

Range

Section

Taxlot

Subdivision/partition

lot/parcel

block

Site address

The Land Use Compatibility Statement (LUCS) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

Water Rights Form.

RECEIVED

MAY 06 2016

OWRD

Version 1/2013

T 12372

Land Use Information Form



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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

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.

RECEIVED
MAY 06 2016
OWRD

Land Use Information Form



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

Applicant: MARK CAMPBELL
First Last

Mailing Address: 33402 MCKENZIE VIEW DR.

EUGENE OR 97408 Daytime Phone: 502-645-4588
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:
16	4	7	SE NE	200	EFU	☐ Diverted ☒ Conveyed ☐ Used	IRRIGATION
16	4	7	SE NE	202	EFU	☐ Diverted ☐ Conveyed ☒ Used	NURSERY
16	4	7	SE NE	200	EFU	☐ Diverted ☐ Conveyed ☒ Used	NURSERY
						☐ Diverted ☐ Conveyed ☐ Used	

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

LAKE

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: _____ ☐ 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:

TRANSFER WATER RIGHT TO TAX LOT 202 FOR NURSERY OPERATION
AND RELOCATE WATER RIGHT WITHIN TAX LOT 200 FOR NURSERY OPERATION

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. →

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MAY 06 2016

OWRD

1 12372

RECEIVED

MAY 06 2016

OWRD

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 16.212(3)(a)

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

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

This water rights transfer approval does not grant any additional allowances for building and land use approvals.

Name: ERIK FORSELL Title: PLANNER

Signature: Chris Fassel Phone: 541.682.4054 Date: 5/4/16

Government Entity: LANE COUNTY LAND MANAGEMENT DIVISION

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: _____

T 12372



Oregon

Kate Brown, 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

www.wrd.state.or.us

May 12, 2016

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408

Reference: Application T- 12372

On May 6, 2016, we received your water right Transfer application. The application was accompanied by \$1000.00. Our receipt number 119723 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.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

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 in the new place of use 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) 986-0807.

Cc: Watermaster Dist. #2 (via email)

Enclosure



Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before April 06, 2017. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<u>T 12372</u>
Water Right	Cert:41539
County/Basin	Lane / Willamette(2)
Applicant Name	CAMPBELL, MARK 33462 MCKENZIE VIEW DRIVE EUGENE, OR 97408
Proposed Change	PLACE OF USE,USE
Sources/TRSQ40Q160	A WELL > INGRAM SL / 16.00S 4.00W 7 SENE
Use/Quantity	IRRIGATION / 0.110 CFS
Priority Date	04/15/1970
Transfer	<u>T 12589</u>
Water Right	Cert:62490
County/Basin	Wasco / Hood(4)
Applicant Name	SCM PROPERTIES LLC ATTN: MIKE NELSON 5933 MONFORTON SCHOOL RD BOZEMAN, MT 59718
Proposed Change	PLACE OF USE,USE
Sources/TRSQ40Q160	A WELL > EIGHTMILE CREEK BASIN / 1.00S 13.00E 21 NWNE
Use/Quantity	IRRIGATION / 0.630 CFS
Priority Date	04/24/1981
Transfer	<u>T 12591</u>
Water Right	Cert:91415, 41055
County/Basin	Union / Grande Ronde(8)
Applicant Name	MDB FARMS LLC; STEVEN C DELASHMUTT MANAGER 61070 PIERCE RD LA GRANDE, OR 97850
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > GRANDE RONDE RIVER BASIN / 3.00S 39.00E 6 NWNE GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 39.00E 32 SENW GRANDE RONDE RIVER > SNAKE RIVER / 2.00S 39.00E 32 NWSW
Use/Quantity	SUPPLEMENTAL IRRIGATION / 1.865 CFS IRRIGATION / 2.400 CFS IRRIGATION / CFS
Priority Date	07/26/1996, 10/30/1962

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before [30DAYDEADLINE]. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	T 12372
Water Right	Cert:41539
County/Basin	Lane / Willamette(2)
Applicant Name	CAMPBELL, MARK
	33462 MCKENZIE VIEW DRIVE
	EUGENE, OR 97408
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > INGRAM SL / 16.00S 4.00W 7 SENE
Use/Quantity	IRRIGATION / 0.110 CFS
Priority Date	04/15/1970

HEARD Arla L * WRD

From: HEARD Arla L * WRD
Sent: Monday, April 02, 2018 3:27 PM
To: 'htimfass@aol.com'
Subject: RE: T-12372 transfer info

Hi Tim,

I was finally able to get an answer about this map and this transfer. The map is almost there but will need a little adjustment. I see on the map the 1.32 acres to be transferred as well as the area the water will be transferred to (I am assuming these are greenhouses). The only thing we also need on the map is an outline of the actual nursery itself so we can distinguish which area is nursery and which is not. If that does not make sense please let me know and I will try to walk you thru it. I apologize this took so long.

Have a great day!

Arla L. Heard
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
Direct: 503-986-0806

arla.l.heard@oregon.gov

From: htimfass@aol.com [<mailto:htimfass@aol.com>]
Sent: Friday, October 20, 2017 11:36 AM
To: HEARD Arla L * WRD
Subject: Re: T-12372 transfer info

Arla

Attached is my revised map that I hope fixes my previous error. This transferring to green house has still got me confused but after Tuesdays seminar there in Salem I found out that I'm not the only one struggling. I'll learn if you have the patience.

Thanks,
Tim

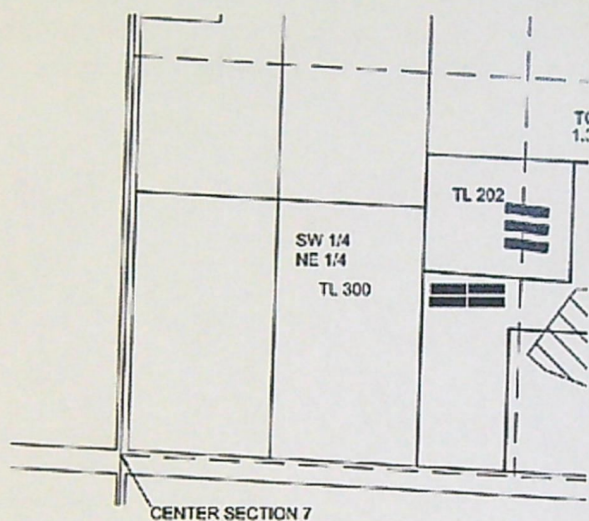
-----Original Message-----

From: HEARD Arla L * WRD <Arla.L.Heard@oregon.gov>
To: htimfass <htimfass@aol.com>
Sent: Tue, Oct 17, 2017 11:02 am
Subject: RE: T-12372 transfer info

Hi Tim,

According to the map you attached there is no "transferred to" land labeled on the map however it appears that you have it denoted in the map key with a honeycomb shape (see below) The map needs to clearly indicate the area of "transferred from" land and the area of "transferred to" land on the map and match the key and labels you have indicated. I do see where the green houses are located. If you have questions please let me know.

TOWNSHIP 16



WELL LOCATION: POD 1
770' NORTH & 2530' EAST FROM CENTER
SECTION 7

-  DENOTES WATER RIGHT PER CERT #41539
-  DENOTES WATER PERMIT GR - 1388
-  DENOTES AREA WATER RIGHT TO BE TRANSFERRED TO
-  DENOTES AREA WATER RIGHT TO BE TRANSFERRED FROM
-  DENOTES PROPOSED GREENHOUSE LOCATIONS AND AREA WHERE CONTAINERIZED NURSERY PLANTS TO BE WATERED FROM WATER TRANSFERRED FROM SHOWN TRANSFER AREA.

Cert
15



Oregon

Kate Brown, 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
www.wrd.state.or.us

April 25, 2017

Mark Campbell
33462 McKenzie View Dr.
Eugene, Oregon 97408

Reference: Transfer T-12372

The partial assignment from Mark Campbell to Thermal Farms, LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Mark Campbell and Thermal Farms, LLC as the transfer holders of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 123093 covering the recording fee is also enclosed.

A transfer is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the transfer to be familiar with the conditions and timelines contained in the transfer.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 123093

cc: Watermaster 2
Thermal Farms, LLC
Data Center, OWRD (cover letter & request)
File





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

Request for Assignment

RECEIVED BY OWRD

APR 06 2017

SALEM, OR

If for multiple rights, a separate form and fee for each right will be required.

I, Mark Campbell / CERT #41539 / T-12372
(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

33462 McKenzie View Dr Eugene OR 97408 502.645.4588
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☐ hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- ☐ hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)
- ☒ hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # G-5160; Permit # G-4892; Transfer # T-12372
-OR-
License # _____; GR Statement # _____; GR Certificate of Registration # 41539

As filed in the office of the Water Resources Director, to:

Thermal Farms, LLC (Attn: Kevin Dwyer)
(Name of New Owner)

28859 Hwy 36, Junction City, OR 97448 602.316.3195
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 3rd day of April, 2017.

Applicant/Permit Holder [Signature]

Applicant/Permit Holder _____

F-1002/7/15 ST
HSS/644 Dwyer

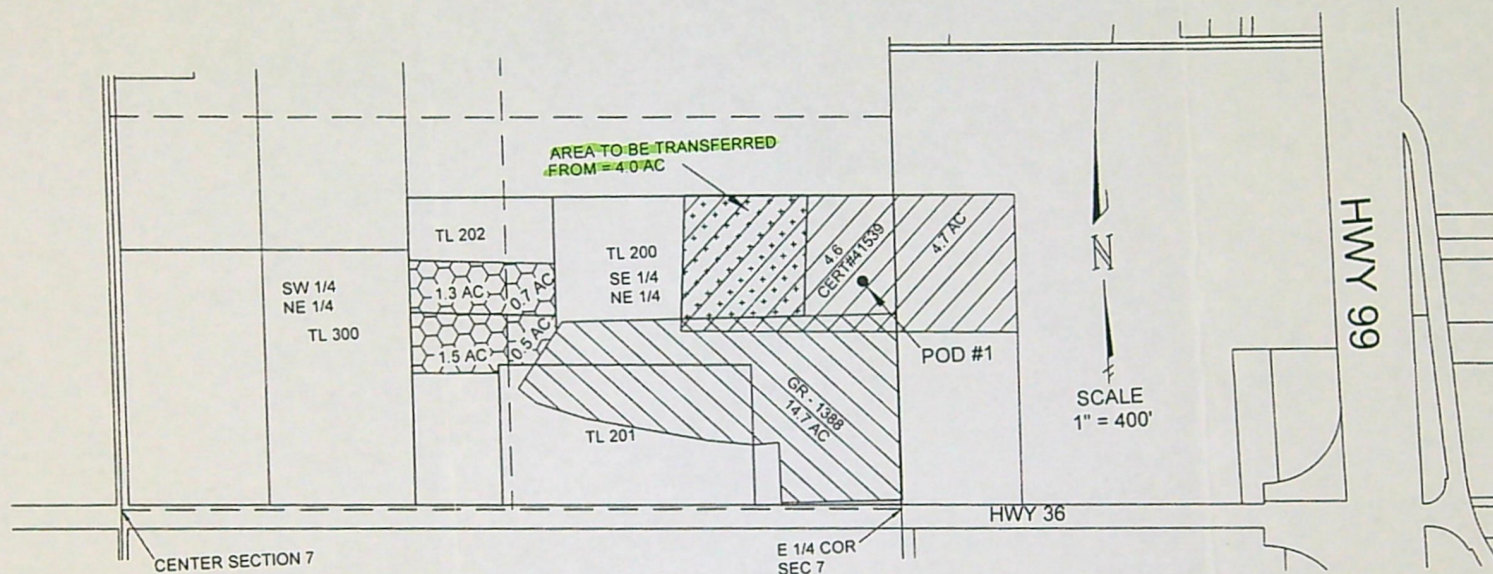
DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 123093
For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$85.

SALEM, OR

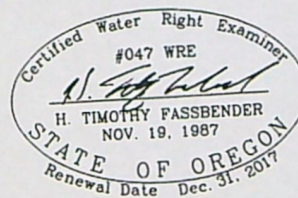
TOWNSHIP 16 SOUTH, RANGE 4 WEST, W.M.



WELL LOCATION: POD 1
770' NORTH & 2530' EAST FROM CENTER
SECTION 7

-  DENOTES WATER RIGHT PER CERT #41539
 DENOTES WATER PERMIT GR - 1388
 DENOTES AREA WATER RIGHT TO BE TRANSFERRED TO
 DENOTES AREA WATER RIGHT TO BE TRANSFERRED FROM

NOTE:
THE PREPARATION OF THE MAP WAS
FOR THE PURPOSE OF IDENTIFYING THE
LOCATION OF THE WATER RIGHT ONLY.
IT IS NOT INTENDED TO PROVIDE
LOCATION NOR DIMENSION OF PROPERTY
OWNERSHIP LINES.



PERMANENT WATER RIGHT TRANSFER
APPLICATION MAP
FOR

FOR
MARK CAMPBELL
33462 McKENZIE VIEW DR.
EUGENE, OR. 97408
502-645-4588

BY
H. TIMOTHY FASSBENDER, PLS, CWRE
AND DAVID LANE

2896 SARAH LANE
EUGENE, OR. 97408

541-485-3136
APRIL 12, 2016
REVISED FEBRUARY 22, 2017

RECEIVED BY OWRD

FEB 27 2017

SALEM, OR



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

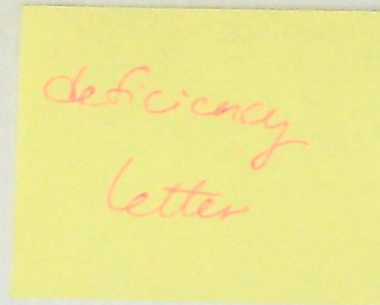
Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 22, 2016

MARK CAMPBELL
33462 MCKENZIE VIEW DRIVE
EUGENE, OR 97408



SUBJECT: Water Right Transfer Application T-12372

Your water right transfer is being processed however the Department has determined there are a few deficiencies in your application and map.

Items needed before the next phase of processing...

1. In your explanation on page 4 of your application you request to:

“transfer 4.53 acres from existing area within certificate #41539 being a portion of tax lot 200 of tax map no 16-04-07 to tax lot 2020 within same tax map. Water to be used for irrigation.”

However, page 9, Table 2 of your application lists 8.6 acres on the FROM lands and also the character of use identifies those acres as Irrigation as it is listed on certificate 41539. On the TO lands where the acres are to be transferred there are only 4.0 of the proposed 8.6 acres being transferred to the new place of use and the character of use has been changed to NURSERY.

We will need clarification from you on how many acres are being transferred and an amended page 4 and page 9.

If you would like to change the character of use we will also require an amended page 8 of the application specifying your change in character of use as well as an additional \$800 for the added change.

2. The map that has been submitted is incorrect and lists certificate 1345. This is not the correct information and should read GR-1388. A new original map will need to be submitted with the correct information.

If you wish to proceed with your application, you must submit the following:

1. Describe how you will overcome the issues identified above and submit modifications or additional information as needed, or indicate whether you wish to protest a draft Preliminary Determination to deny the transfer.

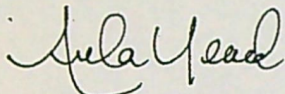
Conditions to your water right...

If you modify the application so as to allow approval, conditions may need to be added to the transfer. The Department will notify you of any required conditions prior to issuing the Preliminary Determination.

If we do not receive the items listed above by January 22, 2017, a Draft Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0806 or arla.l.heard@wrdd.state.or.us if I may be of assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Arla Heard'.

Arla Heard
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12372
Michael Mattick, District 2 Watermaster (*via e-mail*)

Water Resources Department
725 Summer St. NE, Suite A
Salem, Or. 97301

Arla Heard
Transfer Specialist
Transfer and Conservation Section

RE: T-12372

Arla,

I have reviewed the letter you sent to Mr. Mark Campbell and will address the changes you indicated in said letter.

Item 1:

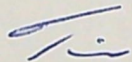
We are applying to transfer 4.00 acres that is within Certificate 41539 as shown on the application map. I made an error on Page 9, Table 2 with the acreage. I listed 8.6 acres in the table when the acreage amount should have been 4.00 acres. The transfer is changing the character of use to "irrigation of nursery stock". I have made the necessary changes within the form to correct that confusion.

Item 2:

I have made the change to the application map to reflect the GR - 1388 mapping area.

I hope changes made reflect those you need to see to allow the application to proceed.

Respectfully,



H. Timothy Fassbender, PLS, CWRE
2896 Sarah Lane
Eugene, Or. 97408

RECEIVED BY OWRD

FEB 06 2017

SALEM, OR

HEARD Arla L * WRD

From: HEARD Arla L * WRD
Sent: Thursday, August 17, 2017 3:37 PM
To: ROBERT HITCHCOCK
Subject: Transfer T-12372 for Mark/Campbell/Thermal Farms - Action Needed!

Mr. Hitchcock,

I am the caseworker assigned to Transfer T-12372 for Mark Campbell/ Thermal Farms. Previously there was a deadline for compliance with the deficiencies throughout this transfer of July 1, 2017. I understand that you are now the authorized agent on this file. I am proposing a new deadline of September 17, 2017 for resolution of the deficiencies in the file or a draft Preliminary Determination denying the transfer shall be issued. Please contact me as soon as possible with questions or concerns.

Thank you

Arla L. Heard
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Kevin Dwyer [<mailto:kevin@kmdconsultingservices.com>]
Sent: Monday, July 31, 2017 8:32 AM
To: HEARD Arla L * WRD
Cc: ROBERT HITCHCOCK
Subject: Water Rights

Arla,

I have appreciated your help throughout the process to date, but regret to inform you that I'm no longer retained by Thermal Farms. Bob Hitchcock will be handling the remainder of the water transfer efforts from this point forward. I will provide him the recent drawings so he can sit with you in the coming week(s) and decide their best path forward.

Thank you very much,

Kevin Dwyer



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Thank you

Arla L. Heard
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Kevin Dwyer [<mailto:kevin@kmdconsultingservices.com>]
Sent: Monday, July 31, 2017 8:32 AM
To: HEARD Arla L * WRD
Cc: ROBERT HITCHCOCK
Subject: Water Rights

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I have appreciated your help throughout the process to date, but regret to inform you that I'm no longer retained by Thermal Farms. Bob Hitchcock will be handling the remainder of the water transfer efforts from this point forward. I will provide him the recent drawings so he can sit with you in the coming week(s) and decide their best path forward.

Thank you very much,

Kevin Dwyer



HEARD Arla L * WRD

From: Kevin Dwyer <kevin@kmdconsultingservices.com>
Sent: Friday, June 16, 2017 3:57 PM
To: HEARD Arla L * WRD
Subject: RE: See's Candy

Thank you! I do realize I blended a couple thoughts there but will clearly act first on Mark's change. I've been going through the drawings and won't have it done for delivery for today but should on Monday.

Have a good weekend and thank you again for your help.

Kevin

From: HEARD Arla L * WRD [<mailto:Arla.L.Heard@oregon.gov>]
Sent: Friday, June 16, 2017 11:28 AM
To: Kevin Dwyer <kevin@kmdconsultingservices.com>
Subject: RE: See's Candy

Hi Kevin,

Just a couple of FYI's:

1. Mark Campbell is not required to be the one who amends the application and map. As an assignee to the Transfer file, Thermal Farms has been partially assigned the interest in the transfer and as such has the right to make changes to the application and map. When the new Draft Preliminary Determination is sent out to both parties (Thermal Farms and Mark Campbell) will need to agree to the terms and conditions in the Determination before we can move forward. I hope that makes sense.
2. Make sure the map matches the amended pages. This is very important. You mentioned Cert #1345, which is actually GR-1388 (which was a deficiency with the application and map we discovered in the beginning of the process). Make sure that all of the certificate numbers are correct on the new map. This is just as important as the acres listed. I have attached the updated map the Department received from Tim Fassbender with the correct information on it. Also it will be imperative that the correct information be on the Groundwater Registration Modification application as well.
3. If you are unsure how to fill out the application pages, please give me a call and we can walk through it, or we can even fill it out at the counter when you get here.

Let me know if you have any other questions! Have an amazing weekend! ☺

Arla L. Heard
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Kevin Dwyer [<mailto:kevin@kmdconsultingservices.com>]
Sent: Friday, June 16, 2017 10:09 AM
To: HEARD Arla L * WRD
Subject: See's Candy

Arla,

Thank you and the entire team for the time yesterday!

I wanted to confirm that Thermal Farms is going to have Mark Campbell not change the Character of Use for the pending transfer and we are going to modify the amount of the transfer for irrigation.

Thank you and I will have more shortly, I'm diving into these maps and I think the coverage might be better than I'm thinking when I get the proper scale on Cert #1345 14.7 acres.

I sincerely appreciate your help and will be bringing some good tithings shortly.

Kevin Dwyer



HEARD Arla L * WRD

From: Mark Campbell <mark.desil24@gmail.com>
Sent: Wednesday, March 29, 2017 3:11 PM
To: HEARD Arla L * WRD
Subject: Re: T-12372 - Transfer Application for Mark Campbell - Action Needed!

Hi Arla,

I have a question in regards to the "Assignment" form. There are 3 boxes I could choose and I'm confused as to which one I should be choosing. I don't want to assign my water rights on my 25 acres over to them. I just want to put them in charge of this process and responsible for the transfer of the 4 acres of water rights over to the west side of mine and their property.

So, in that case should I check the 2nd box and just indicate to refer to the piece being transferred? It says I need to enclose a map but you have the map right?

THanks
Mark

On Mon, Mar 6, 2017 at 12:18 PM, HEARD Arla L * WRD <Arla.L.Heard@oregon.gov> wrote:

Mark,

My apologies I thought I had taken care of that and sent you the form. It is attached to this email. Once responsibility is transferred to the new owners they will be responsible for finishing this transfer process. Are they aware that you are going to do the assignment and that they are going to be responsible for not only completing the transfer but all ownership information will need to come from them and they will ultimately be responsible for beneficially using the water.

Arla

From: Mark Campbell [<mailto:mark.desil24@gmail.com>]
Sent: Monday, March 06, 2017 12:06 PM

To: HEARD Arla L * WRD
Subject: Re: T-12372 - Transfer Application for Mark Campbell - Action Needed!

Thanks Arla,

Will take a little bit to process this. Have you sent me the form so I can pay the \$85 and transfer my name off as in charge of the application or should we wait a little bit?

Thanks

mark

On Mon, Mar 6, 2017 at 11:56 AM, HEARD Arla L * WRD <Arla.L.Heard@oregon.gov> wrote:

Hi Mark,

I did receive the map (thank you). I have to rerun the public notice because of the additional change of character of use that has been added to the transfer. This will run tomorrow and next week in our weekly publication and will require another 30 day comment period. You do not need to provide/do anything for this notice. I am working on your draft preliminary determination and hope to get that to you before the end of this week, however please be aware that if a comment does come in during the comment period the draft will need to be revised and resent to you and the commenter. Below are a list of items that will need to be completed before we can finish the transfer (I will also send a letter to you outlining these items when I send out your draft preliminary determination) and if you would like you can work on getting these items complete during the 30 day comment period and this will help expedite things. Once the comment period has ended and we have received the items listed below, a preliminary determination will be issued at the same time we publish in the newspaper (this will start another 30 day comment/protest period). You will receive another letter detailing what we will need for the newspaper notice. Hopefully this helps to clarify some things. if you have questions please let me know. I am here every day this week but I will be on vacation next week and will be back in the office on March 20th.

1. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. The report must be prepared by a title company and meet the criteria below. (Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)

a) The title company's report must either be:

i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or

ii) prepared within 3 months of recording of a water right conveyance agreement, or

iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.

b) The ownership report shall include:

- i) Date reflected by the ownership information
- ii) List of owners at that time
- iii) Legal description of the property where the water right to be transferred is currently located.
- c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

2. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Arla L. Heard

Water Rights Transfer Specialist

Transfer and Conservation Section

Oregon Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Mark Campbell [<mailto:mark.desil24@gmail.com>]

Sent: Monday, March 06, 2017 10:10 AM

To: HEARD Arla L * WRD

Subject: Re: T-12372 - Transfer Application for Mark Campbell - Action Needed!

Hi Arla,

I received the revised map a week ago. Have you received a copy? Not sure if what I have needs to be sent to you.

THanks

Mark

On Wed, Jan 25, 2017 at 11:27 AM, HEARD Arla L * WRD <Arla.L.Heard@oregon.gov> wrote:

Mr. Campbell,

Thank you for taking the time to speak with me this morning. Per our conversation I have included a copy of your application and map as well as the original deficiency letter I mailed to you. The changes are highlighted in yellow on the application with a note for each in red.

After further review of this application I have discovered that the map submitted with the application shows the certificate 41539 and certificate 1345 (should be GR-1388) are layered on top of one another. This makes this portion of your place of use "married" to the portion of 1345 (GR-1388) place of use. Unfortunately you will not be able to move that portion of the place of use without permission from the owner of 1345 (GR-1388). If you receive permission you will need to file a GR-Modification with the department. I believe the GR-Modification is \$1250 for the types of changes you are making. I have included the form in this email. Also the amount of acres listed under 1345 (GR-1388) should be 14.0 AC not 14.7 AC. Another option for you would be to voluntarily cancel that portion of your water right before the transfer and not include the portion in the transfer. I have included the voluntary cancellation form as well. The map will need to be redrawn removing this portion of the proposed change in place of use.

As you did not receive the original letter I mailed to you I am asking that you submit the items listed above within 30 days which would give you a deadline of February 24, 2017. If we don't receive these items a Draft Preliminary Determination may be issued denying the application as incomplete. If you need more time please let me know.

I am available Monday thru Friday from 8a-4:30p. If you have any other questions please let me know.

Arla L. Heard

Water Rights Transfer Specialist

Regular Permanent Water Right Transfer Application Checklist

Checked by Scott CSG Date 5/6/16

(If OK, check box to left; if not, fill in the blank)

☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☒ 2. Are fees included and correct? Fee paid: 1000
If not, the correct fee would be: _____, so the amount missing is: _____

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____

► If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells =	_____	x \$350.00 =
Total =		

► If a Government Action POD change (see: Page 5): NO CHARGE

► If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) =	_____	x \$450.00 =
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00
1 or 2 additional TYPEs of change* (see Page 5 of application) =	_____	x \$800.00 =
If <i>Place of Use</i> or <i>Character of Use</i> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs =	_____	x \$300.00 =
HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer		
Sub-total =		<u>1000</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		<u>1000</u>

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE or (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application 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.