

T-13904

Regular

RA

T-13904

ASSIGNED

Name Design, LLC

Address 11600 Amphitheatre Parkway  
Mountain View, CA 94043

Change in USE, POU, POA, APOA

Date Filed 1-31-2022

Initial notice date 2-8-2022

DPD issued date \_\_\_\_\_

PD issued date 1-26-2024

PD notice date 1-30-2024

Date of FO 3/13/2024 Vol 129 Page 929-936

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well, Well 1, Well 4ATrib. of Columbia River BasinUse IMCounty Wasco

Quantity of water (CFS) \_\_\_\_\_

No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# G-471 Per # G-338 Cert # 46835 PR Date 9/7/1956App# G-734 Per # G-645 Cert # 46836 PR Date 8/19/1957App# G-737 Per # G-648 Cert # 46839 PR Date 8/19/1957App# G-735 Per # G-646 Cert # 82480 PR Date 8/19/1957

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt #
<u>1-31-2022</u>	<u>\$8720.00</u>	<u>137387</u>
<u>1-31-2022</u>	<u>\$125.00</u>	<u>137377</u>
<u>3-17-2022</u>	<u>\$1893.99</u>	<u>137691</u>
<u>8-1-2024</u>	<u>\$120.00</u>	<u>143452</u>

## FEES REFUNDED

Date	Amount	Receipt #
_____	_____	_____
_____	_____	_____
_____	_____	_____

Assignments: 8-2-2024: City of Dalles, Department of Public Works 1215 West Frist St., The Dalles, OR 97058

Irrigation District \_\_\_\_\_

Agent GSI Water Solutions, Inc. - Kgrigsby@gsiws.com

CC's list The Dalles Community Development





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

August 2, 2024

GSI Water Solutions, Inc.  
Attn: Kimberly Grigsby  
1600 SW Western Blvd, Suite 240  
Corvallis, OR 97333

Reference: Transfer T-13904

The assignment from Design, LLC to City of The Dalles, Department of Public Works has been recorded in the records of the Water Resources Department.

The Departments records will now show City of The Dalles, Department of Public Works as the transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 143452 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,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Original Request and Receipt 143452

cc: Design, LLC – 1600 Amphitheater Parkway, Mountain View, CA 94043  
City of The Dalles, Department of Public Works – 1215 West First Street, The Dalles, OR 97058  
OWRD WMCP  
Data Center, OWRD (cover letter & request)  
File





Received  
AUG 01 2024  
OWRD

July 30, 2024

Oregon Water Resources Department  
Attention: Mary Bjork  
725 Summer Street NE, Suite A  
Salem, OR 97301

RE: Assignment of Transfer T-13904

Dear Mary:

GSI Water Solutions, Inc. (GSI), is providing the attached request for assignment and required fee of \$120.00 on behalf of Design, LLC. The request is to assign all of Transfer T-13904 to The City of The Dalles. Please find the assignment form and required fee of \$120 enclosed.

Please contact me if you have any questions regarding this information.

Sincerely,  
GSI Water Solutions, Inc.

A handwritten signature in cursive script that reads "Kimberly Grigsby".

Kimberly Grigsby  
Principal Water Resources Consultant

Enclosures: Request for Assignment, check for \$120



STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **143452**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: GSI  
BY: Water Solutions, Inc.

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER T-13904

CASH: ☐ CHECK: # 26915 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$120.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_ 0202 \$ \_\_\_\_\_  
0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ \_\_\_\_\_

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_ 0219 \$ \_\_\_\_\_  
LANDOWNER'S PERMIT 0220 \$ \_\_\_\_\_

0250 OTHER (IDENTIFY) Assignment \$120.00

**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 \$ \_\_\_\_\_

RECEIPT: **143452**

DATED: 8-1-2024 BY: LS-DM

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

GSI WATER SOLUTIONS INC

Check Date: 7/26/2024

026915

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
T-13904	7/23/2024	0024396	120.00			120.00
Oregon Water Resources Department			120.00			120.00
Beneficial Checking	3	00275				
TOTAL			120.00			120.00

Received

AUG 01 2024

OWRD



# Request for Assignment

OREGON



WATER RESOURCES  
DEPARTMENT

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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

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

Received

AUG 01 2024

I, Design, LLC

(Name of Current Holder of Record)

1600 Amphitheater Parkway Mountain View, CA 94043 (650) 214-1176

(Mailing Address)

(City)

(State) (Zip)

(Phone #)

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☒ hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

☐ hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (*You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned.* Example, sold a portion of the land authorized under the right)

☐ hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # \_\_\_\_\_; Permit # \_\_\_\_\_; Transfer Order # T-13904;

Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

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

City of The Dalles, Department of Public Works

(Name of New Owner)

1215 West First Street, The Dalles, OR 97058 (541) 506-2008

(Mailing Address)

(City)

(State) (Zip)

(Phone #)

**Note:** If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

N/A I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 22nd day of July, 2024.  
(Day) (Month) (Year)

Signature of Current Holder of Record Gary Demasi  
DocuSigned by: Gary Demasi

FDA14D740D9A4BE Authorized Signatory

Failure to provide any of the required information will result in the return of your application.

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 # 143452

For Director by Mary Bjork, Program Analyst in Water Rights Division. MJB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

Assign - Approve  
WJB 8-5-2024





# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
County of WASCO ) ss

I, Caitlin Bryan of Maul Foster & Alongi, Inc., in my capacity as, Direct Responsible Charge for the Water System

mailing address PO Box 1646, GOLDENDALE, WA, 98620

telephone number (509) 690-3012, being first duly sworn depose and say:

RECEIVED

1. My knowledge of the exercise or status of the water right is based on (check one): JAN 31 2022

☒ Personal observation

☐ Professional expertise

OWRD

2. I attest that:

☒ Water was used during the previous five years in accordance with the terms and conditions of Certificates # 46835, 46836, 46839 AND 82480; OR

☐ My knowledge is specific to the use of water at the following locations within the last five years:

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

OR

☐ Confirming 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)



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

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.

Caitlin Bryan  
Signature of Affiant

12/29/2021  
Date

RECEIVED

JAN 31 2022

OWRD

Signed and sworn to (or affirmed) before me this 29<sup>th</sup> day of Dec, 2021.



Melissa Leitz  
Notary Public for Oregon

My Commission Expires: July 28, 2023

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number
<input checked="" type="checkbox"/> OWRD Water Use Reports Completed by Wastermaster	Copy of OWRD Water Use Report



## Site Identification

(Click to Collapse...)

GW LogID: WASC 3256 [Well Log Database](#)

GW Well Tag Number:  
Tag Verified on Well: No  
Site Type: WELL  
Primary Use:  
Unused Status:  
Site Source Organization:  
Site Source OWRD:  
Established By: OLD STATE OBS WELL DB  
Established Date: 03/06/2001  
Bonded Company:  
Stage: COMPLETE

## Location

(Click to Collapse...)

Latitude/Longitude  
Latitude: 45.62424366 Horiz. Error: 500.00  
Longitude: -121.20978563 Datum: WGS1984  
Lat/Long Source: UNKNOWN

Location  
TRSQQ: WM 2.00N13.00E28NWSW  
Tax Map:  
Taxlot:  
24 Quad: THE DALLES SOUTH  
Basin: 4 - Hood  
County: Wasco  
WM District: 3  
WM Region: NC  
LSD Elev: 145.51 Accy 3.00 Datum: NAVD1988  
Elev Source: LIDAR  
[Groundwater Mapping Tool](#)



Maxar | Oregon Water Resources Department and Bureau of Land Management

## Water Rights

(Click to Collapse...)

## Water Right PODs

POD	WRIS Details	Application	Permit	Cert	Transfers	Claim	Incremental	Priority Date	Season of Use	Max Rate cfs	Rate cfs	Rate cfs est	TRSQQ
POD 1 - A WELL - COLUMBIA RIVER	WRIS	G 471	G 338	46835				9/7/1956	1/1 - 12/31	2.900	2.900		WM2.00N13.00E28NWSW
POD 1 - WELL 1 - COLUMBIA RIVER	WRIS	G 734	G 645	46836				8/19/1957	1/1 - 12/31	1.110	1.110		WM2.00N13.00E28NWSW

## Well Construction History

(Click to Expand...)

## Lithology

(Click to Expand...)

## Well Construction

(Click to Expand...)

## Measured Water Level

(Click to Expand...)

## Flow Meter/Power Meter

(Click to Collapse...)

Records/Page: 38

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## Flow Meter/Power Meter

Organization	OWRD	Date	Water Use Year	Final Use (sf)	FM Reading Last Year	FM Reading	FM Multiplier	FM Units	FM Rollover Ftr	FM Rollover Value	Final Use Source	Final Use Determined
OWRD	FIELD SERVICES SECTION	6/2/2021				0.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/3/2021				0.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/4/2021				387,368,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/3/2020				386,035,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2020				385,091,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/1/2020				384,455,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/1/2020				383,684,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/1/2020				382,954,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/3/2020				374,208,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/2/2019				361,560,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/1/2019				360,039,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2019				352,795,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/4/2019				346,761,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/1/2019				339,460,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/1/2019				337,404,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/3/2019				336,168,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/1/2019				334,704,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/1/2019				332,910,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/1/2019				327,473,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/2/2019				323,783,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/3/2018				323,783,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/1/2018				321,280,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2018				321,263,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/4/2018				321,251,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/1/2018				321,150,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/2/2018				320,180,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/1/2018				320,054,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/2/2018				319,661,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/2/2018				319,562,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	3/1/2018				319,514,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/1/2018				319,325,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/2/2018				319,052,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/4/2017				318,860,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/2/2017				318,563,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/4/2017	2017	14.47	318,947,000.00	318,561,000.00	1,000.00	GAL	1	0 FM		KARL WOZNIAK
OWRD	FIELD SERVICES SECTION	9/1/2017				318,245,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/1/2017				317,047,000.00	1,000.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/5/2017				316,435,000.00	1,000.00	GAL	1	0		

2 3 4 5 6



## Site Identification (Click to Collapse...)

GW LogID: WASC 3255 [Well Log Database](#)  
 GW Well Tag Number:  
 Tag Verified on Well: No  
 Site Type: WELL  
 Primary Use:  
 Unused Status:  
 Site Source Organization:  
 Site Source OWRD:  
 Established By: OLD STATE OBS WELL DB  
 Established Date: 03/06/2001  
 Bonded Company: A M JANNSEN WELL DRILLING CO.  
 Stage: COMPLETE

## Location (Click to Collapse...)

Latitude/Longitude  
 Latitude: 45.62206457 Horiz. Error: 100.00  
 Longitude: -121.20840500 Datum: WGS1984  
 Lat/Long Source: MAP 24K  
 Location  
 TRSQQ: WM 2.00N13.00E28SWSW  
 Tax Map:  
 Taxlot:  
 24 Quad: THE DALLES SOUTH  
 Basin: 4 - Hood  
 County: Wasco  
 WM District: 3  
 WM Region: NC  
 LSD Elev: 143.00 Accy 3.00 Datum: NGVD1929  
 Elev Source: LIDAR  
[Groundwater Mapping Tool](#)



Maxar | Oregon Water Resources Department and Bureau of Land Management

## Water Rights (Click to Collapse...)

## Water Right PODs

POD	WRIS Details	Application	Permit	Cert	Transfers	Claim	Supplemental	priority_date	Season of Use	max_rate_cfs	rate_cfs	rate_cfs_est	TRSQQ
POD 1 - WELL 3 > COLUMBIA RIVER	WRIS	G 736	G 647	46838	T 13596			8/19/1957	1/1 ~ 12/31	1.200	1.200		WM 2.00N13.00E28SWSW
POD 1 - A WELL > COLUMBIA RIVER	WRIS	G 735	G 646	82480	T 5607, T 13596			8/19/1957	1/1 ~ 12/31	1.200	1.200		WM 2.00N13.00E28SWSW

## Well Construction History (Click to Expand...)

## Lithology (Click to Expand...)

## Well Construction (Click to Expand...)

## Measured Water Level (Click to Expand...)

## Flow Meter/Power Meter (Click to Collapse...)

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## Flow Meter/Power Meter

Organization	OWRD	Date	Water Use Year	Final Use (sf)	FM Reading Last Year	FM Reading	FM Multiplier	FM Units	FM Rollover Freq	FM Rollover Value	Final Use Source	Final Use Determined
OWRD	FIELD SERVICES SECTION	6/2/2021				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/3/2021				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/1/2021				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	3/1/2021				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/4/2021				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/3/2020				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2020				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/1/2020				1,862,600.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/1/2020				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/1/2020				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	3/4/2020				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/3/2020				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/2/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/1/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/4/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/1/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/1/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/3/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/1/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/1/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/1/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/2/2019				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/3/2018				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/1/2018				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2018				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/4/2018				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/1/2018				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/1/2018				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/1/2018				42,119,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/3/2018				42,099,300.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/2/2018				41,905,200.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	3/1/2018				41,905,200.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/1/2018				41,905,200.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/2/2018				41,905,200.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/4/2017				41,905,200.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/2/2017				41,905,200.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/4/2017	2017	0.09	41,874,600.00	41,905,200.00	100.00	GAL	1	0 FM		KARL WOZNIAK

2 3 4 5 6



Site Identification [\(Click to Collapse...\)](#)

GW LogID: WASC 3249 [Well Log Database](#)  
 GW Well Tag Number:  
 Tag Verified on Well: No  
 Site Type: WELL  
 Primary Use:  
 Unused Status:  
 Site Source Organization:  
 Site Source OWRD:  
 Established By: OLD STATE OBS WELL DB  
 Established Date: 03/05/2001  
 Bonded Company: A M JANNSEN DRILLING  
 Stage: COMPLETE

Location [\(Click to Collapse...\)](#)

Latitude/Longitude  
 Latitude: 45.62317570 Horiz. Error: 100.00 ft.  
 Longitude: -121.20534940 Datum: WGS1984  
 Lat/Long Source: MAP 24K  
 Location  
 TRSQ: WM 2.00N13.00E28SEW  
 Tax Map:  
 Taxlot:  
 24 Quad: THE DALLES SOUTH  
 Basin: 4 - Hood  
 County: Wasco  
 WM District: 3  
 WM Region: NC  
 LSD Elev: 141.44 Accy: 3.00 Datum: NAVD1988  
 Elev Source: LIDAR  
[Groundwater Mapping Tool](#)



Maxar | Oregon Water Resources Department and Bureau of Land Management

Water Rights [\(Click to Collapse...\)](#)

## Water Right PODs

POD	WRIS Details	Application	Permit	Cert	Transfers	Claim	supplemental	priority_date	Season of Use	max_rate_cfs	rate_cfs	rate_cfs_est	TRSQ
POD 1 - WELL 4 A > COLUMBIA RIVER	WRIS	G 737	G 648	46839				8/19/1957	1/1 ~ 12/31	1.600	1.600		WM2.00N13.00E28SESW
POD 2 - A WELL > COLUMBIA RIVER	WRIS	G 735	G 646	82480	T 5607, T 13596			8/19/1957	1/1 ~ 12/31	1.200	0.600		WM2.00N13.00E28SESW

Well Construction History [\(Click to Expand...\)](#)Lithology [\(Click to Expand...\)](#)Well Construction [\(Click to Expand...\)](#)Measured Water Level [\(Click to Expand...\)](#)Stratigraphy [\(Click to Expand...\)](#)Flow Meter/Power Meter [\(Click to Collapse...\)](#)

Records/Page: 38

[Find](#)

## Flow Meter/Power Meter

Organization	OWRD	Date	Water Use Year	Final Use (af)	FM Reading Last Year	FM Reading	FM Multiplier	FM Units	FM Rollover Fhrs	FM Rollover Value	Final Use Source	Final Use Determined
OWRD	FIELD SERVICES SECTION	6/2/2021				0.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/1/2021				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/4/2021				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/3/2020				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2020				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/1/2020				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/1/2020				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/1/2020				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/3/2020				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/2/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/1/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/4/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/1/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/1/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/3/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/1/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/1/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/1/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/2/2019				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/3/2018				76,667,800.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/1/2018				76,665,300.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/1/2018				76,665,300.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	9/4/2018				76,665,300.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/1/2018				76,664,700.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/2/2018				76,664,000.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	6/1/2018				76,659,900.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	5/2/2018				76,653,000.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	4/2/2018				76,650,700.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	3/1/2018				76,459,300.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	2/1/2018				76,364,000.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	1/2/2018				76,364,000.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	12/4/2017				76,364,000.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	11/2/2017				76,338,300.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	10/4/2017	2017	9.64	72,932,200.00	76,073,800.00	100.00	GAL	1	0 FM		KARL WOZNIAK
OWRD	FIELD SERVICES SECTION	9/1/2017				75,418,700.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	8/3/2017				75,418,500.00	100.00	GAL	1	0		
OWRD	FIELD SERVICES SECTION	7/5/2017				75,074,500.00	100.00	GAL	1	0		



## DAVIS Arla L \* WRD

---

**From:** DAVIS Arla L \* WRD  
**Sent:** Wednesday, September 27, 2023 2:34 PM  
**To:** kgrigsby@gsiws.com  
**Cc:** WOOD Robert L \* WRD  
**Subject:** Issuance of Draft Preliminary Determination for Permanent Transfer Application T-13904 for Design, LLC - ACTION REQUIRED!!  
**Attachments:** 13904 dpd approve.pdf; 13904 dpd letter approve.pdf; T-13904 - WM contact sheet.pdf

This correspondence was also sent to the applicant by regular mail:



# Oregon

Tina Kotek, Governor

### Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone 503 986-0900  
Fax 503 986-0904  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

September 27, 2023

VIA E-MAIL

**Applicant**  
DESIGN LLC  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

Reference: Water Right Transfer Application T-13904

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13904. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by October 27, 2023.

***Required items needing your immediate attention:***

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by October 27, 2023, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
  - a) Must be prepared by a title company;
  - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
  - c) Must 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. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

*If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.*

**IMPORTANT:** In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
  - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:  
[https://www.oregon.gov/OWRD/WRDFormsPDF/consent\\_to\\_transfer\\_form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf)
6. 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.

#### Conditions of your water right...

The Watermaster has required water measurement devices at the new diversion points prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.

**Please note the proposed date by which all conditions must be met: October 1, 2044.** If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

#### What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation and 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.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by October 27, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov) if I may be of assistance.

Sincerely,

*Arla L Davis*



Arla L Davis  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-13904  
Robert L. Wood, District 3 Watermaster *(via e-mail)*  
Kim Grigsby, Agent for the applicant *(via e-mail)*

encs

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

**NOTE:** The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

September 27, 2023

VIA E-MAIL

### Applicant

DESIGN LLC

1600 AMPHITHEATRE PARKWAY

MOUNTAIN VIEW, CA 94043

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  - b) **Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;**
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5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:  
[https://www.oregon.gov/OWRD/WRDFormsPDF/consent\\_to\\_transfer\\_form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf)
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**Please note the proposed date by which all conditions must be met: October 1, 2044.** If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

**What happens next...**

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Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
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**If we do not receive the items listed above by October 27, 2023, a Preliminary Determination may be issued denying the application as incomplete.**

Please don't hesitate to contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov) if I may be of assistance.

Sincerely,

*Arla L Davis*

Arla L Davis  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-13904  
Robert L. Wood, District 3 Watermaster (*via e-mail*)  
Kim Grigsby, Agent for the applicant (*via e-mail*)

encs



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application  
T-13904, Wasco County

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)  
)  
)  
)  
)  
)

D R A F T

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF A CHANGE IN  
POINTS OF APPROPRIATION, A CHANGE  
IN PLACES OF USE AND CHANGES 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.

**Applicant**

DESIGN, LLC.  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

**Receiving Landowner**

CITY OF THE DALLES  
DEPARTMENT OF PUBLIC WORKS  
1215 WEST FIRST STREET  
THE DALLES, OR 97058

**Findings of Fact**

1. On January 31, 2022, DESIGN, LLC., filed an application to change the points of appropriation, change the places of use and change the character of use under Certificates 46835, 46836, 46839 and 82480. The Department assigned the application number T-13904.
2. Notice of the application for transfer was published on February 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 8, 2010, the Department received a notice for specific to general industrial use change under Certificate 82480 (original Certificate 46837, confirming Certificate 82480 was issued as a result of the approval of T-5607) per ORS 540.520(9).
4. On July 26, 2010, the Department recognized the change in use of the rights from specific to general industrial and added Tax Lot 1100, T2N, R13E, Section 28, WM, as requested by the applicant and described in the place of use description in FOF No. 21.
5. On February 3, 2021, DESIGN, LLC., also filed Transfer Application T-13596, which proposes changes to the remaining portion of Certificate 82480. Transfer Application T-13904 and Transfer Application T-13596, will be issued concurrently. No remaining right will be issued for Certificate 82480.



6. On January 31, 2022, the applicant requested a completion date of October 1, 2044, to conduct planning, develop engineering plans, and for construction of the necessary infrastructure. The Department granted this completion date pursuant to OAR 690-380-5140.
7. On February 2, 2023, The Department contacted the agent for the applicant by email requesting clarification of the changes proposed by Transfer Application T-13904.
8. On February 2, 2023, the agent for the applicant provided clarification of the changes requested by Transfer Application T-13904.
9. The first right to be transferred is as follows:

**Certificate:** 46835 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-338)

**Use:** INDUSTRIAL

**Priority Date:** SEPTEMBER 7, 1956

**Rate:** 2.9 CUBIC FEET PER SECOND

**Source:** WELL No. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

10. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.38 mi

11. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area



12. Transfer Application T-13904 proposes to change the character of use to municipal.

13. The second right to be transferred is as follows:

**Certificate:** 46836 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-645)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.11 CUBIC FEET PER SECOND

**Source:** WELL NO. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

14. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.38 mi

15. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

16. Transfer Application T-13904 proposes to change the character of use to municipal.

17. The third right to be transferred is as follows:

**Certificate:** 46839 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-648)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.6 CUBIC FEET PER SECOND



**Source:** WELL NO. 4-A, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SE SW	39	WELL NO. 4-A -970 FEET NORTH AND 1080 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

18. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A - 0.24 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A - 0.32 mi

19. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

20. Transfer Application T-13904 proposes to change the character of use to municipal.

21. The fourth right to be transferred is as follows:

**Certificate:** 82480 in the name of MARTIN MARIETTA CORP. (perfected under Permit G-646)

**Use:** INDUSTRIAL USE

**Priority Date:** AUGUST 19, 1957

**Rate:** 0.4 CUBIC FOOT PER SECOND

**Limit/Duty:** The quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old well under the subject right and shall not exceed 1.2 cubic foot per second.

**Source:** WELL 3 and WELL 4 in the COLUMBIA RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SW SW	41	WELL 3 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39



Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SE SW	39	WELL 4 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39

**Authorized Place of Use:**

INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Tax Lot	Q-Q
2 N	13 E	WM	28	705	NE SW
2 N	13 E	WM	28	700	NW SW
2 N	13 E	WM	28	700	SW SW
2 N	13 E	WM	28	700	SE SW
2 N	13 E	WM	28	1100	SW SW
2 N	13 E	WM	28	1100	SE SW
2 N	13 E	WM	33	1100	NE NW
2 N	13 E	WM	33	1100	NW NW

22. Transfer Application T-13904 proposes to move the authorized points of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.25 mi WELL 4 - 0.32 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.2 mi WELL 4 - 0.23 mi

23. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

24. Transfer Application T-13904 proposes to change the character of use to municipal.
25. The applicant does not meet the definition of a municipality under ORS 540.510(3)(b). The transferred rights will be lost if not assigned to and perfected by a municipality.
26. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice



***Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]***

27. 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.
28. A water delivery system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13904.
29. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
30. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
31. The proposed changes would not result in enlargement of the rights.
32. The proposed changes would not result in injury to other existing water rights.
33. All other application requirements are met.

**Determination and Proposed Action**

The changes in points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 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-13904 is approved, the final order will include the following:*

1. *The changes in points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 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 Certificates 46835, 46836, 46839, and 82480 and any related decree.*
3. *Water Right Certificates 46835, 46836, 46839, and 82480 are cancelled*
4. *A remaining portion of Certificate 82480 not proposed for transfer under Transfer Application T-13904, is proposed for transfer under Transfer Application T-13596. Because Transfer Application T-13904 and Transfer Application T-13596 will be issued concurrently, no Remaining Right Certificate will be issued for the remaining portion of Certificate 82480.*
5. *Under Certificate 46835, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1)*



6. Under Certificate 46836, the quantity of water diverted at the new point of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1)
7. Under Certificate 46839, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 4-A)
8. Under Certificate 82480, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 3 and WELL 4).
9. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
10. 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 each point of appropriation (new and existing).
  - 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.
  - d. The water user shall install and maintain a dedicated measuring tube for the purpose of collecting water level measurements from the well.
  - e. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.
11. The former places of use of the transferred rights shall no longer receive water under the rights.
12. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice
13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2044**. 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.



14. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

## D R A F T

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

This draft Preliminary Determination was prepared by Arla L Davis. If you have any questions about the information in this document, you may reach me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)



## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 13904



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



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



at each new point of diversion/appropriation.

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

Watermaster name: Robert Wood

District: 3

Address: 2705 E 2nd St

City/State/Zip: The Dalles, OR 97058

Phone: 541-506-2652

Email: Robert.L.Wood@water.oregon.gov

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

\*\*\*\*\*

## Approval of an Alternate Measurement Device

T-

(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



## DAVIS Arla L \* WRD

---

**From:** WOOD Robert L \* WRD  
**Sent:** Tuesday, September 19, 2023 10:47 AM  
**To:** DAVIS Arla L \* WRD  
**Cc:** KOWITZ Chris C \* WRD  
**Subject:** RE: OWRD: Preliminary Determination for Transfer T 13596 has been completed  
**Attachments:** 13596 revised pd approve 1-BobWoodComments.docm

Hi Arla,

I reviewed the letter from Design LLC. My comments:

Proposed Condition #6: Given Wells 3 and 4 have been legally abandoned, I agree that the reference to "existing" wells can be removed. Well 5 is the only Well that needs a totalizing flow meter and dedicated measuring tube.

Condition #9: I'm flexible on the wording. My end goal here is for the Watermaster to have access to get a monthly water level and meter reading now and in the future. I don't have a problem with using the reasonable notice language. I do however want a condition requiring the measuring tube and mentioning access to do the measurement. I added some suggested language to your revised pd, which is attached. Let me know if this works for you.

Thanks for all your work on this. I appreciate it,

Bob

---

**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Sent:** Tuesday, September 19, 2023 9:13 AM  
**To:** WOOD Robert L \* WRD <Robert.L.WOOD@water.oregon.gov>  
**Cc:** KOWITZ Chris C \* WRD <Chris.C.KOWITZ@water.oregon.gov>  
**Subject:** RE: OWRD: Preliminary Determination for Transfer T 13596 has been completed

Good Morning Bob,

Per our phone call, please see the attached letter received from Design, LLC and my DPD. Thank you so much for your assistance!! 😊

**Arla L. Davis**

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

**NOTE:** The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day.

**Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.



From: WOOD Robert L \* WRD <[Robert.L.WOOD@water.oregon.gov](mailto:Robert.L.WOOD@water.oregon.gov)>  
Sent: Monday, February 6, 2023 9:07 AM  
To: DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
Cc: KOWITZ Chris C \* WRD <[Chris.C.KOWITZ@water.oregon.gov](mailto:Chris.C.KOWITZ@water.oregon.gov)>  
Subject: FW: OWRD: Preliminary Determination for Transfer T 13596 has been completed  
Importance: High

Arla,

I had sent in a revised WM review for this transfer on 8/31/2022 (copy attached), recommending monthly water level mmts and flow meter readings consistent with the CGWA order. I don't see any language in the PD about these requirements. Can we get this revised? I think these are important requirements to include.

Thanks,  
Bob

Robert Wood

DISTRICT 3 WATERMASTER

2705 E 2<sup>nd</sup> St, The Dalles, OR 97058 | Phone 541-506-2652



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: wrd\_automated\_email@water.oregon.gov <[wrd\\_automated\\_email@water.oregon.gov](mailto:wrd_automated_email@water.oregon.gov)>  
Sent: Friday, February 3, 2023 6:00 PM  
To: [kgrigsby@gsiws.com](mailto:kgrigsby@gsiws.com); WRD\_DL\_watermaster\_district\_3 <[WRD\\_DL\\_watermaster\\_district\\_3@water.oregon.gov](mailto:WRD_DL_watermaster_district_3@water.oregon.gov)>;  
DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
Subject: OWRD: Preliminary Determination for Transfer T 13596 has been completed  
Importance: High

**Oregon Water Resources Department - Automated e-mail notice**

The Oregon Water Resources Department is pleased to announce that a step in processing Transfer T 13596 has occurred. We appreciate the opportunity to provide you with this information via email instead of more costly and time consuming regular mail.

The link below will take you to the documents pertaining to the application. We invite you to read the most recent document closely as it contains important instructions about the next phase of processing. Please contact the caseworker listed in the document if you have questions or concerns.

Most recent processing step completed: ==>> Preliminary Determination Issued : 02/03/2023 <==



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Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Design LLC  
1600 Ampitheater Parkway  
Mountain View, CA 94043

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Design LLC  
1600 Ampitheater Parkway  
Mountain View, CA 94043



9590 9402 6816 1074 5414 16

2. Article Number (Transfer from service label)

7020 3160 0000 6754 0377

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

*Gabriel Rodriguez*

C. Date of Delivery

D. Is delivery address different from item 1? If YES, enter delivery address below.

☐ Yes

☐ No

FEB 08 2024

OWRD

3. Service Type

- ☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone 503 986-0900  
Fax 503 986-0904  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

January 26, 2024

VIA CERTIFIED MAIL AND E-MAIL

**Applicant**

DESIGN LLC  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

SUBJECT: Water Right Transfer Application T-13904

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13904. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. 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 and in the Dalles Chronicle newspaper, 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 last date of newspaper publication.

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 don't hesitate to contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov), if I may be of assistance

Sincerely,

*Arla L Davis*

Arla L Davis  
Transfer Specialist  
Transfer and Conservation Section

cc: T-13904  
Robert L. Wood, District 3 Watermaster (via e-mail)  
Kim Grigsby, Agent for the applicant (via e-mail)

encs



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-13904, Wasco County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	POINTS OF APPROPRIATION, A CHANGE
	)	IN PLACES OF USE AND CHANGES 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.

**Applicant**

DESIGN, LLC  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

**Receiving Landowner**

CITY OF THE DALLES  
DEPARTMENT OF PUBLIC WORKS  
1215 WEST FIRST STREET  
THE DALLES, OR 97058

**Findings of Fact**

1. On January 31, 2022, DESIGN, LLC, filed an application to change the points of appropriation, change the places of use and change the character of use under Certificates 46835, 46836, 46839 and 82480. The Department assigned the application number T-13904.
2. Notice of the application for transfer was published on February 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 8, 2010, the Department received a notice for a specific to general industrial use change under Certificate 82480 (original Certificate 46837, confirming Certificate 82480 was issued as a result of the approval of T-5607) per ORS 540.520(9).
4. On July 26, 2010, the Department recognized the change in use of the rights from specific to general industrial and added Tax Lot 1100, T2N, R13E, Section 28, WM, as requested by the applicant and described in the place of use description in FOF No. 22.

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 the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.



5. On February 3, 2021, DESIGN, LLC, also filed Transfer Application T-13596, which proposes changes to the remaining portion of Certificate 82480. Transfer Application T-13904 and Transfer Application T-13596, will be issued concurrently. No remaining right will be issued for Certificate 82480.
6. On January 31, 2022, the applicant requested a completion date of October 1, 2044, to conduct planning, develop engineering plans, and for construction of the necessary infrastructure. The Department granted this completion date pursuant to OAR 690-380-5140.
7. On February 2, 2023, The Department contacted the agent for the applicant by email requesting clarification of the changes proposed by Transfer Application T-13904.
8. On February 2, 2023, the agent for the applicant provided clarification of the changes requested by Transfer Application T-13904.
9. On September 27, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13904 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 27, 2023, for the applicant to respond. The applicant(s) requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The first right to be transferred is as follows:

**Certificate:** 46835 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-338)  
**Use:** INDUSTRIAL  
**Priority Date:** SEPTEMBER 7, 1956  
**Rate:** 2.9 CUBIC FEET PER SECOND  
**Source:** WELL No. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW



11. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.38 mi

12. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

13. Transfer Application T-13904 proposes to change the character of use to municipal use.

14. The second right to be transferred is as follows:

**Certificate:** 46836 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-645)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.11 CUBIC FEET PER SECOND

**Source:** WELL NO. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

15. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi



Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.38 mi

16. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

17. Transfer Application T-13904 proposes to change the character of use to municipal use.

18. The third right to be transferred is as follows:

**Certificate:** 46839 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-648)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.6 CUBIC FEET PER SECOND

**Source:** WELL NO. 4-A, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SE SW	39	WELL NO. 4-A -970 FEET NORTH AND 1080 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

19. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A - 0.24 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A 0.32 mi



20. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

21. Transfer Application T-13904 proposes to change the character of use to municipal use.

22. The fourth right to be transferred is as follows:

**Certificate:** 82480 in the name of MARTIN MARIETTA CORP (perfected under Permit G-646)

**Use:** INDUSTRIAL USE

**Priority Date:** AUGUST 19, 1957

**Rate:** 0.4 CUBIC FOOT PER SECOND

**Limit/Duty:** The quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old well under the subject right and shall not exceed 1.2 cubic foot per second.

**Source:** WELL 3 and WELL 4 in the COLUMBIA RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SW SW	41	WELL 3 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39
2 N	13 E	WM	28	SE SW	39	WELL 4 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39

**Authorized Place of Use:**

INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Tax Lot	Q-Q
2 N	13 E	WM	28	700, 705, 1000	NE SW
2 N	13 E	WM	28	700	NW SW
2 N	13 E	WM	28	700	SW SW
2 N	13 E	WM	28	700	SE SW
2 N	13 E	WM	28	1100	SW SW
2 N	13 E	WM	28	1100	SE SW
2 N	13 E	WM	33	1100	NE NW
2 N	13 E	WM	33	1100	NW NW

23. Transfer Application T-13904 proposes to move the authorized points of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.25 mi WELL 4 - 0.32 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.2 mi WELL 4 - 0.23 mi



24. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

25. Transfer Application T-13904 proposes to change the character of use to municipal use.
26. The applicant does not meet the definition of a municipality under ORS 540.510(3)(b). The transferred rights will be lost if not assigned to and perfected by a municipality.
27. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required, as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.

***Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]***

28. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
29. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13904.
30. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
31. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
32. The proposed changes, as conditioned, would not result in enlargement of the rights.
33. The proposed changes, as conditioned, would not result in injury to other existing water rights.
34. All other application requirements are met.

**Determination and Proposed Action**

The changes in points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 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.



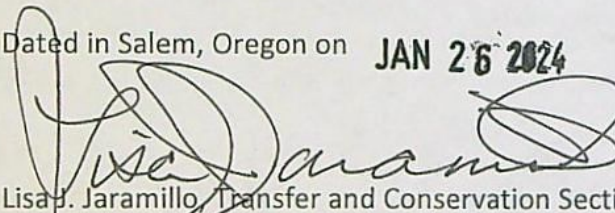
*If Transfer Application T-13904 is approved, the final order will include the following:*

- 1. The changes in points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 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 Certificates 46835, 46836, 46839, and 82480 and any related decree.*
- 3. Water Right Certificates 46835, 46836, 46839, and 82480 are cancelled.*
- 4. A remaining portion of Certificate 82480 not proposed for transfer under Transfer Application T-13904, is proposed for transfer under Transfer Application T-13596. Because Transfer Application T-13904 and Transfer Application T-13596 will be issued concurrently, no Remaining Right Certificate will be issued for the remaining portion of Certificate 82480.*
- 5. Under Certificate 46835, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1).*
- 6. Under Certificate 46836, the quantity of water diverted at the new point of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1).*
- 7. Under Certificate 46839, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 4-A).*
- 8. Under Certificate 82480, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 3 and WELL 4).*
- 9. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 10. 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 each point of appropriation (new and existing).*
  - 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.*
  - d. The water user shall install and maintain a dedicated measuring tube for the purpose of collecting water level measurements from the well.*



- e. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.
11. The former places of use of the transferred rights shall no longer receive water under the rights.
12. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.
13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2044**. 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.
14. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **JAN 26 2024**

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

This Preliminary Determination was prepared by Arla L Davis. If you have any questions about the information in this document, you may reach me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)

### Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last



date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

#### **Requests for Standing**

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:



- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.





**Water Solutions, Inc.**

**RECEIVED**

**OCT 30 2023**

**OWRD  
SALEM, OREGON**

October 25, 2023

Arla Davis  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Comments on September 27, 2023, Draft Preliminary Determination for Transfer Application T-13904, in the name of Design, LLC

Dear Ms. Davis:

On January 31, 2022, GSI Water Solutions (GSI) submitted to the Oregon Water Resources Department (OWRD) an application for a transfer (Transfer T-13904) on behalf of Design, LLC (Applicant). The transfer application requested changes to the entirety of Certificate 46835, 46836, and 46839, and a 0.4 cfs portion of Certificate 82480.

On September 27, 2023, GSI received a copy of the Draft Preliminary Determination (DPD) for Transfer T-13904. GSI is submitting the following response on behalf of the Applicant.

The DPD includes an error in the location description for the proposed point of appropriation identified as Riverside Well 2. This error should be corrected in findings of fact 10, 14, 18, and 22. The correct location description for this well is:

340 feet South and 1360 feet East from the NW Corner of Section 33.

In finding of fact 21, the authorized place of use for Certificate 82480 includes tax lot 705 in the NE SW of Section 28. It should also include tax lots 700 and 1000 as shown on the map.

Design LLC agrees to the proposed action and conditions described in the DPD. GSI will submit the required Report of Ownership as soon as possible.

Please contact me if you have any questions or concerns. My telephone number is 541-257-9004.

Sincerely,

A handwritten signature in dark ink, reading "Kimberly Grigsby", with a stylized flourish at the end.

Kimberly Grigsby  
Principal Water Resources Consultant





**Water Solutions, Inc.**

RECEIVED

OCT 30 2023

OWRD  
SALEM, OREGON

October 25, 2023

Arla Davis  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Comments on September 27, 2023, Second Revised Draft Preliminary Determination for Transfer Application T-13596, in the name of Design, LLC

Dear Ms. Davis:

On February 3, 2021, GSI Water Solutions (GSI) submitted to the Oregon Water Resources Department (OWRD) an application for a transfer (Transfer T-13596) on behalf of Design, LLC (Applicant). The transfer application requested changes to the entirety of Certificate 46838, and a 0.8 cfs portion of Certificate 82480.

On August 22, 2022, GSI received a copy of the Draft Preliminary Determination (DPD) for Transfer T-13596. On September 22, 2022, GSI submitted comments on the DPD. On February 3, 2023, OWRD issued a Preliminary Determination (PD) for the transfer, but the PD did not address GSI's comments on the DPD or additional comments submitted by the watermaster. On February 7, 2023, GSI received a Revised DPD on Transfer T-13596. On March 7, 2023, GSI submitted comments on the Revised DPD. On September 27, 2023, GSI received the Second Revised DPD for Transfer Application T-13596.

GSI identified one minor error in the Second Revised DPD. Two findings of fact (FOF 6 and 9) are identical, and one could be deleted.

Design LLC agrees to the proposed action and conditions described in the Second Revised DPD. GSI will submit the required Report of Ownership as soon as possible.

Please contact me if you have any questions or concerns. My telephone number is 541-257-9004.

Sincerely,

A handwritten signature in cursive script that reads "Kimberly Grigsby".

Kimberly Grigsby  
Principal Water Resources Consultant





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

March 13, 2024

Design LLC

1600 Ampitheatre Parkway

Mountain View, CA 94043

REFERENCE: Transfer Application T-13904

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at [Arla.I.davis@water.oregon.gov](mailto:Arla.I.davis@water.oregon.gov).

Sincerely,

Elyse D. Richman

Water Rights Services Support

Transfers and Conservation Section

cc: Robert L. Wood, Watermaster Dist. # 3 (via email)  
City of the Dalles Dept. of Public Works, Receiving Landowner  
Kim Grigsby, Agent  
The Dalles Community Development, Local Government



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER
T-13904, Wasco County	)	APPROVING A CHANGE IN POINTS OF
	)	APPROPRIATION, CHANGE IN PLACES OF
	)	USE AND CHANGES 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.

**Applicant**

DESIGN, LLC  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

**Receiving Landowner**

CITY OF THE DALLES  
DEPARTMENT OF PUBLIC WORKS  
1215 WEST FIRST STREET  
THE DALLES, OR 97058

**Findings of Fact**

1. On January 31, 2022, DESIGN, LLC, filed an application to change the points of appropriation, change the places of use and change the character of use under Certificates 46835, 46836, 46839 and 82480. The Department assigned the application number T-13904.
2. Notice of the application for transfer was published on February 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 8, 2010, the Department received a notice for a specific to general industrial use change under Certificate 82480 (original Certificate 46837, confirming Certificate 82480 was issued as a result of the approval of T-5607) per ORS 540.520(9).
4. On July 26, 2010, the Department recognized the change in use of the rights from specific to general industrial and added Tax Lot 1100, T2N, R13E, Section 28, WM, as requested by the applicant and described in the place of use description in FOF No. 22.

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 3, 2021, DESIGN, LLC, also filed Transfer Application T-13596, which proposes changes to the remaining portion of Certificate 82480. Transfer Application T-13904 and Transfer Application T-13596, will be issued concurrently. No remaining right will be issued for Certificate 82480.
6. On January 31, 2022, the applicant requested a completion date of October 1, 2044, to conduct planning, develop engineering plans, and for construction of the necessary infrastructure. The Department granted this completion date pursuant to OAR 690-380-5140.
7. On February 2, 2023, The Department contacted the agent for the applicant by email requesting clarification of the changes proposed by Transfer Application T-13904.
8. On February 2, 2023, the agent for the applicant provided clarification of the changes requested by Transfer Application T-13904.
9. On September 27, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13904 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 27, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. On January 26, 2024, the Department issued a Preliminary Determination proposing to approve Transfer T-13904 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 January 30, 2024, and in the Dalles Chronicle newspaper on January 31, 2024 and February 7, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
11. The first right to be transferred is as follows:

**Certificate:** 46835 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-338)

**Use:** INDUSTRIAL

**Priority Date:** SEPTEMBER 7, 1956

**Rate:** 2.9 CUBIC FEET PER SECOND

**Source:** WELL No. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW



INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

12. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33.	WELL NO. 1 - 0.38 mi

13. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

14. Transfer Application T-13904 proposes to change the character of use to municipal use.

15. The second right to be transferred is as follows:

**Certificate:** 46836 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-645)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.11 CUBIC FEET PER SECOND

**Source:** WELL NO. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW



16. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.38 mi

17. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

18. Transfer Application T-13904 proposes to change the character of use to municipal use.

19. The third right to be transferred is as follows:

**Certificate:** 46839 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-648)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.6 CUBIC FEET PER SECOND

**Source:** WELL NO. 4-A, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SE SW	39	WELL NO. 4-A -970 FEET NORTH AND 1080 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW



20. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A - 0.24 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A - 0.32 mi

21. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

22. Transfer Application T-13904 proposes to change the character of use to municipal use.

23. The fourth right to be transferred is as follows:

**Certificate:** 82480 in the name of MARTIN MARIETTA CORP (perfected under Permit G-646)  
**Use:** INDUSTRIAL USE  
**Priority Date:** AUGUST 19, 1957  
**Rate:** 0.4 CUBIC FOOT PER SECOND  
**Limit/Duty:** The quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old well under the subject right and shall not exceed 1.2 cubic foot per second.  
**Source:** WELL 3 and WELL 4 in the COLUMBIA RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SW SW	41	WELL 3 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39
2 N	13 E	WM	28	SE SW	39	WELL 4 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39

**Authorized Place of Use:**

INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Tax Lot	Q-Q
2 N	13 E	WM	28	700, 705, 1000	NE SW
2 N	13 E	WM	28	700	NW SW
2 N	13 E	WM	28	700	SW SW
2 N	13 E	WM	28	700	SE SW
2 N	13 E	WM	28	1100	SW SW
2 N	13 E	WM	28	1100	SE SW
2 N	13 E	WM	33	1100	NE NW
2 N	13 E	WM	33	1100	NW NW



24. Transfer Application T-13904 proposes to move the authorized points of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	33	NE NW	RIVERSIDE WELL 2 - 340 FEET SOUTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.25 mi WELL 4 - 0.32 mi
2 N	13 E	WM	33	NW NW	RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.2 mi WELL 4 - 0.23 mi

25. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL USE
City of The Dalles Service Area

26. Transfer Application T-13904 proposes to change the character of use to municipal use.
27. The applicant does not meet the definition of a municipality under ORS 540.510(3)(b). The transferred rights will be lost if not assigned to and perfected by a municipality.
28. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required, as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.

***Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]***

29. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
30. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13904.
31. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
32. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
33. The proposed changes, as conditioned, would not result in enlargement of the rights.



34. The proposed changes, as conditioned, would not result in injury to other existing water rights.

35. All other application requirements are met.

#### **Conclusion of Law**

The changes in points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 are 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 points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 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 Certificates 46835, 46836, 46839, and 82480 and any related decree.
3. Water Right Certificates 46835, 46836, 46839, and 82480 are cancelled.
4. A remaining portion of Certificate 82480 not proposed for transfer under Transfer Application T-13904, is proposed for transfer under Transfer Application T-13596. Because Transfer Application T-13904 and Transfer Application T-13596 will be issued concurrently, no Remaining Right Certificate will be issued for the remaining portion of Certificate 82480.
5. Under Certificate 46835, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1).
6. Under Certificate 46836, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1).
7. Under Certificate 46839, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 4-A).
8. Under Certificate 82480, the quantity of water diverted at the new points of appropriation (RIVERSIDE WELL 1 and RIVERSIDE WELL 2) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 3 and WELL 4).
9. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.



10. 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 each point of appropriation (new and existing).
- 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.
- d. The water user shall install and maintain a dedicated measuring tube for the purpose of collecting water level measurements from the well.
- e. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.

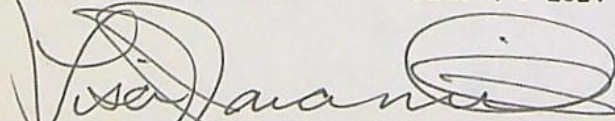
11. The former places of use of the transferred rights shall no longer receive water under the rights.

12. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.

13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2044**. 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.

14. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **MAR 13 2024**



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

Mailing date: **MAR 14 2024**



# WATER RIGHT TRANSFER COVER SHEET

Transfer: T-13904

Transfer Specialist: *Adrian*

Transfer Type: Regular Transfer

*signed 3.18.22 (2A)*

<b>Applicant:</b> DESIGN LLC 1600 AMPHITHEATRE PARKWAY MOUNTAIN VIEW, CA 94043 Email: _____ Phone: _____		<b>Agent:</b> <input type="checkbox"/> N/A KIM GRIGSBY 1600 SW WESTERN BLVD SUITE 240 CORVALLIS, OR 97333 Email: _____ Phone: _____	
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____		<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____	
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A The Dalles Community Development Email: _____		<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____		<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____	

## Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-471	G-338	46835	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	G-734	G-645	46836	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	G-737	G-648	46839	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	G-735	G-646	82480	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## Key Dates & Initial Actions:

Rec'd: January 31, 2022	Proposed Action(s): USE; POU; POA; APOA	
Fees Pd: 8720.00	WM District: 3 <input checked="" type="checkbox"/>	GDEW-District: _____
Initial Public Notice: February 8, 2022	WM Review sent: <i>Critical 60 min.</i>	ODFW-Review-sent: _____
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	<i>625 (P+E)</i>	GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input checked="" type="checkbox"/>	BOR notified (date): <input checked="" type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

*Dalles Chronicle Electronic*

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>5/29/20</i> Initials: <i>AD</i>	Date: <i>5/31/23</i> Initials: <i>Scot</i>	Date: _____ Initials: _____	Date: <i>9/27/23</i> Initials: <i>PKS</i>	Date: <i>9/21/23</i> Initials: <i>AD</i>	CW Sent: <i>9/21/23</i>	N/A
PD	Date: <i>11/15/23</i> Initials: <i>AD</i>	Date: <i>11/16/23</i> Initials: <i>AD</i>	Date: _____ Initials: _____	Date: <i>12/6/23</i> Initials: <i>PKS</i>	Date: <i>1/6/24</i> Initials: <i>AD</i>	Date: <i>1/24/24</i>	Date: <i>1/26/24</i>
FO	Date: <i>2/5/24</i> Initials: <i>AD</i>	Date: <i>2/5/24</i> Initials: <i>CE</i>	Date: _____ Initials: _____	Date: <i>2/18/24</i> Initials: <i>PKS</i> <i>See email</i>	Date: <i>2/18/24</i> Initials: <i>AD</i>	Date: _____	Date: <i>3/13/24</i>

Special Issues: *City of Dalles regarding 20 years to C-Data (see ltr)*

Special Order Volume: Vol. *129* Pages *929-936*



DAVIS Arla L \* WRD

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**From:** STARNES Patrick K \* WRD  
**Sent:** Thursday, February 8, 2024 4:32 PM  
**To:** DAVIS Arla L \* WRD  
**Subject:** Peer Reviewed FO doc for T-13904  
**Attachments:** T-13904 ord approve-pks-track change edits-(2-8-2024).docm

Good Afternoon Arla -

Please find attached the FO peer review for T-13904. Review and accept the track change edits and comments, then accept the track change edits and delete the comments as they will stick to the documents. Then you are good to go (once the 30 day protest period as ended)!

Kelly

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
(He/Him/His)  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Cell phone: 503-979-3511 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

Please Note: Under Oregon Law, messages to and from  
this e-mail address may be available to the public.

\*\*\*\*\*





October 25, 2023

Arla Davis  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Comments on September 27, 2023, Draft Preliminary Determination for Transfer Application T-13904, in the name of Design, LLC

Dear Ms. Davis:

On January 31, 2022, GSI Water Solutions (GSI) submitted to the Oregon Water Resources Department (OWRD) an application for a transfer (Transfer T-13904) on behalf of Design, LLC (Applicant). The transfer application requested changes to the entirety of Certificate 46835, 46836, and 46839, and a 0.4 cfs portion of Certificate 82480.

On September 27, 2023, GSI received a copy of the Draft Preliminary Determination (DPD) for Transfer T-13904. GSI is submitting the following response on behalf of the Applicant.

The DPD includes an error in the location description for the proposed point of appropriation identified as Riverside Well 2. This error should be corrected in findings of fact 10, 14, 18, and 22. The correct location description for this well is:

340 feet South and 1360 feet East from the NW Corner of Section 33.

In finding of fact 21, the authorized place of use for Certificate 82480 includes tax lot 705 in the NE SW of Section 28. It should also include tax lots 700 and 1000 as shown on the map.

Design LLC agrees to the proposed action and conditions described in the DPD. GSI will submit the required Report of Ownership as soon as possible.

Please contact me if you have any questions or concerns. My telephone number is 541-257-9004.

Sincerely,

A handwritten signature in cursive script that reads "Kimberly Grigsby".

Kimberly Grigsby  
Principal Water Resources Consultant



## DAVIS Arla L \* WRD

---

**From:** Kim Grigsby <kgrigsby@gsiws.com>  
**Sent:** Monday, November 6, 2023 3:19 PM  
**To:** DAVIS Arla L \* WRD  
**Cc:** JARAMILLO Lisa J \* WRD; STARNES Patrick K \* WRD; Adam Sussman  
**Subject:** RE: Issuance of Draft Preliminary Determination for Permanent Transfer Application T-13904 for Design, LLC - ACTION REQUIRED!!  
**Attachments:** Ownership Report Tax Lot 700.pdf; Ownership Report Tax Lot 705.pdf; Ownership Report Tax Lot 1000.pdf; Ownership Report Tax Lot 1100.pdf

Good afternoon Arla,

Please find attached the required land ownership reports for the four tax lots included in the "from lands" for Transfer T-13904. As you will see, the reports identify the following landowners:

- Design LLC – for tax lot 700,
- Hydro Extrusion USA LLC - for tax lot 1100,
- The Dalles Industrial Group LLC – for tax lot 705, and
- Lockheed Martin Corp. -- for tax lot 1000.

As you know, **Design LLC** is the applicant.

Attachment D of the transfer application includes a notarized consent for this transfer from **Hydro Extrusion USA LLC**.

Attachment D includes a quitclaim deed conveying the water rights from **The Dalles Industrial Group LLC** to Design LLC. It was recorded on November 10, 2020. The attached land ownership report for tax lot 705 (2N13E28-705) states that The Dalles Industrial Group, LLC was the vested landowner as of November 10, 2020.

Attachment D includes a quitclaim deed conveying the water rights from **Lockheed Martin Corporation** to Design LLC. It was recorded on November 18, 2020. The attached land ownership report for tax lot 1000 (2N13E2801000) states that Lockheed Martin Corporation was the vested landowner as of November 18, 2020.

Please let me know if you need any additional information.

We look forward to receiving the Department's Preliminary Determination for this transfer application.

Thank you,  
Kim

**Kimberly Grigsby**  
**Principal Water Resources Consultant**  
direct: 541.257.9004; mobile: 503.351.1912  
1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333  
GSI Water Solutions, Inc. | [www.gsiws.com](http://www.gsiws.com)  
*pronouns: she, her*

---

**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Sent:** Tuesday, October 3, 2023 9:13 AM





714 W 6<sup>th</sup> Street, The Dalles, OR 97058  
Tel: (541) 370- 1293 Fax: (541) 370- 2120  
www.columbiagorgetitle.com

October 31, 2023

Order No. W-23-104

Water Resources Consultant  
Attn: Zach Pike-Urlacher

Phone: 541-753-0933  
Email: [zpikeurlacher@gsiws.com](mailto:zpikeurlacher@gsiws.com)

PROPERTY ADDRESS: 3313 West 2nd Street, The Dalles, OR, 97058/2N13E28 00700

### Ownership Report

Report

Cost     \$60.00

The Estate or interest in the Land described herein and which is covered by this Ownership Report is: **Fee Simple**

As of the Effective date of **October 30, 2023** at 8:00a.m., we find the vested owner(s) to be:

**Design, LLC, a Delaware limited liability company**

As to fee title to the land herein described:

**SEE ATTACHED EXHIBIT "A"**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a Title Insurance Policy and shall become void unless a policy is issued and the full premium paid.



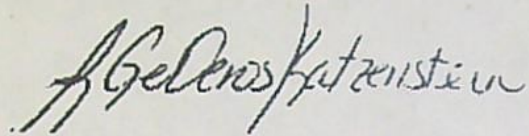
EXHIBIT "A"

Parcel 1 of Partition Plat 2022-0004, as recorded on February 1, 2022, as Microfilm No. 2022-000404, Records of Wasco County, State of Oregon.



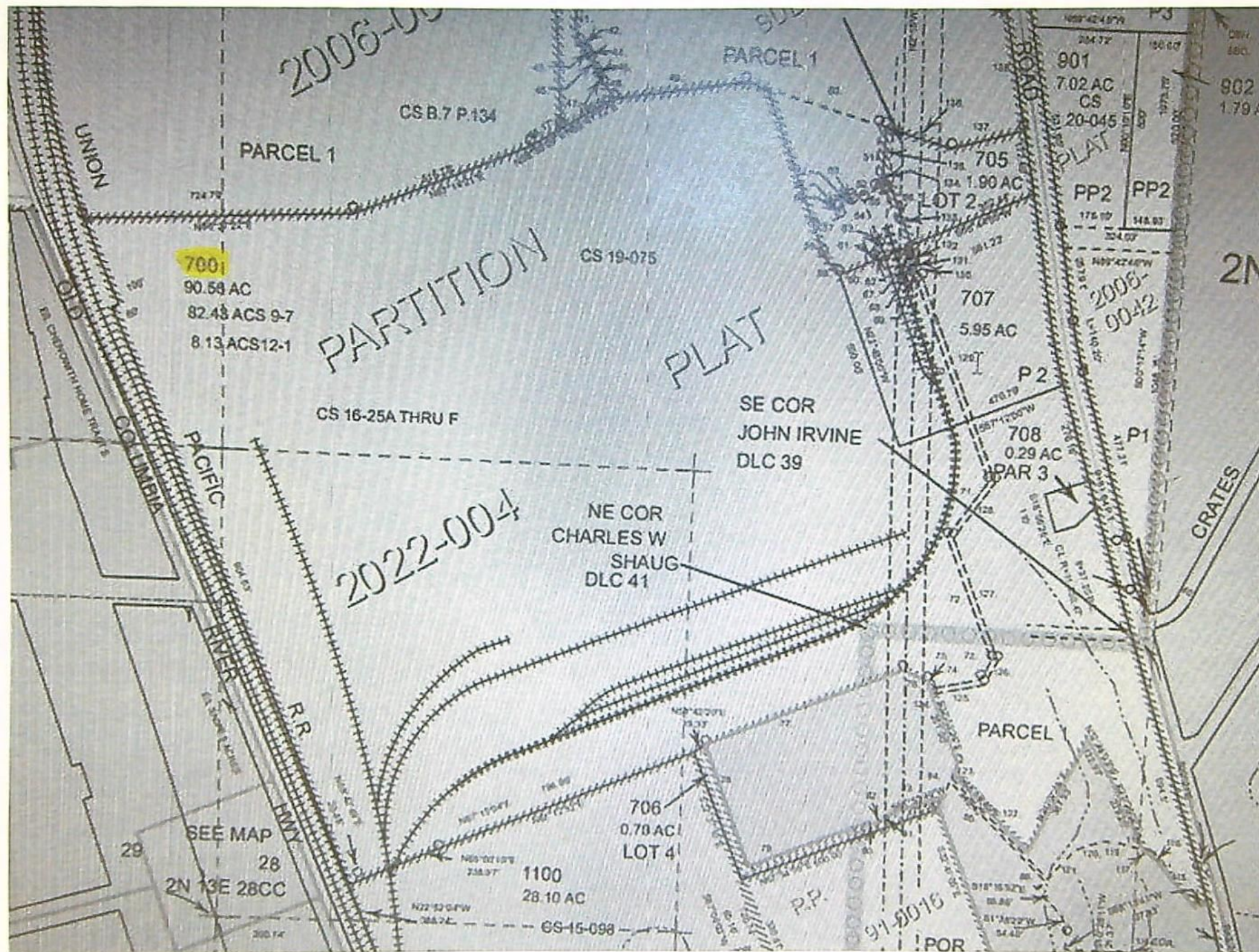
ORDER NO. W-23-104

Columbia Gorge Title, LLC

A handwritten signature in dark ink, reading "Lari GeDeros Katzenstein". The signature is written in a cursive style with a large initial "L" and "G".

Lari GeDeros Katzenstein, Title Officer









714 W 6<sup>th</sup> Street, The Dalles, OR 97058  
Tel: (541) 370- 1293 Fax: (541) 370- 2120  
www.columbiagorgetitle.com

October 31, 2023

Order No. W-23-105

Water Resources Consultant  
Attn: Zach Pike-Urlacher

Phone: 541-753-0933  
Email: zpikeurlacher@gsiws.com

PROPERTY ADDRESS: No Situs Address/2N13E28 00705

### Ownership Report

Report

Cost    \$60.00

The Estate or interest in the Land described herein and which is covered by this Ownership Report  
is: **Fee Simple**

As of the Effective date of **November 10, 2020** at 8:00a.m., we find the vested owner(s) to be:

**The Dalles Industrial Group, LLC, an Oregon limited liability company**

As to fee title to the land herein described:

**SEE ATTACHED EXHIBIT "A"**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a  
Title Insurance Policy and shall become void unless a policy is issued and the full premium paid.



EXHIBIT "A"

Lot 2 of NORTHWEST ALUMINUM SUBDIVISION, recorded December 6, 2017, under Instrument Number 2017-004778, Wasco County, State of Oregon.



**SPECIAL EXCEPTIONS:**

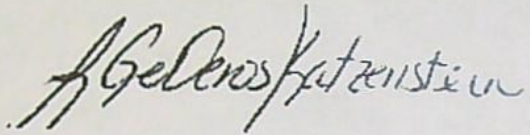
1. Warranty Deed
  - Grantor : Northwest Aluminum Company, an Oregon corporation
  - Grantee : The Dalles Industrial Group, LLC, an Oregon limited liability company
  - Recorded : December 6, 2019
  - As : 2019004142
  
2. Effects if any, in Quitclaim Deed
  - Grantor : The Dalles Industrial Group LLC, an Oregon limited liability company
  - Grantee : Design, LLC, a Delaware limited liability company
  - Recorded : November 10, 2020
  - As : 2020004723

**END OF EXCEPTIONS**



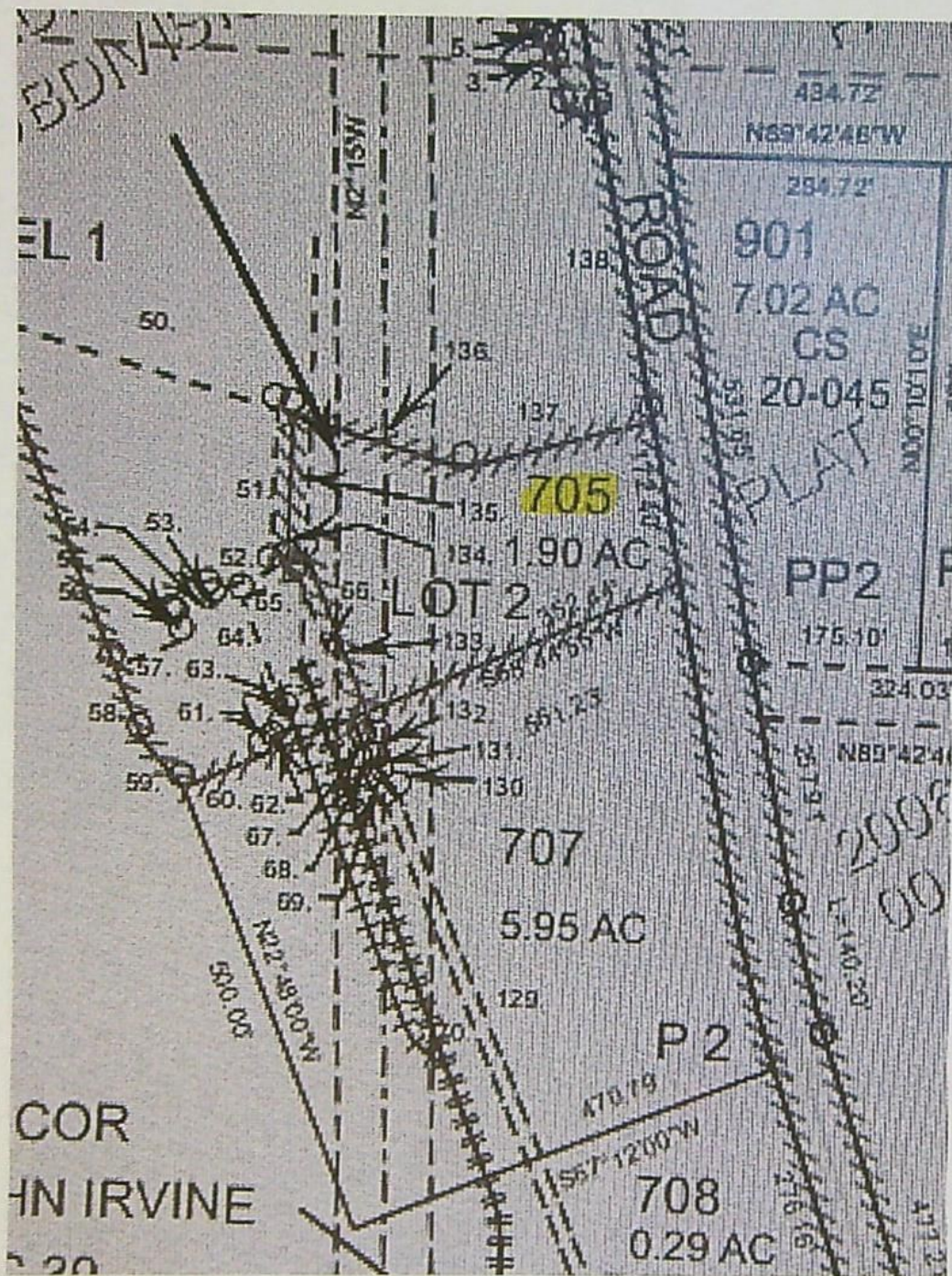
ORDER NO. W-23-105

Columbia Gorge Title, LLC

A handwritten signature in dark ink, reading "Lari GeDeros Katzenstein". The signature is written in a cursive, flowing style with some capitalization.

Lari GeDeros Katzenstein, Title Officer









714 W 6<sup>th</sup> Street, The Dalles, OR 97058  
Tel: (541) 370- 1293 Fax: (541) 370- 2120  
www.columbiagorgetitle.com

October 31, 2023

Order No. W-23-106

Water Resources Consultant  
Attn: Zach Pike-Urlacher

Phone: 541-753-0933  
Email: zpikurlacher@gsiws.com

PROPERTY ADDRESS: 3850 River Road, The Dalles, OR, 97058/2N13E28 01000

### Ownership Report

Report

Cost     **\$60.00**

The Estate or interest in the Land described herein and which is covered by this Ownership Report  
is: **Fee Simple**

As of the Effective date of November 18, 2020, at 8:00a.m., we find the vested owner(s) to be:

**Lockheed Martin Corporation, a Maryland corporation**

As to fee title to the land herein described:

**SEE ATTACHED EXHIBIT "A"**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a  
Title Insurance Policy and shall become void unless a policy is issued and the full premium paid.



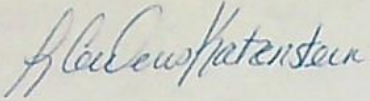
EXHIBIT "A"

Parcels 1 of Partition Plat No. 2017-0013, as recorded on October 26, 2017, as Microfilm No. 2017-004255, Plat Records of Wasco County, Oregon.



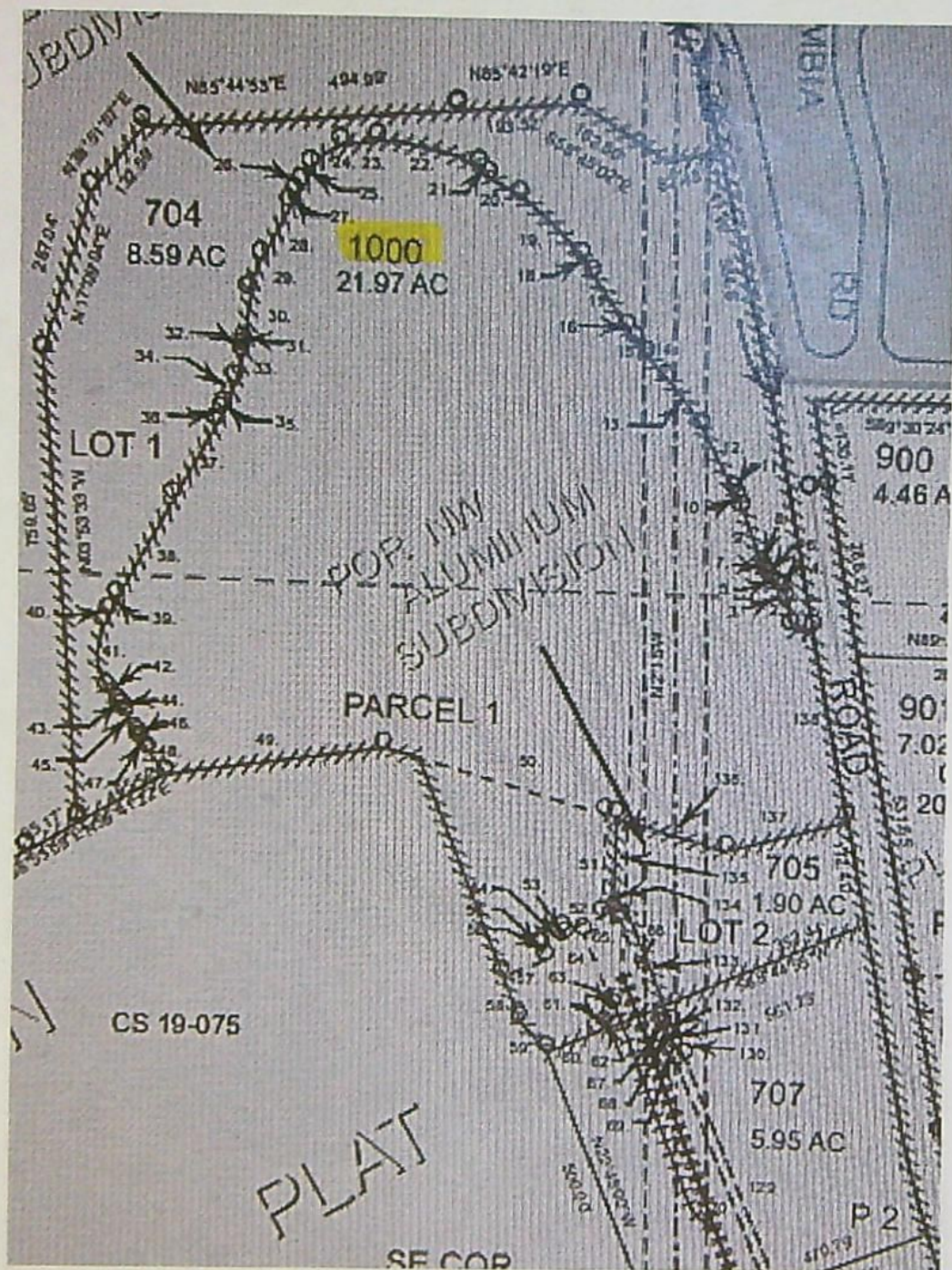
ORDER NO. W-23-106

Columbia Gorge Title, LLC

A handwritten signature in blue ink, appearing to read "Lari GeDeros Katzenstein". The signature is written in a cursive, flowing style.

Lari GeDeros Katzenstein, Title Officer









714 W 6<sup>th</sup> Street, The Dalles, OR 97058  
Tel: (541) 370- 1293 Fax: (541) 370- 2120  
www.columbiagorgetitle.com

October 31, 2023

Order No. W-23-107

Water Resources Consultant  
Attn: Zach Pike-Urlacher

Phone: 541-753-0933  
Email: [zpikeurlacher@gsiws.com](mailto:zpikeurlacher@gsiws.com)

PROPERTY ADDRESS: 3175 River Road, The Dalles, OR, 97058/2N13E28 01100

#### Ownership Report

Report

Cost     \$60.00

The Estate or interest in the Land described herein and which is covered by this Ownership Report is: **Fee Simple**

As of the Effective date of October 30, 2023, at 8:00a.m., we find the vested owner(s) to be:

**Hydro Extrusion USA, LLC, a Delaware limited liability company**

As to fee title to the land herein described:

**SEE ATTACHED EXHIBIT "A"**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a Title Insurance Policy and shall become void unless a policy is issued and the full premium paid.



## EXHIBIT "A"

## TRACT 1:

A tract of land lying in the Southwest one-quarter of Section 28 and the Northwest one-quarter of Section 33, Township 2 North, Range 13 East of the Willamette Meridian, in the County of Wasco and State of Oregon, more particularly described as follows:

Beginning at a point on the East Right-of-Way of the Union Pacific Railroad, said point being South 3,169.00 feet and West 1,982.13 feet from the center one-quarter corner of said Section 28; thence following the existing fence along the approximate Easterly Right-of-Way of Union Pacific Railroad North 14°31'51" West 50.92 feet; thence North 11°34'27" West 79.10 feet; thence North 18°59'24" West 207.48 feet; thence South 67°51'13" West 36.80 feet; thence North 22°52'04" West 388.24 feet; thence North 68°40'37" East 20.58 feet; thence leaving said fence and Right-o-Way North 65°53'58" East 238.07 feet; thence North 67°12'52" East 796.99 feet; thence South 22°37'10" East 720.74 feet; thence South 67°09'03" West 164.58 feet; thence South 67°16'34" West 300.46 feet; thence South 67°12'51" West 448.99 feet; thence South 63°54'37" West 138.74 feet to the point of beginning.

## TRACT 2:

A tract of land being a portion of Parcel 1 of the Martin Marietta Corp. Partition Plat filed August 30, 1991, as MF No. 910016, Partition Plat Records of Wasco County, Oregon lying in the Southwest one-quarter of Section 28 and the Northwest one-quarter of Section 33, Township 2 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Beginning at & point on the East Right-of-Way of the Union Pacific Railroad, said point South 3,169.00 feet and West 1,982.13 feet from the center one-quarter corner of said Section 28; thence North 63°54'37" East 138.74 feet to a 2 inch diameter steel fence post; thence North 67°12'51" East 448.99 feet to a 2 inch diameter steel fence post; thence North 67°16'34" East 300.46 feet to a 2 inch diameter steel fence post; thence North 67°09'03" East 65.16 feet to a 5/8 inch iron rod and the true point of beginning; thence continuing North 67°09'03" East 99.42 feet to monument; thence North 22°37'10" West 330.87 feet to a 5/8 inch iron rod; thence North 67°52'43" East 600.00 feet to a 5/8 inch iron rod; thence South 22°43'17" East 605.10 feet to a 5/8 inch iron rod; thence South 23°24'27" West 172.80 feet to a 5/8 inch iron rod; thence South 67°16'43" West 575.40 feet to a 5/8 inch iron rod; thence North 22°43'17" West 400.05 feet to the trae point of beginning.

## TRACT 3:


A tract of land, being a portion of Parcel 1 of Partition Plat 91-0016, in the Northeast quarter of the Northwest quarter of Section 33, Township 2 North, Range 13 East of the Willamette TRACT 3: A tract of land, being a portion of Parcel 1 of Partition Plat 91-0016, in the Northeast quarter of the Northwest quarter of Section 33, Township 2 North, Range 13 East of the Willamette Meridian, City of The Dalles, Wasco County, Oregon, being more particularly described as follows:

Commencing at the Southeasterly corner of Parcel 1 of Partition Plat 90-0004; Thence along the Southerly line of said Parcel 1, South 67°11'15" West 99.42 feet; Thence leaving said Southerly line along the Westerly line of that tract of land described in Document No 96-1945, Deed Records of Wasco County, South 22°41'05" East 400.05 feet to the true point of beginning of this description; Thence along the Southerly line of said tract of land, North 67°18'55" East 575.40 feet; Thence leaving said, Southerly line South 23°26'39" West 6.44 feet; Thence parallel with said Southerly line, South 67°18'55" West 570.75 feet; thence North 22°41'05" West 4.47 feet to the true point of beginning of this description.



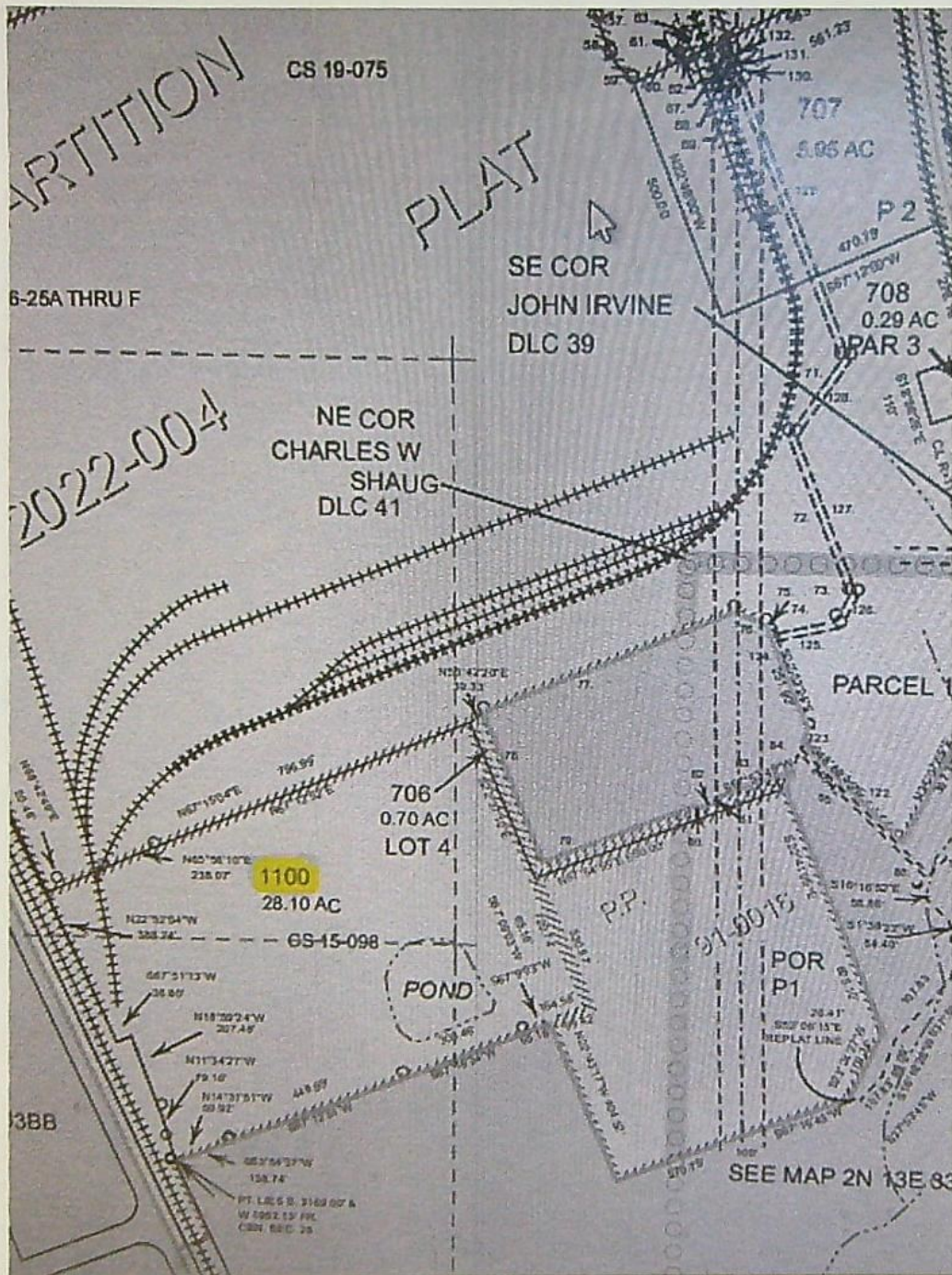
ORDER NO. W-23-107

Columbia Gorge Title, LLC

A handwritten signature in blue ink, reading "Lari GeDeros Katzenstein". The signature is written in a cursive, flowing style.

Lari GeDeros Katzenstein, Title Officer







\*82450  
\* Make sure the v.r. has only 0.8 cfs

Edited

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application  
T-13904, Wasco County

DRAFT

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF A CHANGE IN  
POINTS OF APPROPRIATION, A CHANGE  
IN PLACES OF USE AND CHANGES 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.

Applicant

DESIGN, LLC.  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

Receiving Landowner

City of The Dalles  
Dept of Public Works  
1215 West First Street  
The Dalles, OR 97058

the city's  
letter says  
they will  
be responsible  
for the  
changes

Findings of Fact

1. On January 31, 2022, DESIGN, LLC., filed an application to change the points of appropriation, change the places of use and change the character of use under Certificates 46835, 46836, 46839 and 82480. The Department assigned the application number T-13904.
2. Notice of the application for transfer was published on February 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 31, 2022, The applicant requested the date for full beneficial use of the water be extended to on or before October 1, 2044. *the completion date of October 1, 2044*
4. On February 2, 2023, The Department contacted the agent for the applicant by email requesting clarification of the changes proposed by Transfer Application T-13904. *to conduct planning, develop engineering plans, as well as to construct the necessary infrastructure*
5. On February 2, 2023, the agent for the applicant provided clarification of the changes requested by Transfer Application T-13904. *The department granted the longer time for completion per OAR 690-380-5140.*

i would  
use  
additional language



6. The first right to be transferred is as follows:

**Certificate:** 46835 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-338)

**Use:** INDUSTRIAL

**Priority Date:** SEPTEMBER 7, 1956

**Rate:** 2.9 CUBIC FEET PER SECOND

**Limit/Duty:** 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 2.9 cubic feet per second or its equivalent in case of rotation, measured at the point of diversion from the well.

**Source:** WELL No. 1 a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

7. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	33	NE NW	41	WELL 6 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39	WELL No. 1 - 0.37
2 N	13 E	WM	33	SW SW	39	WELL 7 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39	WELL No. 1 - 0.38

8. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

9. Transfer Application T-13904 proposes to change the character of use to Municipal.



10. The second right to be transferred is as follows:

**Certificate:** 46836 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-645)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.11 CUBIC FEET PER SECOND

**Limit/Duty:** ~~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 1.11 cubic feet per second or its equivalent in case of rotation, measured at the point of diversion from the well.~~

**Source:** WELL No. 1 a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

11. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	28	<del>SW SW</del>	<del>41</del>	<del>WELL 6 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLO 39</del>	WELL No. 1 - 0.37
2 N	13 E	WM	28	<del>SE SW</del>	<del>39</del>	<del>WELL 7 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLO 39</del>	WELL No. 1 - 0.38

12. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

13. Transfer Application T-13904 proposes to change the character of use to Municipal.



14. The third right to be transferred is as follows:

**Certificate:** 46839 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-648)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.6 CUBIC FEET PER SECOND

**Limit/Duty:** 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 1.11 cubic feet per second or its equivalent in case of rotation, measured at the point of diversion from the well.

**Source:** WELL No. 4-A a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SE SW	39	WELL NO. 4-A -970 FEET NORTH AND 1080 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

15. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	28	SW SW	41	WELL 6 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39	WELL No. 4-A - 0.24
2 N	13 E	WM	28	SE SW	39	WELL 7 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39	WELL No. 4-A - 0.32

16. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

17. Transfer Application T-13904 proposes to change the character of use to Municipal.



18. The fourth right to be transferred is as follows:

Certificate: 82480 in the name of MARTIN MARIETTA CORP. (perfected under Permit G-646)

Use: INDUSTRIAL USE

Priority Date: AUGUST 19, 1957

Rate: ~~1200~~ <sup>0.4</sup> CUBIC FEET PER SECOND

Limit/Duty: ~~NO NEED~~ The quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old well under the subject right and shall not exceed 1.2 cubic foot per second.

Source: WELL 3 and WELL 4 in the COLUMBIA RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SW SW	41	WELL 3 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39
2 N	13 E	WM	28	SE SW	39	WELL 4 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39

**Authorized Place of Use:**

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

19. Transfer Application T-13904 proposes to move the authorized points of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	28	SW SW	41	WELL 6 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39	WELL 3 - 0.25 mi WELL 4 - 0.32 mi
2 N	13 E	WM	28	SE SW	39	WELL 7 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39	WELL 3 - 0.2 mi WELL 4 - 0.23 mi

20. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

21. Transfer Application T-13904 proposes to change the character of use to Municipal.

*add* → 22. The applicant does not meet the definition of a municipality under ORS 540.510(3)(b). The transferred rights will be lost if not assigned to and perfected by a municipality.



**Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]**

22. Water has been used [within the last five years] ?
23. A water delivery system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-1390413904.
24. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
25. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
26. The proposed changes would not result in enlargement of the rights.
27. The proposed change would not result in injury to other existing water rights.
28. All other application requirements are met.

**Determination and Proposed Action**

The changes in points of appropriation, ~~additional points of appropriation~~, changes in place of use and changes in character of use proposed in Transfer Application T-13904 appear 13904 to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If no protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-1390413904 is approved, the final order will include the following:

1. The changes in points of appropriation, ~~additional points of appropriation~~, changes in place of use and changes in character of use proposed in Transfer Application T-13904 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 Certificates 46835, 46836, 46839, and 8248046835 and any related decree.
3. Water Right Certificates 46835, 46836, 46839, and 8248046835 are cancelled
4. Under Certificate 46835, the quantity of water diverted at the new points of appropriation (WELL 6 and WELL 7) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well No. 1)  
*Riverside well 1 & 2*
5. Under Certificate 46836, the quantity of water diverted at the new point of appropriation (WELL 6 and WELL 7) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well No. 1)  
*Riverside well 1 & 2*



RIVERSIDE WELL 1 & 2

6. Under Certificate 46839, the quantity of water diverted at the new point of appropriation (WELL 6 and WELL 7) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well No. ~~4A~~ <sup>5</sup>).
7. Under Certificate 82480, the quantity of water diverted at the new points of appropriation (WELL 6 and WELL 7), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 3 and WELL 4).
8. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
9. The former place of use of the transferred right shall no longer receive water under the right.
10. 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 each point of appropriation (new and existing).
  - 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.
11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2044**. 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.
12. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on

**D R A F T**

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

This draft Preliminary Determination was prepared by Arla L Davis. If you have any questions about the information in this document, you may reach me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)



**Notice of Preliminary Determination for  
Water Right Transfer T-13904**

T-13904 filed by Design, LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, proposes changes in point of appropriation, places of use and characters of use under Certificates 46835, 46836, 46839, and 82480. Certificate 46835 allows the use of 2.9 cubic feet per second from Well No. 1, in Sec. 28, T2N, R13E, WM for Industrial in Sec. 28, T2N, R13E, WM. ~~Under~~ Certificate 46835, the applicant proposes to move the point of appropriation in Sec. 33, T2N, R13E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to Municipal. Certificate 46836 allows the use of 1.11 cubic feet per second from Well No. 1, in Sec. 28, T2N, R13E, WM for Industrial in Sec. 28, T2N, R13E, WM. ~~Under~~ Certificate 46836, the applicant proposes to move the point of appropriation in Sec. 33, T2N, R13E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to Municipal. Certificate 46839 allows the use of 2.2 cubic feet per second from Well No. 4-A, in Sec. 28, T2N, R13E, WM for Industrial in Sec. 28, T2N, R13E, WM. Under Certificate 46839, the applicant proposes to move the point of appropriation in Sec. 33, T2N, R13E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to Municipal. Certificate 82480 allows the use of 1.2 cubic feet per second from Well 3 and Well 4, in Sec. 28, T2N, R13E, WM for Industrial in Sects. 28 and 33, T2N, R13E, WM. Under Certificate 82480, the applicant proposes to move the points of appropriation in Sec. 33, T2N, R13E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to Municipal. 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) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

May 30, 2023

VIA E-MAIL

### Applicant

DESIGN LLC

1600 AMPHITHEATRE PARKWAY

MOUNTAIN VIEW, CA 94043

Reference: Water Right Transfer Application T-13904

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13904. ~~Error! Reference source not found.~~ The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by [insert 30-day due date here].

### *Required items needing your immediate attention:*

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. Respond in writing by MONTH, DAY, YEAR, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. 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.

### Conditions of your water right...

The Watermaster has required water measurement devices at the new diversion points prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.

Please note the proposed date by which all conditions must be met: October 1, 2044. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. Please let me know by the comment deadline if you will need more time and explain the reasons why.



**What happens next...**

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation and 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.

Issuance of the Preliminary Determination will occur shortly after we receive:

- Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and

**If we do not receive the items listed above by [insert 30 day due date here], a Preliminary Determination may be issued denying the application as incomplete.**

Please don't hesitate to contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov) if I may be of assistance.

Sincerely,

*Arla L Davis*

Arla L Davis  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-13904  
Robert L. Wood, District 3 Watermaster *(via e-mail)*  
Kim Grigsby, Agent for the applicant *(via e-mail)*

encs



STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **142258**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: EST Water Solutions Inc.

BY: \_\_\_\_\_

CASH: ☐ CHECK: # 26546 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER T-13904

TOTAL REC'D \$ 306.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 46118 \$ \_\_\_\_\_  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 306.00

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

**4270 WRD OPERATING ACCT**

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ \_\_\_\_\_ RECORD FEE \$ \_\_\_\_\_  
0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ \_\_\_\_\_

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ \_\_\_\_\_ LICENSE FEE \$ \_\_\_\_\_  
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 \$ \_\_\_\_\_

RECEIPT: **142258**

DATED: 1-18-2024 BY: [Signature]

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

GSI WATER SOLUTIONS INC

Check Date: 1/11/2024

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
T-13904 Notice	1/11/2024	0023315	306.00			306.00
Oregon Water Resources Department			306.00			306.00
Beneficial Checking 1		00275				306.00
		TOTAL	306.00			

026546

RECEIVED  
JAN 18 2024  
OWPD



NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-13904

T-13904 filed by Design, LLC 1600 Amphitheatre Parkway, Mountain View, CA 94043, proposes changes in point of appropriation, places of use and character of use under Certificates 46835, 46836, 46839, and 82480. Certificate 46835 allows the use of 2.9 cubic feet per second from Well No. 1, in Sec. 28, T2N, R13E, WM for industrial use in Sec. 28, T2N, R13E, WM.

Under Certificate 46835, the applicant proposes to move the point of appropriation in Sec. 33, T2N, R33E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to municipal use. Certificate 46836 allows the use of 1.11 cubic feet per second from Well No. 1, in Sec. 28, T2N, R13E, WM for industrial use in Sec. 28, T2N, R13E, WM.

Under Certificate 46836, the applicant proposes to move the point of appropriation in Sec. 33, T2N, R33E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to municipal use. Certificate 46839 allows the use of 2.2 cubic feet per second from Well No. 4-A, in Sec. 28, T2N, R13E, WM for industrial use in Sec. 28, T2N, R13E, WM.

Under Certificate 46839, the applicant proposes to move the point of appropriation in Sec. 33, T2N, R33E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to municipal use. Certificate 82480 allows the use of 1.2 cubic feet per second from Well 3 and Well 4, in Sec. 28, T2N, R13E, WM for industrial use in Secs. 28 and 33, T2N, R13E, WM.

Under Certificate 82480, the applicant proposes to move the points of appropriation in Sec. 33, T2N, R33E, WM and to change the place of use to The City of the Dalles Service Area and to change the character of use to municipal use. 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, February 7, 2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Jan. 31, Feb. 7, 2024  
#9831

# Affidavit of Publication

STATE OF OREGON, { SS

County of Wasco

Received

FEB 22 2024

Received

FEB 22 2024

OWRD

OWRD

I, Chelsea Marr, being first duly sworn, depose and say that I am the Publisher of the Columbia Gorge News, a newspaper of general circulation, printed in Salem, Oregon and published in the aforesaid state and county of Wasco; that I know from my personal knowledge that the **Public Notice T-13904**, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for each of two consecutive weeks in the following issues:

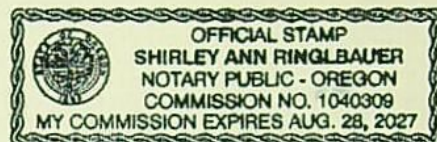
January 31, February 7, 2024

Subscribed and sworn to before me this 7th day of February 2024

Notary Public for Oregon

My commission expires

8-28-27





# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13904

Review Due Date: 03/06/2022

Applicant Name: Design LLC

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

Reviewer(s): R Wood

Date of Review: 02/14/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:  
The source is groundwater. The area in and around The Dalles is a Critical Groundwater Area. Monitoring and reporting water use for these rights has been required since the 1960's approximately.
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:  
To date, regulation of other water rights has not been necessary. However, the use of these rights up to the full legal rate requested could lead to groundwater level declines.
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:

This transfer would add two new POA's and change the use from general industrial to municipal use. Layering of water rights is not an issue, but the increased use from groundwater could cause groundwater level declines in the critical area.

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:



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

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☐ No If "Yes", explain:



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

☒ Yes ☐ No If "Yes", explain:

Increased use under these rights could lead to groundwater level declines in the critical area.

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

Additional monitoring will be required to make sure this change doesn't adversely impact the groundwater resource in the critical area. In addition to installation of flow meters, I would recommend monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes should be required. The watermaster should have access to collect this data. This is consistent with the critical area order which requires monthly reporting.

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir  
☐ Parshall Flume  
☐ Other: \_\_\_\_\_

☐ Submerged Orifice  
☐ Flow Restrictor



## Groundwater Transfer Review Summary Form

Transfer/PA # T- 13904

GW Reviewer Phillip I. Marcy Date Review Completed: 05/18/2022

### Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

### Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

### Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

*This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.*





Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271  
(503) 986-0900  
www.wrd.state.or.us

## Ground Water Review Form:

- ☐ Water Right Transfer  
☐ Permit Amendment  
☐ GR Modification  
☐ Other

Application: T-13904

Applicant Name: Design LLC

Proposed Changes: ☒ POA ☒ APOA ☐ SW→GW ☒ RA  
☒ USE ☒ POU ☐ OTHER

Reviewer(s): Phillip I. Marcy

Date of Review: 05/18/2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 11/21/22

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other \_\_\_\_\_

1. Basic description of the changes proposed in this transfer: The applicant is filing on behalf of the City of The Dalles to change the place of use and character of use, changing the point of appropriation in addition to adding a point of appropriation (APOA) for Certificates 46835, 46836, and 46839, and for a 0.4 cfs portion of Certificate 82480. The applicant is requesting to change the character (USE) and place of use (POU) for municipal distribution in the City of The Dalles service area. All rights subject to transfer are currently authorized for Industrial/Manufacturing uses owned by Martin Marietta Aluminum Inc., which no longer operates the plant at this location.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
☒ Yes ☐ No Comments: All proposed wells and currently authorized wells develop from interflow zones within the Columbia River Basalt Group (CRBG), specifically within the Sand Hollow Unit of the Wanapum Formation.
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
☐ Yes ☒ No All rights develop from basalt.
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA

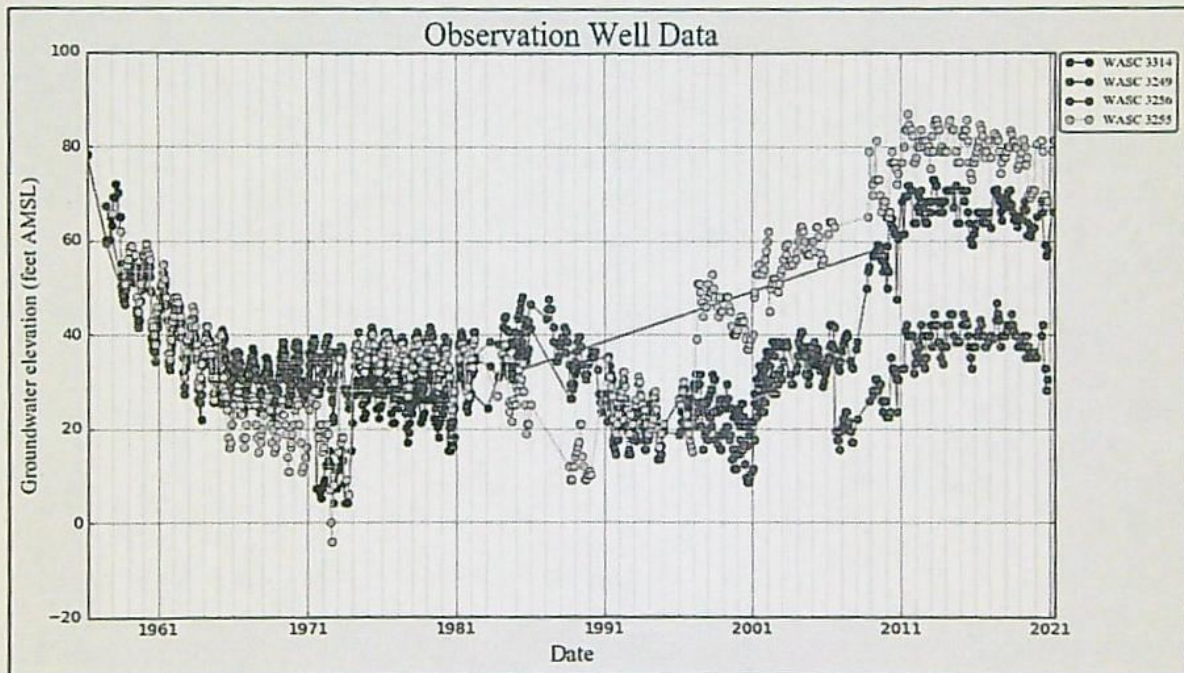


4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?  
☒ Yes ☐ No Comments: Proposed APOA locations are not significantly closer than WASC 3255 or WASC 3256 to any other right, but are 500' (Well 7) and 850' (Well 6) closer to WASC 3314 than WASC 3249, authorized under Certificate 46839.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?  
☐ Yes ☒ No If yes, explain: NA
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?  
☐ Yes ☒ No Comments: The proposed POA location is not closer to any nearby surface water source than the currently authorized POA. Groundwater present within CRBG is typically limited to the porous interflow zones between dense flow interiors. These dense flow interiors generally have very low permeability and provide considerable confinement where extensive faulting or incision by nearby streams have not occurred. In the case of the applicant's well, the targeted water-bearing zone extends beneath the Columbia River to the north and is not incised by local surface water drainages.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?  
Stream: \_\_\_\_\_ ☐ Minimal ☐ Significant  
Stream: \_\_\_\_\_ ☐ Minimal ☐ Significant  
Provide context for minimal/significant impact: NA
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?  
☐ Yes ☐ No Comments: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: The proposed POA lies within The Dalles Critical Groundwater Area, as do the currently authorized POA wells. If a transfer is approved, any POA well is required to have a totalizing flowmeter and control valve installed on the discharge line before any groundwater use takes place. In addition, the water right holder is required to maintain a monthly record of groundwater withdrawal from the well, with a copy of these records to be furnished to the Department within 30 days from the close of each calendar year. The completed well must maintain measurement access by installation of a dedicated measuring tube.



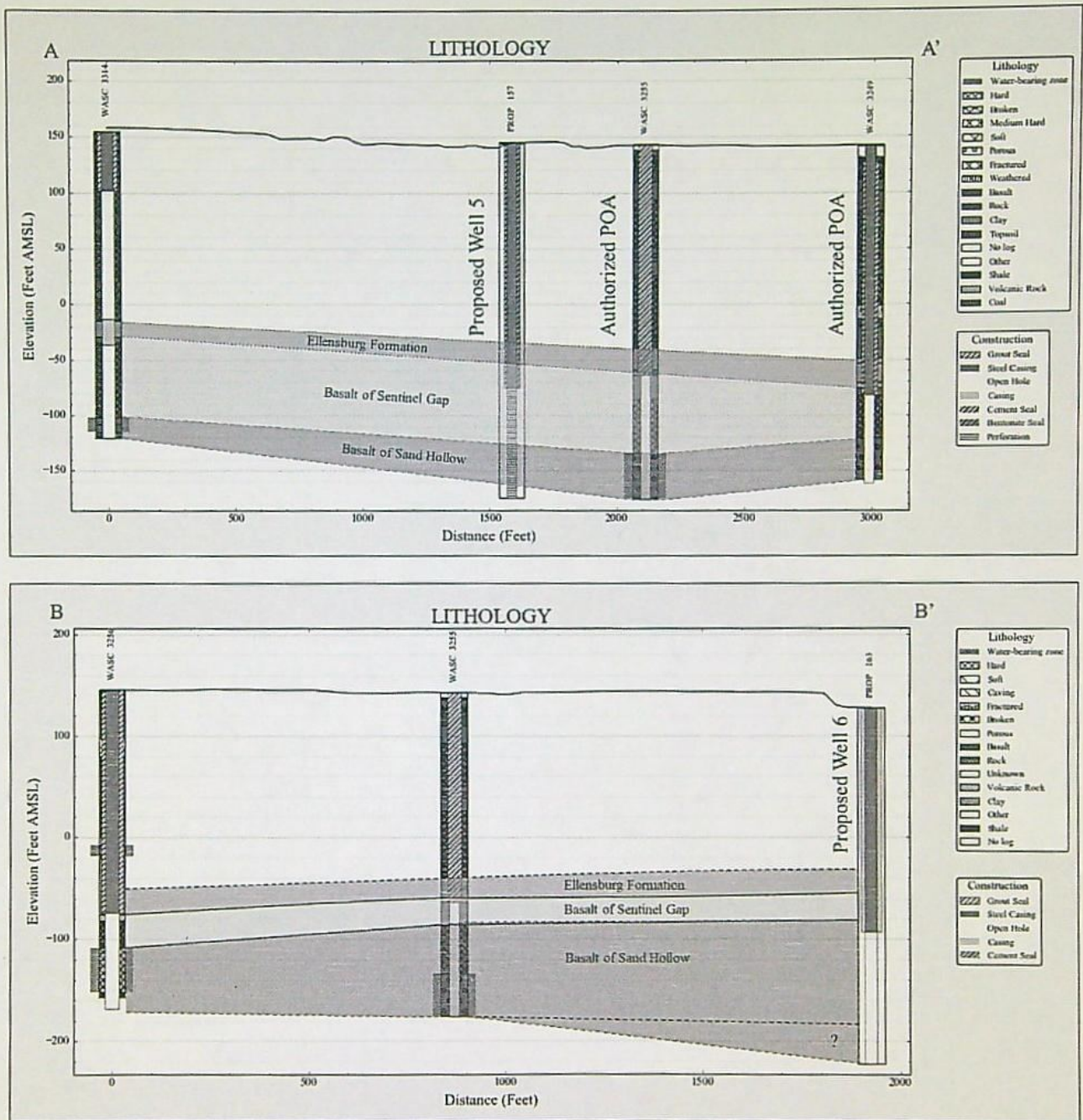
8. Any additional comments: Based on the high conductivity of CRBG interflow zones, the degree of interference experienced by neighboring wells is not anticipated to change significantly as a result of the proposed changes to the geographic distribution of pumping within the same aquifer system.

The proposed change in use is of concern, lying within The Dalles Pool portion of The Dalles Critical Area. Specifically, the concern is rooted in the fact that water rights previously utilized by the aluminum plant have seen little use for several years, dramatically reducing pumpage since 2008. This reduction in groundwater pumping coincides with a marked uptick in groundwater levels since this time (see hydrograph below). The outcome of the transfer proposed herein is anticipated to result in increased groundwater pumping from the Dalles Pool subarea and water levels should be closely monitored going forward to ensure protection of the resource.



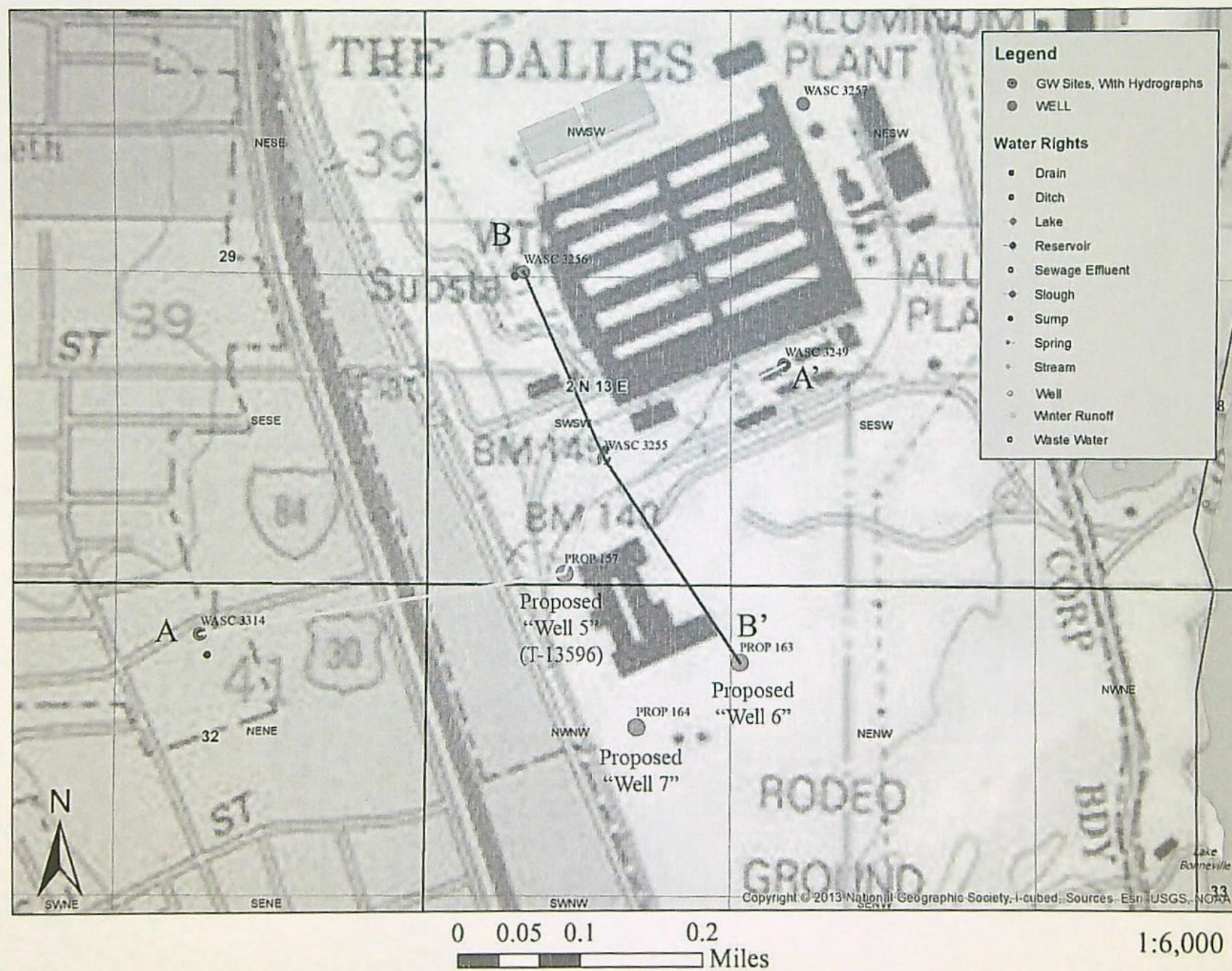
Hydrograph displaying groundwater elevations of observation wells producing from "The Dalles Pool", as described in the order establishing The Dalles Critical Groundwater Area. An uptick of elevations appears to coincide with diminished pumping beginning in 2008.





Wells accessing "The Dalles Pool" typically target the interflow zone constituting the upper portion of the Basalt of Sand Hollow and bottom of the Basalt of Sentinel Gap. Proposed construction of APOA wells is intended to target the same water-bearing zones as existing wells.







## SMITH Tamera L \* WRD

---

**From:** Kim Grigsby <kgrigsby@gsiws.com>  
**Sent:** Thursday, April 7, 2022 4:41 PM  
**To:** SMITH Tamera L \* WRD  
**Cc:** Adam Sussman; Zach Pike-Urlacher  
**Subject:** RE: T-13904 Table 2 Certificate 46836  
**Attachments:** Revised page 11 of 19.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Tamera,

Yes, you are correct. That page had a typo in the certificate number. Page 11 should have referred to Certificate 46836. Please find a corrected page attached.

Kim

### **Kimberly Grigsby**

#### **Principal Water Resources Consultant**

direct: 541.257.9004 | mobile: 503.351.1912

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

GSI Water Solutions, Inc. | [www.gsiws.com](http://www.gsiws.com)

pronouns: she, her

Please note: GSI is open for business, although most of us are working remotely. I'm available by phone or email, as always.

---

**From:** SMITH Tamera L \* WRD [mailto:Tamera.L.SMITH@water.oregon.gov]  
**Sent:** Thursday, April 7, 2022 10:53 AM  
**To:** Kim Grigsby <kgrigsby@gsiws.com>  
**Subject:** T-13904 Table 2 Certificate 46836

Good morning Kim,

It appears there may be a typo on Table 2 for Certificate 46836. The identifier at the top of the page (Page 11 of 19) lists Certificate # 46835. Can you verify that this page is actually for Certificate 46836?

Thank you for taking a look, Tamera

TAMERA SMITH PLEASE NOTE NEW EMAIL: [tamera.l.smith@water.oregon.gov](mailto:tamera.l.smith@water.oregon.gov)  
REIMBURSEMENT AUTHORITY (EXPEDITED PROGRAM) TRANSFER CASEWORKER  
725 Summer St. NE, Suite A | Salem, Oregon 97301 | PLEASE NOTE NEW PHONE: 503-979-9607



OREGON  
WATER  
RESOURCES  
DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking



STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **137387**

INVOICE # \_\_\_\_\_

RECEIVED FROM: GSI Water Solutions, Inc.

BY: \_\_\_\_\_

CASH: ☐ CHECK: # 24323 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

APPLICATION \_\_\_\_\_  
PERMIT \_\_\_\_\_  
TRANSFER 1-13904

TOTAL REC'D \$8,720.00

**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 4610  
0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$

WATER RIGHTS:  
0201 SURFACE WATER \$ EXAM FEE 0202 \$ RECORD FEE  
0203 GROUND WATER \$ 0204 \$  
0205 TRANSFER \$ 8720.00  
WELL CONSTRUCTION  
0218 WELL DRILL CONSTRUCTOR \$ EXAM FEE 0219 \$ LICENSE FEE  
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 (FWWRD) \$  
0231 HYDRO LICENSE FEE (FWWRD) \$  
HYDRO APPLICATION \$

**TREASURY OTHER / RDX**

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

RECEIPT: **137387**

DATED: 1-31-2022

BY: Mindy Carl

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

GSI WATER SOLUTIONS, INC.

Check Date: 1/19/2022

024323

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Transf App 1/19/22	1/19/2022	0019415	8,720.00			8,720.00
Oregon Water Resources Department						
Key Bank 8460 - GSI Water	10	00245	8,720.00			8,720.00
		TOTAL	8,720.00			

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# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist

OREGON



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

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). Check enclosed in amount of \$8,720.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 4 List them here: Certificates 46835, 46836, 46839 and 82480  
(Attachment A)

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

**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

### Attachments:

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

(For Staff Use Only)

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

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

Revised 7

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_

503-

Date: \_\_\_\_\_

/ /

TACS



## Part 2 of 5 – Transfer Application Map

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see [http://apps.wrd.state.or.us/apps/wr/cwre\\_license\\_view/](http://apps.wrd.state.or.us/apps/wr/cwre_license_view/). CWRE stamp and signature are not required for substitutions.
- ☒ ☐ N/A If more than three water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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## FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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1. For irrigation calculate cfs for each water right involved as follows:

- FEE WORKSHEET for SUBSTITUTION



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Design, LLC</b>		PHONE NO. <b>650-214-1176</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1600 Amphitheatre Parkway</b>		FAX NO.	
CITY <b>Mountain View</b>	STATE <b>CA</b>	ZIP <b>94043</b>	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 <b>GSI Water Solutions, Inc. Attn: Kimberly Grigsby</b>		PHONE NO. <b>541-257-9004</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1600 SW Western Blvd., Suite 240</b>		FAX NO.	
CITY <b>Corvallis</b>	STATE <b>OR</b>	ZIP <b>97333</b>	E-MAIL <b>kgrigsby@gsiws.com</b>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**The Applicant, for the benefit of the City of the Dalles, is proposing to change the place of use, character of use, and point of appropriation, as well as add a point of appropriation for Certificates 46835, 46836, and 46839, and for a 0.4 cfs portion of Certificate 82480. The Applicant is requesting to change the character of use to municipal use for the benefit of the City of the Dalles, and to change the place of use to the City of the Dalles service area.**

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

### Check One Box

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

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**JAN 31 2022**

**OWRD**



By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: The Dalles Chronicle.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

Executed by:  
Patrick Gammons  
AD40781612647C

Applicant signature

Patrick Gammons, Authorized Signatory

Print Name (and Title if applicable) Date

1/18/2022

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\* (See Attachment D)

\*If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

- ☐ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☒ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

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

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

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

IRRIGATION DISTRICT NAME <b>N/A</b>	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME <b>N/A</b>	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>The Dalles Community Development</b>	ADDRESS <b>313 Court Street</b>	
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>

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**JAN 31 2022**

**OWRD**



## 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 # **46835**

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### Description of Water Delivery System

**JAN 31 2022**

System capacity: **4.5 (2.90 under this water right)** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

**OWRD**

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW	SW	DLC 39	1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 46835**

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						
<b>EXAMPLE</b>																										
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
													POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)							Municipal	Well 6, Well 7	9/7/1956			
TOTAL ACRES:														TOTAL ACRES:							N/A					

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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 – Certificates 82480, 46838, 46836, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46835 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Attachment E)

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](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 complete d well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specit rate (cfs or gpm). If less than full rat of water rig
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



## 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 # **46836**

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### Description of Water Delivery System

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System capacity: **4.5 (1.11 under this water right)** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW	SW	DLC 41	1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 46836**

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		
										POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)						Municipal	Well 6, Well 7	8/19/1957			
TOTAL ACRES:												TOTAL ACRES:						N/A				

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

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Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

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.

[illegible]

TACS



**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 – Certificates 82480, 46838, 46835, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46836 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. **(Attachment E)**

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](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

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

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L- _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



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## Part 5 of 5 – Water Right Information

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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 # 46839

## Description of Water Delivery System

System capacity: 2.2 (1.60 under this water right) 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. Water is pumped from Well 4 using a 60 Hp submersible pump. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE	SW	DLC 39	970 feet North and 1080 feet West from the South ¼ Corner of Section 28
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

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.



Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

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.

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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 – Certificates 82480, 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. **(Attachment E)**

**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](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

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

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



## 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 # **82480**

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### Description of Water Delivery System

System capacity: **5.02 (1.2 under this water right)** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from Wells 3 and 4 using a 100 Hp line shaft turbine pump, and a 60 Hp submersible pump, respectively. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3255	2	N	13	E	28	SW	SW	700	300 feet South and 1820 feet West from the SE Corner of DLC 39
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE	SW	DLC 39	60 feet North and 1040 feet West from the SE corner of DLC 39
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)     |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA)     |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                           |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                  |

Will all of the proposed changes affect the entire water right?

- ☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☒ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 82480**

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						
<b>EXAMPLE</b>																										
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
2	N	13	E	28	NE	SW	705	DLC 39		Industrial Wells 3 & 4	8/19/1957	POA/POU/ USE	City of the Dalles Service Area (See Attachment B – Application Maps)					Municipal	Well 6, Well 7	8/19/1957						
2	N	13	E	28	NE	SW	1000	DLC 39																		
2	N	13	E	28	NE	SW	700	DLC 39																		
2	N	13	E	28	NW	SW	700	DLC 39																		
2	N	13	E	28	SW	SW	700	DLC 41																		
2	N	13	E	28	SW	SW	1100	DLC 41																		
2	N	13	E	28	SE	SW	700	DLC 39																		
2	N	13	E	28	SE	SW	700	DLC 41																		
2	N	13	E	28	SE	SW	700	GL 6																		

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[illegible]

Additional remarks: Certificate 82480 authorizes the use of up to 1.2 cfs for industrial use. This transfer proposes to change a 0.4 cfs portion of the water right. The proposed changes would affect this portion of the right for the entire place of use for Certificate 82480. (The Applicant has submitted another water right transfer application for the remaining 0.8 portion of Certificate 82480.) The authorized place of use is described in the Specific-to-General Industrial Use Change notice that was acknowledged by OWRD on July 29, 2010. The Applicant has obtained quit claim deeds from Lockheed Martin Corp. and The Dalles Industrial Group for all the portions of the certificates that are appurtenant to tax lots 1000 and 705. Hydro Extrusion USA, LLC also owns a portion of the authorized place of use (tax lot 1100) and has provided a consent to transfer this water right. (See Attachment D).

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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 – **Certificates 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.**

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

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. **(Attachment E)**

**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](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.	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



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Attachment A  
Water Right Certificates 46835, 46836, 46839 and 82480,  
and Notice of Change from Specific to General  
Application for a Water Right Transfer – Design, LLC



## STATE OF OREGON

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MARTIN MARIETTA ALUMINUM INC.

of P.O. Box 711, The Dalles, State of Oregon, 97058 has made  
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
Well No. 1

a tributary of Columbia River  
industrial

for the purpose of

under Permit No. G-645 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  
August 19, 1957

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  
1.11 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well.  
The well is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Irvine DLC 39, Section 28,  
T. 2 N., R. 13 E., W. M., 1320 feet North and 2260 feet West from the S $\frac{1}{4}$  Corner,  
Section 28

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 ----- of one cubic foot per second  
per acre,

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:

SW $\frac{1}{4}$   
Section 28  
T. 2 N., R. 13 E., W. M.

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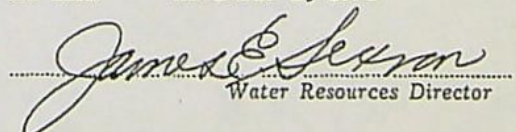
JAN 31 2022

OWRD

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

WITNESS the signature of the Water Resources Director, affixed

this date. November 2, 1978

  
Water Resources Director



## STATE OF OREGON

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MARTIN MARIETTA ALUMINUM INC.

of P.O. Box 711, The Dalles, State of Oregon, 97058, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of well

a tributary of Columbia River industrial

for the purpose of

under Permit No. G-338 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 September 7, 1956

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 2.9 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Irvine DLC 39, Section 28, T. 2 N., R. 13 E., W. M., 1320 feet North and 2260 feet West from the S $\frac{1}{4}$  Corner, Section 28

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 ----- of one cubic foot per second per acre,

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:

SW $\frac{1}{4}$   
Section 28  
T. 2 N., R. 13 E., W. M.

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JAN 31 2022

OWRD

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

WITNESS the signature of the Water Resources Director, affixed

this date. November 2, 1978

*James E. Saxon*  
Water Resources Director



## STATE OF OREGON

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MARTIN MARIETTA ALUMINUM INC.

of P.O. Box 711, The Dalles, State of Oregon, 97058, has made  
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
Well No. 4-A

a tributary of Columbia River  
industrial

for the purpose of

under Permit No. G-648 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  
August 19, 1957  
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  
1.6 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well.  
The well is located in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Irvine DLC 39, Section  
28, T. 2 N., R. 13 E., W. M., 970 feet North and 1080 feet West from the S $\frac{1}{4}$   
Corner, Section 28

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 ----- of one cubic foot per second  
per acre,

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:

SW $\frac{1}{4}$   
Section 28  
T. 2 N., R. 13 E., W. M.

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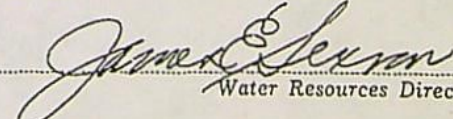
JAN 31 2022

OWRD

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

WITNESS the signature of the Water Resources Director, affixed

this date. November 2, 1978

  
Water Resources Director



This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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.

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

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JAN 31 2022

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THIS CERTIFICATE ISSUED TO

MARTIN MARIETTA CORP  
6801 ROCKLEDGE DRIVE  
BETHESDA, MARYLAND 20034

confirms the right to use the waters of WELL 3 AND WELL 4 in the COLUMBIA RIVER BASIN for the purpose of INDUSTRIAL USE.

The right has been perfected under Permit G-646. The date of priority is AUGUST 19, 1957. The right is limited to not more than 1.2 CUBIC FOOT PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 3: SW 1/4 SW 1/4, (DLC 41), SECTION 28, T 2 N, R 13 E, W.M.;  
300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER, DLC 39.

WELL 4: SE 1/4 SW 1/4, (DLC 39), SECTION 28, T 2 N, R 13 E, W.M.;  
60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER, DLC 39.

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

The quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 1.2 cubic foot per second.



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

SW 1/4  
SECTION 28  
TOWNSHIP 2 NORTH, RANGE 13 EAST, W.M.

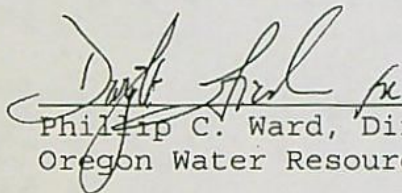
The diversion works shall include an access port, an in line flow meter, weir, or other suitable device for measuring the water to which the water user is entitled.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered MARCH 12, 1987, approving Transfer Application 5607, and supersedes Certificate 46837, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed

NOV 27 2006

  
Philip C. Ward, Director  
Oregon Water Resources Department

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Recorded in State Record of Water Right Certificates numbered 82480

T-5607.JWG



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

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This is a request under ORS 540.259(9)  
To include additional place of use

**540.520**

(9) A water right transfer under subsection (1) of this section is not required for a general industrial use that was not included in a water right certificate issued for a specific industrial use if:

(a) The quantity of water used for the general industrial use is not greater than the rate allowed in the original water right and not greater than the quantity of water diverted to satisfy the authorized specific use under the original water right;

There will be no increase beyond what is authorized in the water rights by the additional industrial land added to the water rights.

(b) The location where the water is to be used for general industrial use was owned by the holder of the original water right at the time the water right permit was issued;

The land involved here was all owned by different aluminum companies to operate an aluminum plant. Harvey Aluminum was the first company and the one that built the aluminum plant. The ownership changed to Martin Marietta Aluminum and then to Northwest Aluminum. See attached assessors maps and copies of deeds showing ownership when water rights were filed.

(c) The person who makes the change in water use provides the following information to the Water Resources Department:

(A) The name and mailing address of the person using water under the water right;

**Requesting Change:**

Northwest Aluminum (Golden Northwest Aluminum Holding Company)  
3313 West Second Street  
The Dalles, OR 97058

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JUL 08 2010

WATER RESOURCES DEPT  
SALEM, OREGON



Industrial land and use that is being added:  
Northwest Aluminum Specialty  
2929 West Second Street  
The Dalles, OR 97058

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(B) The water right certificate numbers;

Certificate 46840 Columbia River	Issue Date 3/16/1959
Certificate 46841 Columbia River	Issue Date 3/22/1962
Certificate 64506 Columbia River	Issue Date 4/24/1979
Certificate 46838 Well #3	Issue Date 10/25/1957
Transfer 5607, that portion dealing with Well #3	Issue Date 3/12/1987

(C) A description of the location of the industrial facility owned by the holder of the original water right at the time the water right permit was issued;

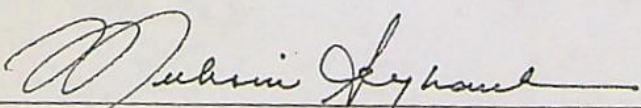
The water right describes the place of use as the SW ¼ of Section 28, T 2 N, R 13 E, WM. This could be further described as tax lot 700 on tax map 2N 13E Section 28.

Tax lot 1100 on tax map 2N 13E is the parcel being added under the 540.259(9) process.

See the attached maps that highlight all of the land originally owned by Harvey Aluminum when the water rights were filed.

(D) A description of the general industrial use to be made of the water after the change.

The water will be used for cooling of various processes, in the inline deburring process, fire suppression and for general plant use.

Signature 

Title COO, NORTHWEST ALUMINUM (GOLDEN NORTHWEST ALUMINUM HOLDING CO)

Date JUNE 24, 2010

RECEIVED

JUL 08 2010

WATER RESOURCES DEPT  
SALEM, OREGON





# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

July 26, 2010

Northwest Aluminum  
(Golden Northwest Aluminum Holding Company)  
3313 West Second Street  
The Dalles, OR 97058

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**JAN 31 2022**

**OWRD**

Reference: Certificates 46840, 46841, 64506, 46838 and Transfer T-5607

This will acknowledge receipt of your notice of a change from a specific to a general industrial use under the above referenced water rights.

It appears that you have complied with the notice requirements and criteria for this type of change as stated in ORS 540.520(9).

The Water Resources Department recognizes this change in use of the right and has added your letter to the water right files as documentation of the change.

Sincerely,

Sarah Henderson  
Executive Support

cc: Watermaster #3  
Files (S-32900, S-37388, S-58051, G-735, G-736, T-5607)



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**Attachment B**  
**Application Maps**

---

Application for a Water Right Transfer – Design, LLC





**LEGEND**

- ⊙ Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- ▨ Authorized Place of Use (POU)
- ▭ Tax Lot
- ▭ Donation Land Claim (DLC)
- ▭ Government Lot (GL)
- Railroad
- ~ Watercourse
- Waterbody

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**JAN 31 2022**

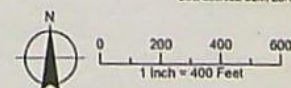
**OWRD**

**Application for Permanent Water Right Transfer  
 in the Name of Design, LLC, Certificate 46836**

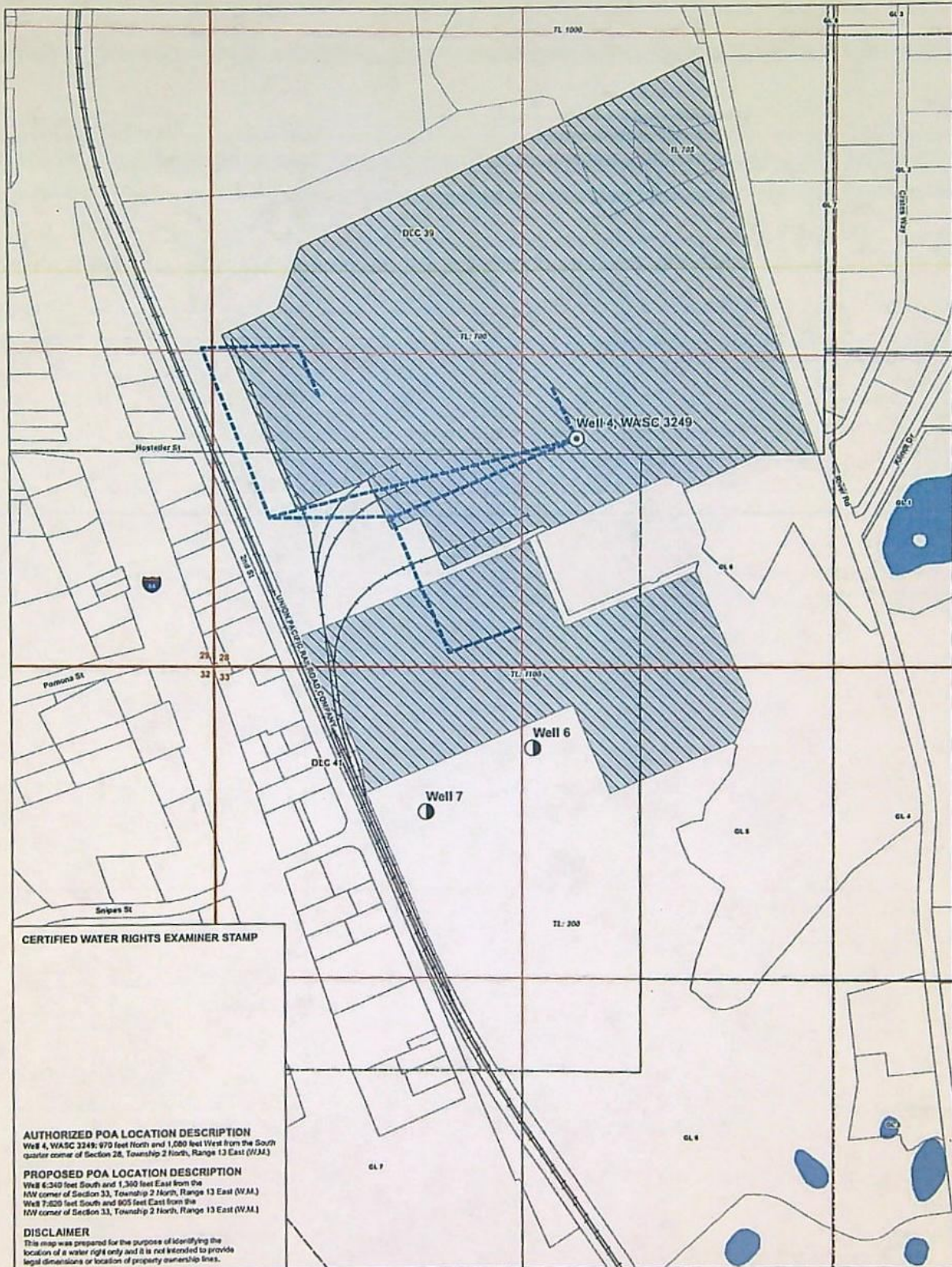
**Authorized and Proposed Points of Appropriation and Authorized Place of Use  
 Township 2 North, Range 13 East (W.M.)**

**MAP NOTES**

Date: December 18, 2021  
 Data Sources: BLM, ESRI, USGS, Walco Co, GIS







**CERTIFIED WATER RIGHTS EXAMINER STAMP**

**AUTHORIZED POA LOCATION DESCRIPTION**

Well 4, WASC 3249: 970 feet North and 1,080 feet West from the South quarter corner of Section 28, Township 2 North, Range 13 East (W.M.)

**PROPOSED POA LOCATION DESCRIPTION**

Well 6: 240 feet South and 1,300 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)  
Well 7: 620 feet South and 905 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)

**DISCLAIMER**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**LEGEND**

- ⊙ Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- ▨ Authorized Place of Use (POU)
- Tax Lot
- ▤ Donation Land Claim (DLC)
- ▦ Government Lot (GL)
- Railroad
- ~ Watercourse
- Waterbody

**Application for Permanent Water Right Transfer  
in the Name of Design, LLC, Certificate 46839**

**Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)**

**RECEIVED**

**JAN 31 2022**

**OWRD**

**MAP NOTES**

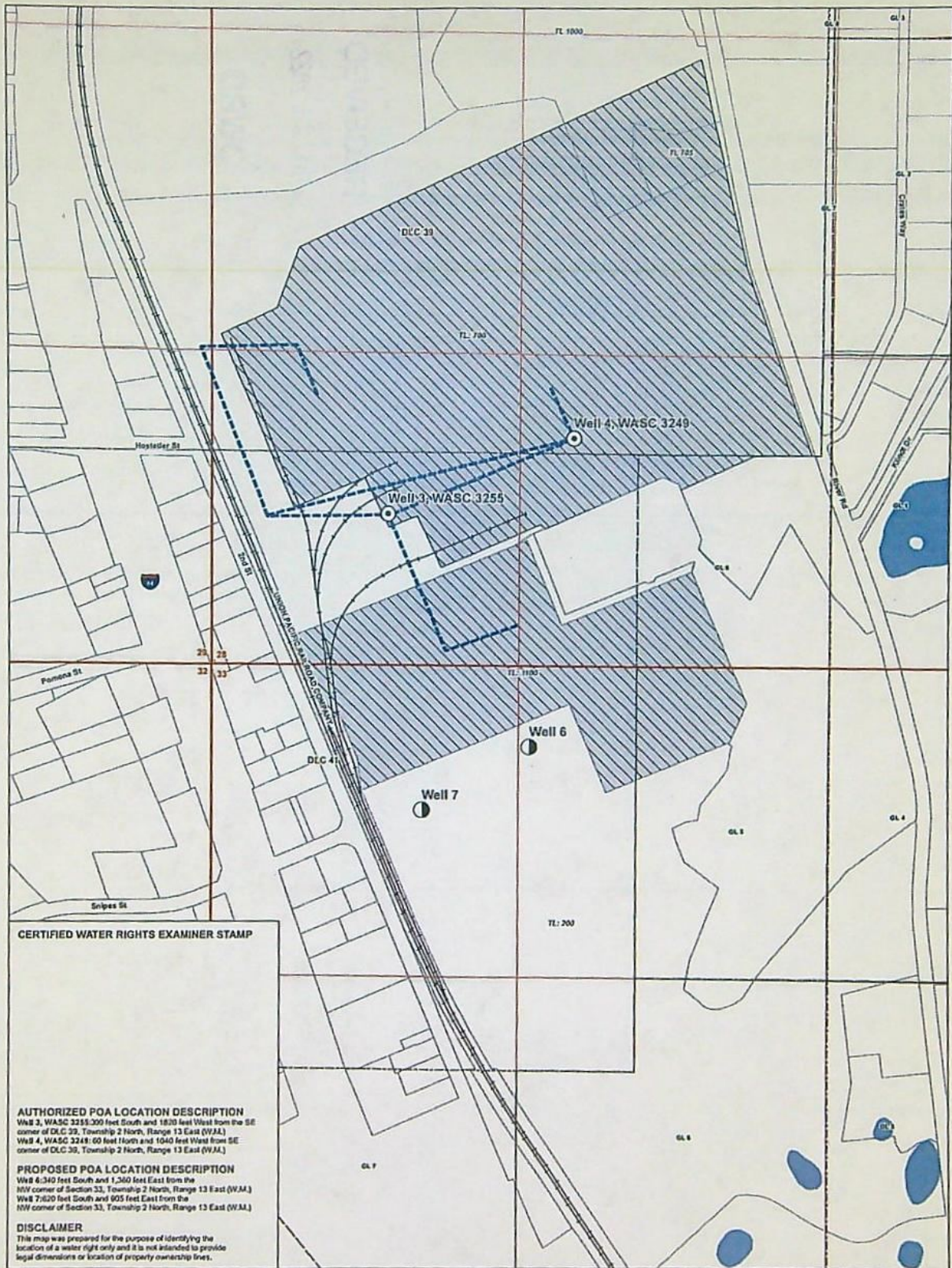
Date: December 18, 2021  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS



0 200 400 600  
1 inch = 400 Feet







**CERTIFIED WATER RIGHTS EXAMINER STAMP**

**AUTHORIZED POA LOCATION DESCRIPTION**  
 Well 3, WASC 3255: 200 feet South and 1800 feet West from the SE corner of DLC 39, Township 2 North, Range 13 East (W.M.)  
 Well 4, WASC 3249: 60 feet North and 1040 feet West from SE corner of DLC 39, Township 2 North, Range 13 East (W.M.)

**PROPOSED POA LOCATION DESCRIPTION**  
 Well 6: 340 feet South and 1,240 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)  
 Well 7: 620 feet South and 905 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)

**DISCLAIMER**  
 This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

- LEGEND**
- Authorized Point of Appropriation (POA)
  - Proposed Point of Appropriation (POA)
  - Conveyance
  - Authorized Place of Use (POU)
  - Tax Lot
  - Donation Land Claim (DLC)
  - Government Lot (GL)
  - Railroad
  - Watercourse
  - Waterbody

**Application for Permanent Water Right Transfer  
 in the Name of Design, LLC, Certificate 82480**

**Authorized and Proposed Points of Appropriation and Authorized Place of Use  
 Township 2 North, Range 13 East (W.M.)**

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**JAN 31 2022**

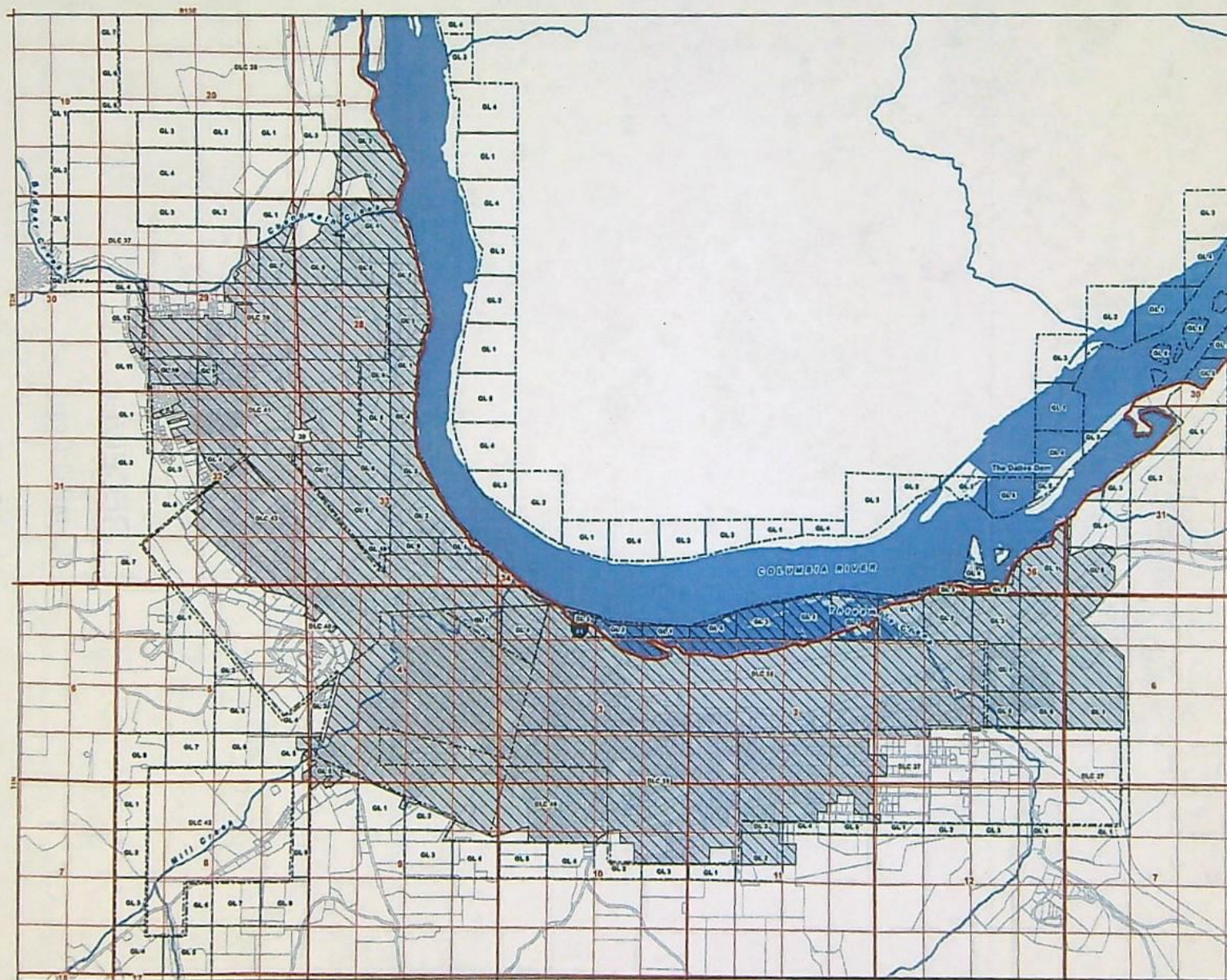


0 200 400 600  
 1 inch = 400 Feet

**MAP NOTES**  
 Date: December 16, 2021  
 Data Sources: BLM, ESRI, USGS, Waco Co, GIS







# Application for Permanent Water Right Transfer

in the Name of Design, LLC,  
Certificates 46835, 46836, 46839,  
and 82480, Proposed Place of Use

Townships 1 & 2 North, Ranges 13 & 14 East (W.M.)

## LEGEND

- Proposed Place of Use (POU)
- Government Lot (GL)
- Donation Land Claim (DLC)
- Tax Lot
- Watercourse
- Waterbody

CERTIFIED WATER RIGHTS EXAMINER STAMP

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## DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



0 1,320 2,640 3,960  
1 inch = 2,640 feet

## MAP NOTES

Date: January 12, 2021

Data Source: BLM, ESRI, USGS, Waco Co. GIS







# Application for Permanent Water Right Transfer

in the Name of Design, LLC,  
Certificates 46835, 46836, 46839,  
and 82480, Proposed Place of Use

Townships 1 & 2 North, Ranges 13 & 14 East (W.M.)

## LEGEND

- Proposed Place of Use (POU)
- Government Lot (GL)
- Donation Land Claim (DLC)
- Tax Lot
- Watercourse
- Waterbody

## CERTIFIED WATER RIGHTS EXAMINER STAMP



RENEWS: 12-31-2022

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## DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



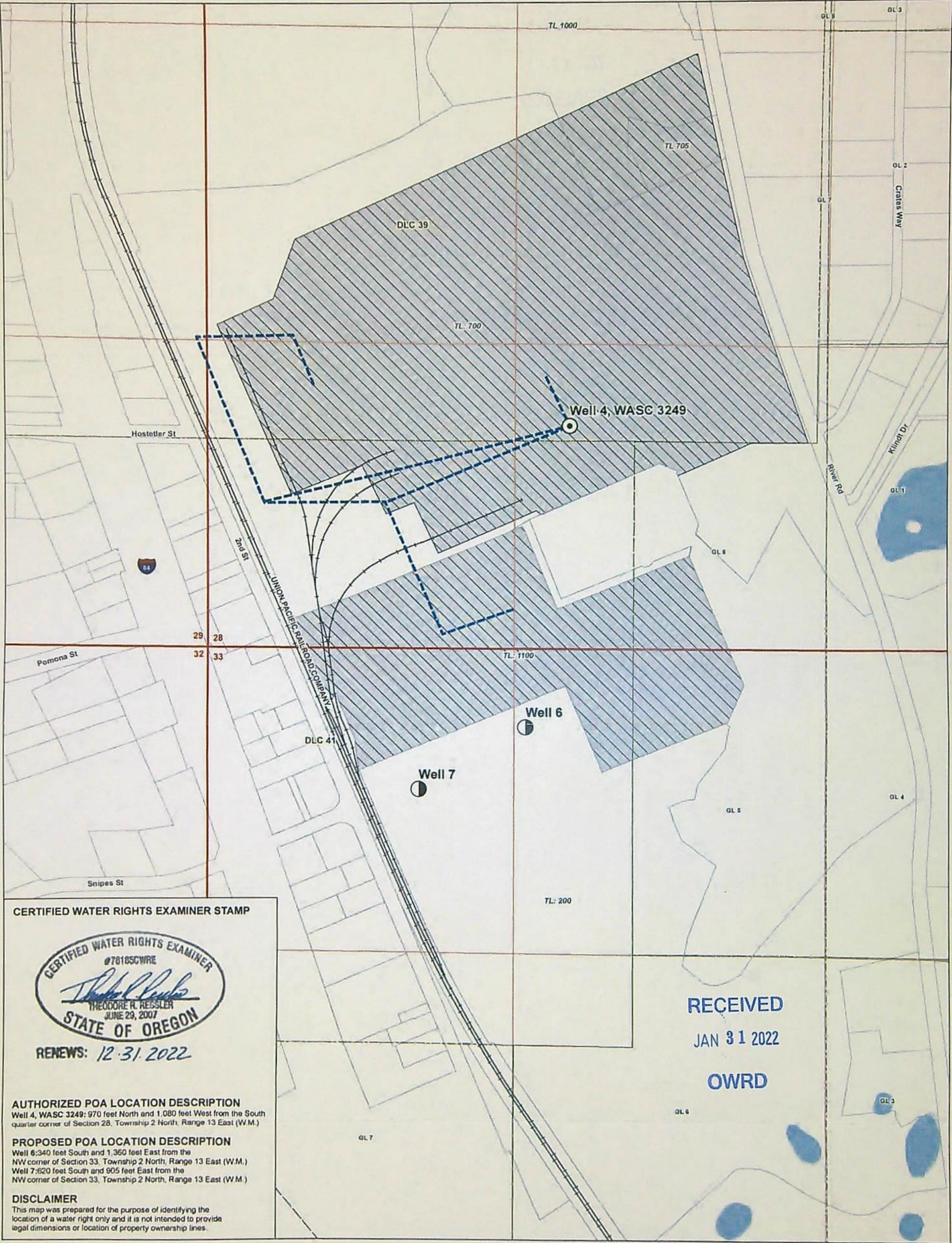
0 1,320 2,640 3,960  
1 inch = 2,640 feet

## MAP NOTES

Date: January 12, 2021  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS







**LEGEND**

- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- Watercourse
- Waterbody

**Application for Permanent Water Right Transfer**  
**in the Name of Design, LLC, Certificate 46839**

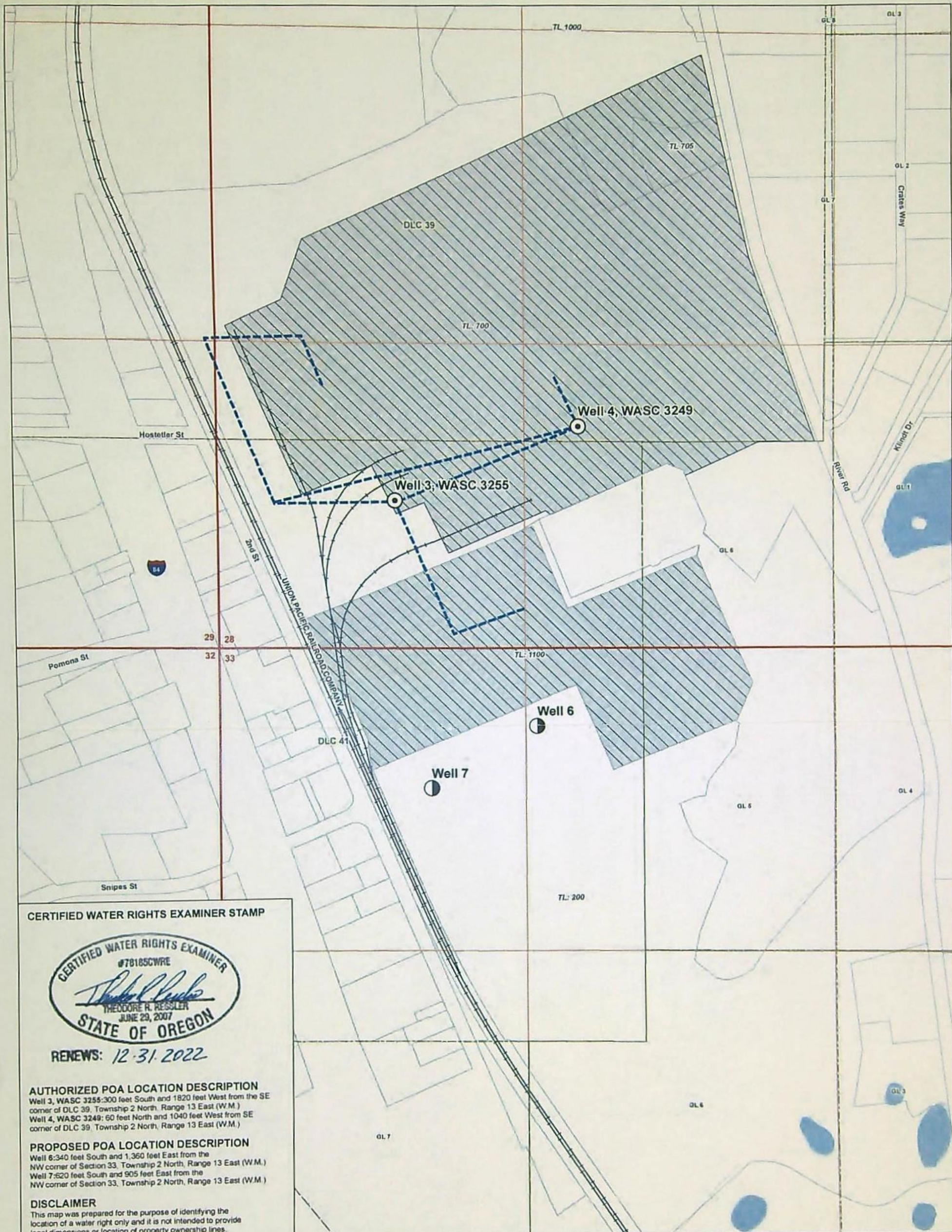
**Authorized and Proposed Points of Appropriation and Authorized Place of Use**  
Township 2 North, Range 13 East (W.M.)

**MAP NOTES**  
Date: December 16, 2021  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS

**GSI**  
Water Solutions, Inc.

**1 Inch = 400 Feet**





#### LEGEND

- ⊙ Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- ▨ Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- Watercourse
- Waterbody

#### Application for Permanent Water Right Transfer in the Name of Design, LLC, Certificate 82480

Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)

RECEIVED

JAN 31 2022

OWRD



0 200 400 600  
1 Inch = 400 Feet

#### MAP NOTES

Date: December 16, 2021  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS







**LEGEND**

- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- Watercourse
- Waterbody

**Application for Permanent Water Right Transfer  
in the Name of Design, LLC, Certificate 46835**

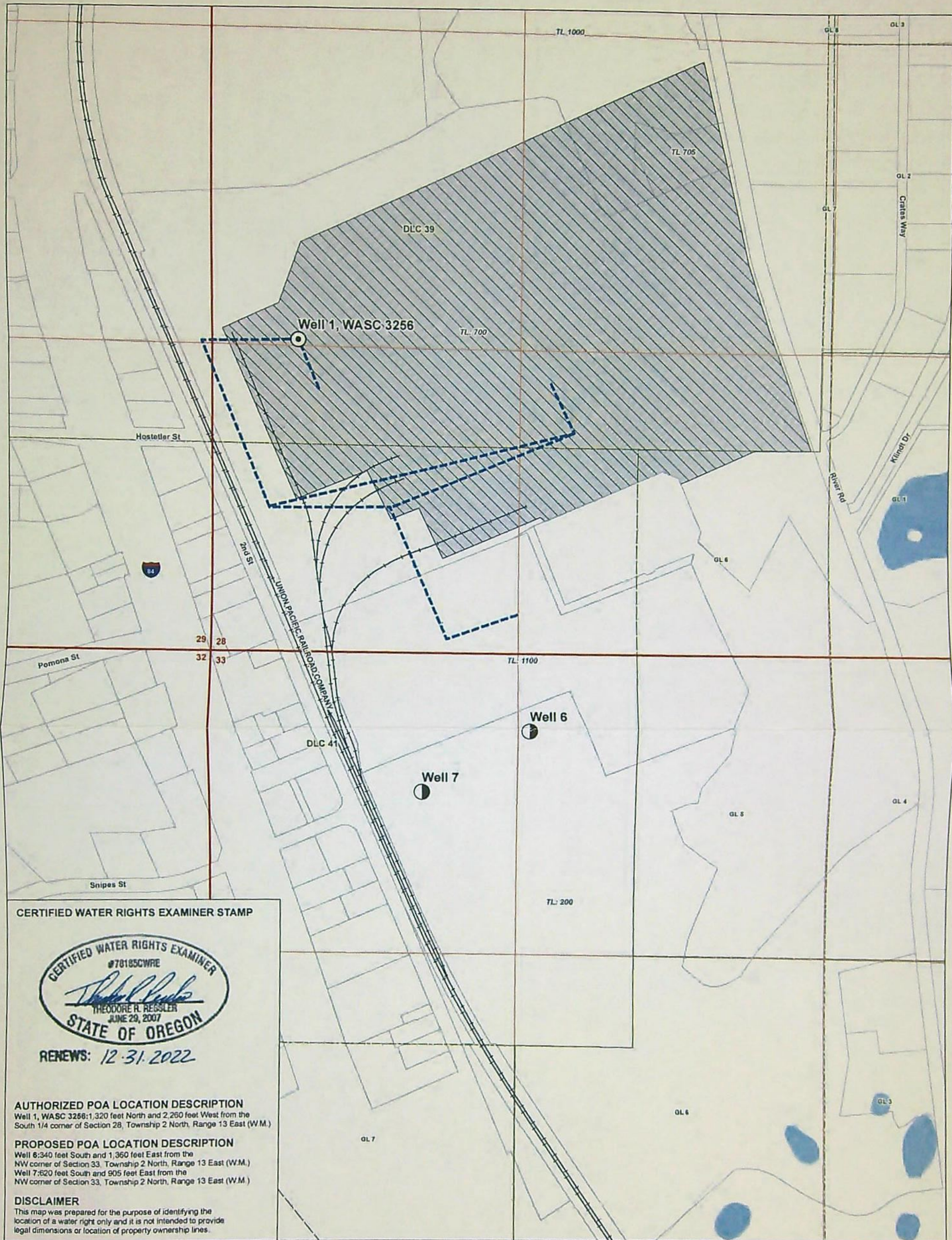
**Authorized and Proposed Points of Appropriation and Authorized Place of Use**  
Township 2 North, Range 13 East (W.M.)

**MAP NOTES**  
Date: December 16, 2021  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS

**GSI**  
Water Solutions, Inc.

0 200 400 600  
1 Inch = 400 Feet





**CERTIFIED WATER RIGHTS EXAMINER STAMP**



RENEWS: 12-31-2022

**AUTHORIZED POA LOCATION DESCRIPTION**

Well 1, WASC 3256: 1,320 feet North and 2,260 feet West from the South 1/4 corner of Section 28, Township 2 North, Range 13 East (W.M.)

**PROPOSED POA LOCATION DESCRIPTION**

Well 6: 340 feet South and 1,360 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)  
Well 7: 620 feet South and 905 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)

**DISCLAIMER**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**LEGEND**

- ⊙ Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- ▨ Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- ~ Watercourse
- Waterbody

**Application for Permanent Water Right Transfer  
in the Name of Design, LLC, Certificate 46836**

**Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)**

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**MAP NOTES**

Date: December 16, 2021

Data Sources: BLM, ESRI, USGS, Wasco Co. GIS



0 200 400 600  
1 Inch = 400 Feet





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Attachment C  
Evidence of Use Affidavits  
Application for a Water Right Transfer – Design, LLC

---



Attachment D  
Quit Claim Deeds and Affidavit of Consent  
Application for a Water Right Transfer – Design, LLC

---



**After Recording, Return To:**

Stoel Rives LLP  
Attn: Virginia M. Pedreira  
600 University Street, Suite 3600  
Seattle, WA 98101

**Until A Change Is Requested,  
Send All Tax Statements To:**

No change

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Space above reserved for recorder

**QUITCLAIM DEED**

**THE DALLES INDUSTRIAL GROUP LLC**, an Oregon limited liability company ("**Grantor**"), releases and quitclaims to **DESIGN, LLC**, a Delaware limited liability company ("**Grantee**"), all rights, title and interest in and to the portions of Water Right Certificate Nos. 46835, 46836, 46838, 46839, 46840, 46841, 64506 and 82480 that are described in such certificate as being appurtenant to the real property in Wasco County, Oregon described on attached **Exhibit A** (the "**Subject Lands**").

The true consideration for this conveyance is other value acknowledged and received.

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,



Exhibit A

**Description of Subject Lands**

PARCEL 1 OF PARTITION PLAT NUMBER 2017-0013 RECORDED OCTOBER 26, 2017 UNDER MICROFILM NO. 2017-004255, RECORDS OF WASCO COUNTY, STATE OF OREGON. BEING A REPLAT OF PARCELS 2 AND 3, PARTITION PLAT 91-0016 AND PARCEL 1, PARTITION PLAT 2015-0015 LYING IN SECTION 28, TOWNSHIP 2 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, OREGON.

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**QUITCLAIM DEED**

105021435.3 0037371-00040

**EXHIBIT A**



After Recording, Return To:

Stoel Rives LLP  
Attn: Kirk B. Maag  
760 SW Ninth Avenue, Suite 3000  
Portland, OR 97205

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Until A Change Is Requested,  
Send All Tax Statements To:

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No change

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Space above reserved for recorder

### STATUTORY QUITCLAIM DEED REGARDING WATER RIGHT CERTIFICATES

**LOCKHEED MARTIN CORPORATION**, a Maryland corporation ("**Grantor**"), releases and quitclaims to **DESIGN, LLC**, a Delaware limited liability company ("**Grantee**"), all rights, title and interest in and to the portions of Water Right Certificate Nos. 46835, 46836, 46838, 46839, 46840, 46841, 64506 and 82480 that are described in such certificate as being appurtenant to the real property in Wasco County, Oregon described on attached **Exhibit A** (the "**Subject Lands**").

The true consideration for this conveyance is other value acknowledged and received.

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.

DATED this 11<sup>TH</sup> day of September, 2020.

By: LMC Properties, Inc. Attorney-In-Fact  
Under Irrevocable Power of Attorney  
Effective April 4, 2016

LOCKHEED MARTIN CORPORATION,  
a Maryland corporation

By: Thomas M Green  
Name: Thomas M Green  
Its: Director of Real Estate

STATE OF Maryland )  
County of Baltimore ) ss.

This record was acknowledged before me on September 11<sup>th</sup>, 2020, by Thomas M Green  
as Director of Real Estate of Lockheed Martin Corporation, a Maryland corporation, on behalf of the  
corporation.

Anita Newkirk  
Notary Public for Lockheed Martin Corporation  
My commission expires: June 02, 2024

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Anita Newkirk  
NOTARY PUBLIC  
BALTIMORE COUNTY  
MARYLAND  
MY COMMISSION EXPIRES June 02, 2024



Exhibit A

Description of Subject Lands

Lot 2 of NORTHWEST ALUMINUM SUBDIVISION, recorded December 6, 2017 under instrument Number 2017-004778, Wasco County, State of Oregon

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JAN 31 2022

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SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 20 day of May, 2020.

**THE DALLES INDUSTRIAL GROUP LLC,**  
an Oregon limited liability company

By: [Signature]  
Name: ERIK KERR  
Its: MEMBER MANAGER

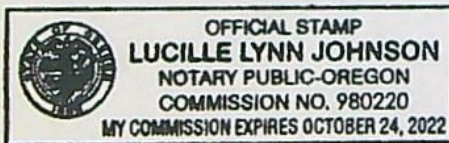
STATE OF Oregon )  
 ) ss.  
County of Wasco )

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**JAN 31 2022**

**OWRD**

This record was acknowledged before me on May 20, 2020, by Erik Kerr  
as Member/Mgr. of The Dalles Industrial Group LLC, an Oregon limited liability company,  
on behalf of the company.



Lucille Lynn Johnson  
Notary Public for Oregon  
My commission expires: 10/24/2022



Application for Water Right  
Transfer  
Consent by Deeded Landowner



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

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State of Illinois )  
 )ss  
County of Cook )

I Charles Straface in my capacity as  
President of Hydro Extension USA LLC,  
mailing address 6250 North River Road, Suite 5000, Rosemont, IL 60018, telephone  
number (847) 349-7230, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Numbers 46838 & 82480

described in a Transfer Application (T-      ) submitted by Design, LLC,  
(transfer number, if known)

on the property in tax lot number(s) 1100, Section 28 & 33, Township 2

North, Range 13 East, W.M., located at 2929 W 2<sup>nd</sup> St, The Dalles, OR 97058.  
(site address)

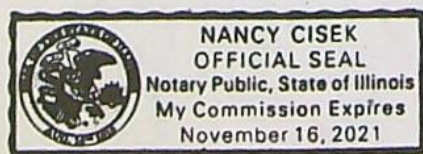
Charles Straface  
Signature of Affiant

01/05/21  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 5<sup>th</sup> day of January, 2021.



Nancy Cisek  
Notary Public for Illinois

My commission expires 11-16-2021.



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**JAN 31 2022**

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**Attachment E**  
**Land Use Information Form**  
**Application for a Water Right Transfer – Design, LLC**

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# Land Use Information Form



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

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## 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.



# Land Use Information Form



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

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Applicant(s): Design, LLC,

Mailing Address: 1600 Amphitheatre Parkway

City: Mountain View

State: CA

Zip Code: 94043

Daytime Phone: 650-214-1176

## 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:
City of The Dalles Service Area (See attached map)						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Municipal</u>
<u>2 N</u>	<u>13 E</u>	<u>33</u>	<u>SE</u>	<u>200</u>	Industrial Heavy	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Municipal</u>

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

The Dalles, OR

## 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: 6.01    ☒ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

Intended use of water: ☐ Irrigation    ☐ Commercial    ☐ Industrial    ☐ Domestic for \_\_\_\_\_ household(s)  
☒ Municipal    ☐ Quasi-Municipal    ☐ Instream    ☐ Other \_\_\_\_\_

Briefly describe:

The Applicant is proposing to change the points of appropriation, place of use, and character of use for Certificates 46835, 46836, 46839, and a 0.4 cfs portion of Certificate 82480 to allow use of groundwater for municipal purposes within the service area of the city of The Dalles.

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



## For Local Government Use Only

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

**Please check the appropriate box below and provide the requested information**

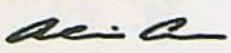
☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JAN 31 2022	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

**The approval of this Land Use Compatibility form does not grant approval of any development on the subject property, besides the water well(s).**

Name: Alice Cannon Title: Community Dev. Director  
 Signature:  Phone: 503-296-5481, ext 1151 Date: January 20, 2022  
 Government Entity: City of The Dalles, Oregon

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



Well 1 – WASC 3256  
Well 3 – WASC 3255  
Well 4 – WASC 3249

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**Attachment F**  
**Well Logs**

---

Application for a Water Right Transfer – Design, LLC







STATE ENGINEER.

## Salem, Oregon

State Well No. 2N/13-28L(1)

County Wasco

Application No. G-735

# Well Log

Owner: Harvey Machine Co. Owner's No. 2-A

Driller: A. M. Janssen Drilling Co. Date Drilled June & July 1957

CHARACTER OF MATERIAL	(Feet below land surface)		Thickness (feet)
	From	To	
Basalt, hard gray	0	48	48
Soft interbed	48	65	17
Basalt, hard gray	65	71	6
Basalt, soft	71	75	4
Basalt, hard, gray crevice at 90'	75	103	28
Basalt, soft gray	103	108	5
Basalt, hard gray	108		
<del>Basalt, hard gray</del>	<del>111</del>	111	3
Rock caving	111	115	4
Rock, hard, gray, (sloping, very hard to maintain a straight <sup>hole</sup> <del>line</del> )	115	145	30
Lava, rock	145	153	8
Rock, black, water bearing	153	164	11
Basalt, hard, gray	164	166	2
Lava rock, black	166	198	32
Clay	198	221	23
Lava Rock	221	227	6
Basalt, hard gray	227	254	27
Hard and soft layers of lava rock water bearing	254	298	44
Basalt, hard, black	298	303	5



003255

MAR 3 1958

STATE OF OREGON

Ap. G-736

State Permit No. G-647

## (1) OWNER:

Name Harvey Aluminum Company  
Address The Dalles, OregonSTATE ENGINEER  
SALEM, OREGON

## (2) LOCATION OF WELL:

County Wasco Owner's number, if any— #3A  
R. F. D. or Street No.

Bearing and distance from section or subdivision corner

652 N. & 1840' W. from the 28/33 corner  
of Sect. 28, TWP 2N, Range 13E being with  
in the SW 1/4 of SW 1/4 of Sec. 28 TWP 2N Range  
13E bearing N 70° 04' W. Dist. 1952'

## (3) TYPE OF WORK (check):

New well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐  
abandonment, describe material and procedure in Item 11.

## (4) PROPOSED USE (check):

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

## (5) EQUIPMENT:

Rotary ☐  
Cable ☒  
Dug Well ☐

## (6) CASING INSTALLED:

Threaded ☐ Welded ☒

If gravel packed

FROM	ft. to	ft.	Diam.	Gage or Wall	Diameter of Bore	from ft.	to ft.
"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"

Type and size of shoe or well ring

Size of gravel:

Describe joint

## (7) PERFORATIONS:

Type of perforator used

SIZE	of perforations		in., length, by			in.		
FROM	ft. to	ft.	perf per foot			No. of rows		
10	10	11	21	22	23	21	22	23
	11	12	22	23	24	22	23	24
	12	13	23	24	25	23	24	25
	13	14	24	25	26	24	25	26
	14	15	25	26	27	25	26	27

## SCREENS:

Give Manufacturer's Name, Model No. and Size

## (8) CONSTRUCTION:

Was a surface sanitary seal provided? ☐ Yes ☒ No To what depth ft.Were any strata sealed against pollution? ☒ Yes ☐ NoIf yes, note depth of strata 207'FROM ft. to ft." Surface " 207' "

METHOD OF SEALING

Cementing Casing

## (9) WATER LEVELS:

Depth at which water was first found 35' ft.Standing level before perforating 77' ft.Standing level after perforating ft.

Log Accepted by:

[Signed] Harvey Aluminum 2-28, 1958by Charles C. Goff(10) WELL TESTS: OBSERVATION WELLWas a pump test made? ☒ Yes ☐ No If yes, by whom? DrillerYield: 1000 gal./min. with 2' 2" ft. draw down after 4 hrs.

" " " " "

Artesian flow g.p.m.Shut-in pressure lbs. per square inch.Bailer test g.p.m. with ft. drawdownTemperature of water Was a chemical analysis made? ☒ Yes ☐ NoWas electric log made of well? ☐ Yes ☒ No

## (11) WELL LOG:

Diameter of well, 10 inches.Total depth 319 ft. Depth of completed well 319 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

ft. to	ft.	
0 "	5 "	Rock Fill
5 "	15 "	Fractured Rock
15 "	17 "	Broken Rock
17 "	23 "	Hard Grade Basalt
23 "	33 "	Blue Shale Interbed
33 "	50 "	Black Basalt with layers clay
50 "	63 "	Hard Black Basalt
63 "	92 "	Hard grade Basalt
92 "	96 "	Black Basalt
96 "	98 "	Black Basalt
98 "	101 "	Black Basalt with trace quartz
101 "	104 "	Black Basalt
104 "	117 "	Black Basalt with Quartz
117 "	128 "	Hard Grade Basalt
128 "	172 "	Hard & Soft Layers Black Basalt
172 "	176 "	Broken Black Basalt
176 "	180 "	Hard grade Basalt
180 "	182 "	Black Rock
182 "	202 "	Blue Clay
202 "	207 "	Rock
207 "	229 "	Black Basalt
229 "	277 "	Black Basalt with Hard & soft L
277 "	318 "	Porous Black rock water bearing
318 "	319 "	Hard Gray Rock

Ground elevation at well site 132.80 feet above mean sea level.Work started Aug. 1 1957. Completed Dec. 31 1957

## Well Driller's Statement:

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

NAME A. M. Jannsen Drilling Company

(Person, firm, or corporation)

(Typed or printed)

Address 21075 S. W. Tualatin Valley HighwayDriller's well number Aloha, Oregon[Signed] Edward M. Jannsen

(Well Driller)

License No. 79 Dated January 3



L55  
WASC 3255

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JUL 31 1957

STATE ENGINEER  
SALEM, OREGON

March 15, 1957

GEOLOGIC LOG OF #1 WELL

HARVEY ALUMINUM - THE DALLES, OREGON

REPORT NO. 4

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242 ft. to 250 ft.	Hard gray rock
250 ft. to 255 ft.	Hard gray rock
255 ft. to 260 ft.	Hard gray rock
260 ft. to 262 ft.	Hard gray rock
262 ft. to 265 ft.	Hard gray rock
265 ft. to 268 ft.	Hard gray rock
268 ft. to 271 ft.	Hard gray rock
271 ft. to 274 ft.	Hard gray rock
274 ft. to 277 ft.	Hard gray rock
277 ft. to 279 ft.	Hard gray rock
279 ft. to 281 ft.	Hard gray rock
281 ft. to 284 ft.	Hard gray rock
284 ft. to 286 ft.	Hard gray rock
286 ft. to 288 ft.	Porous Blackrock (water bearing)
288 ft. to 294 ft.	Porous Blackrock (water bearing)
294 ft. to 296 ft.	Harder, but still water - brown color
296 ft. to 306 ft.	Porous Blackrock (water bearing very good)
306 ft. to 310 ft.	Rough black rock

*R. J. Norris*  
R. J. STRASSER DRILLING CO.



755  
WASC  
3255

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JUL 31 1957  
STATE ENGINEER  
SALEM, OREGON

February 1, 1957

GEOLOGIC LOG OF # 1 WELL  
HARVEY ALUMINUM - THE DALLES, OREGON  
REPORT NO. 4

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JAN 31 2022  
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166 ft. to 181 ft.	Medium hard rough black rock
181 ft. to 189 ft.	Hard gray rock
189 ft. to 205 ft.	Blue shale
205 ft. to 212 ft.	Conglomerate
212 ft. to 229 ft.	Medium hard brown rock
229 ft. to 242 ft.	Hard gray rock

O. J. Norris  
R. J. STRASSER DRILLING CO.



REPORT NO. 3 -- GEOLOGICAL LOG

WELL NO. 1

HARVEY ALUMINUM

THE DALLES, OREGON

(Continuing Log)

January 25, 1957

132'	to 146'	Very hard gray rock
146'	to 152'	Medium hard rough black rock
152'	to 155'	Hard gray rock
155'	to 166'	Medium hard rough black rock

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JAN 31 2022

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*R. J. Strasser*  
R. J. Strasser Drilling Co.



WASC  
3755

January <sup>18</sup> 21, 1957

GEOLOGIC LOG OF #1 WELL  
HARVEY ALUMINUM - THE DALLIES, OREGON  
REPORT NO. 2

RECEIVED  
JUL 31 1957  
STATE ENGINEER  
SALEM, OREGON

RECEIVED

JAN 31 2022

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89' to 95'	Very hard gray rock
95' to 104'	Hard gray rock, but coarse in texture Drilled faster
104' to 108'	Very hard gray rock - very fine cuttings
108' to 129'	Hard gray rock. Same formation as the 104' to 108' strata
129' to 132'	Very hard gray rock

Samples up to date.

O. J. Norris  
R. J. Strasser Drilling Co.



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JASC  
3255

GR 145 338

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JUL 31 1957

STATE ENGINEER  
SALEM, OREGON

January 8, 1958

GEOLOGIC LOG OF #1 WELL  
HARVEY ALUMINUM \* THE DALLES, OREGON

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0' to 4'	Surface
4' to 11'	Hard sloping rock ledge
11' to 19'	Hard gray rock
19' to 21'	Broken formation
21' to 27'	Hard gray rock
27' to 36'	Mixture of colors Hard gray-black and white rock
36' to 39'	Layer of decomposed formation (similar to coal)
43' to 89'	Very hard gray rock <del>(similar to coal)</del>

O. J. Norris  
R. J. Strasser Drilling Co.



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STATE ENGINEER,  
Salem, OregonState Well No. 2H/13-28L(1)  
County Wasco  
Application No. G-735

## Well Log

Owner: Harvey Machine Co.Owner's No. 2-ADriller: A. M. Janssen Drilling Co.Date Drilled June & July 1957

CHARACTER OF MATERIAL	(Feet below land surface)		Thickness (feet)
	From	To	
Basalt, hard gray	0	48	48
Soft interbed	48	65	17
Basalt, hard gray	65	71	6
Basalt, soft	71	75	4
Basalt, hard, gray crevice at 90'	75	103	28
Basalt, soft gray	103	108	5
Basalt, hard gray	108		
Basalt, hard gray	111	111	3
Rock caving	111	115	4
Rock, hard, gray, (sloping, very hard to maintain a straight <sup>hole</sup> <del>line</del> )	115	145	30
Lava, rock	145	153	8
Rock, black, water bearing	153	164	11
Basalt, hard, gray	164	166	2
Lava rock, black	166	198	32
Clay	198	221	23
Lava Rock	221	227	6
Basalt, hard gray	227	254	27
Hard and soft layers of lava rock water bearing	254	298	44
Basalt, hard, black	298	303	5



STATE ENGINEER  
Salem, Oregon

WASC 3249

# Well Record

STATE WELL NO. 2N/13-28P(1)  
COUNTY Wasco  
APPLICATION NO. G-737

OWNER: Harvey Machine Co.

MAILING ADDRESS: P. O. Box 711

LOCATION OF WELL: Owner's No. 4A

CITY AND STATE: The Dalles, Oregon

SE 1/4 SW 1/4 Sec. 28 T. 2 N. R. 13 E. W.M.

Bearing and distance from section or subdivision  
corner 981' N. & 1,078' W from S1/4 corner  
Section 28

Altitude at well

TYPE OF WELL: drilled Date Constructed June-July 1957

Depth drilled 303 Depth cased 273

Section 28

## CASING RECORD:

14" set to 15 feet

223 feet of 10-inch, grouted with 380 sacks of cement.

FINISH:

## AQUIFERS:

Basalt

## WATER LEVEL:

74' below land surface, July 1957

PUMPING EQUIPMENT: Type H.P.  
Capacity G.P.M.

## WELL TESTS:

Drawdown 3 ft. after hours Pumping 1170 G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Industrial Temp. °F. 19

SOURCE OF INFORMATION well report

DRILLER or DIGGER A.M. Jannsen

## ADDITIONAL DATA:

Log ☒ Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

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(10) WELL TESTS:

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller  
Yield: 1170 gal./min. with 3 ft. draw down after 8 hrs.  
" " " "  
" " " "

Artesian flow ..... g.p.m.  
Shut-in pressure ..... lbs. per square inch.  
Baller test ..... g.p.m. with ..... ft. drawdown  
Temperature of water ..... Was a chemical analysis made? ☒ Yes ☐ No  
Was electric log made of well? ☐ Yes ☒ No

(11) WELL LOG:

Diameter of well, 10 inches.

Total depth 303 ft. Depth of completed well 303 ft.

**Formation:** Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

0 ft. to 10 ft. fill

**(5) EQUIPMENT:**

10" 28 " broken basalt

28" 30 " hard basalt

30"	41 "	soft rock & clay	JAN 31 20
1.1"	58 "	black basalt	

41	50	Diata basalt
58 "	89 "	hard rock basalt

89"	98 "	weathered basalt	OWRD
-----	------	------------------	------

98"	110	"	hard grey basalt
110"	115	"	grey basalt with clear quartz

115"	132 "	hard grey basalt
------	-------	------------------

132"	140 "	porous grey basalt
------	-------	--------------------

140"	143 "	hard grey basalt
143"	155 "	porous grey lava rock

145	155	porous grey lava rock
155"	162 "	hard grey basalt

162"	190 "	coal or peat
162"	190 "	

190	195	gray clay
195"	212 "	clay with small gravel

212"	217 "	brown clay and rock
------	-------	---------------------

217" 223 " rock

223	258	hard grey basalt
258"	262 "	hard grey basalt

262"	290 "	porous basalt with hard & soft
------	-------	--------------------------------

200"	200 "	gray basalt slightly porous
------	-------	-----------------------------

290	300	grey basalt slightly porous
300"	303 "	Rock firm but turning brown

" " with bits of clay

Ground elevation at well site 133.50 feet above mean sea level

Work started 5-28-57 19 . Completed 7-27-57 19

Well Driller's Statement:

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

NAME A. M. Jannsen Drilling Company

NAME A. H. Hansen Drilling Company  
(Person, firm, or corporation) (Typed or printed)

Address 20175 S. W. Tualatin Valley Highway  
Alpha, Oregon

Driller's well pumpbar

[Signed] Edward H. Rucker  
(Full Name)

License No. 79 Dated 8-23-57, 1957

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WASC  
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SALEM, OREGON

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GEOLOGIC LOG OF #1 WELL

HARVEY ALUMINUM - THE DALLES, OREGON

0' to 4'	Surface
4' to 11'	Hard sloping rock ledge
11' to 19'	Hard gray rock
19' to 21'	Broken formation
21' to 27'	Hard gray rock
27' to 36'	Mixture of colors Hard gray-black and white rock
36' to 39'	Layer of decomposed formation (similar to coal)
43' to 89'	Very hard gray rock
89' to 95'	Very hard gray rock
95' to 104'	Hard gray rock, but coarse in texture Drilled faster
104' to 108'	Very hard gray rock - very fine cuttings
108' to 129'	Hard gray rock. Same formation as the 104' to 108' strata
129' to 132'	Very hard gray rock
132' to 146'	Very hard gray rock
146' to 152'	Medium hard rough black rock
152' to 155'	Hard gray rock
155' to 166'	Medium hard rough black rock
166' to 181'	Medium hard rough black rock
181' to 189'	Hard gray rock
189' to 205'	Blue shale



205' to 212'	Conglomerate
212' to 229'	Medium hard brown rock
229' to 242'	Hard gray rock
242' to 250'	Hard gray rock
250' to 255'	Hard gray rock
255' to 260'	Hard gray rock
260' to 262'	Hard gray rock
262' to 265'	Hard gray rock
265' to 268'	Hard gray rock
268' to 271'	Hard gray rock
271' to 264'	Hard gray rock
274' to 277'	Hard gray rock
277' to 279'	Hard gray rock
279' to 281'	Hard gray rock
281' to 284'	Hard gray rock
284' to 286'	Hard gray rock
286' to 288'	Porous Blackrock (water bearing)
288' to 294'	Porous Blackrock (water bearing)
294' to 296'	Harder, but still water-brown color
296' to 306'	Porous Blackrock (water bearing very good)
306' to 310'	Rough black rock

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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 # 46835

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### Description of Water Delivery System

MAY 23 2022

System capacity: 4.5 (2.90 under this water right) cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec		¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW	SW	DLC 39	1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28	
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33	
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33	

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 46835**

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		
<b>EXAMPLE</b>																						
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	
											POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)						Municipal	Riverside Well 2, Riverside Well 1	9/7/1956		
TOTAL ACRES:												TOTAL ACRES:						N/A				

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 – Certificates 82480, 46838, 46836, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46835 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. **(Attachment E)**

**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](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 complete d well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specif rate (cfs or gpm). If less than full rat of water rig
Riverside Well 2	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Riverside Well 1	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



MAY 23 2022

## Part 5 of 5 – Water Right Information

OWRD

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 # 46836

## Description of Water Delivery System

System capacity: 4.5 (1.11 under this water right) 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. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW	SW	DLC 41	1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 46835**

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	
<b>EXAMPLE</b>																					
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	
										POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)						Municipal	Riverside Well 2, Riverside Well 1	8/19/1957		
TOTAL ACRES:											TOTAL ACRES:						N/A				

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 – Certificates 82480, 46838, 46835, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46836 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A;

Surface water primary Certificate # N/A.

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

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

**OWRD**

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. **(Attachment E)**

**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](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
<b>Riverside Well 2</b>	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
<b>Riverside Well 1</b>	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



## 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 # 46839

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MAY 23 2022

### Description of Water Delivery System

System capacity: 2.2 (1.60 under this water right) cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 4 using a 60 Hp submersible pump. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE SW	DLC 39 970 feet North and 1080 feet West from the South ¼ Corner of Section 28
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE NW	340 feet South and 1,360 feet East from the NW corner of Section 33
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW NW	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 46839**

List the change proposed for the acreage in each  $\frac{1}{4}$   $\frac{1}{4}$ . 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	$\frac{1}{4}$ $\frac{1}{4}$	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	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
<b>EXAMPLE</b>																										
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
													POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)							Municipal	Riverside Well 2, Riverside Well 1	8/19/1957			
TOTAL ACRES:											TOTAL ACRES:										N/A					

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

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**MAY 23 2022**

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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 – Certificates 82480, 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. **(Attachment E)**

**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](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
Riverside Well 2	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Riverside Well 1	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



## 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 # **82480**

RECEIVED

### Description of Water Delivery System

MAY 23 2022

System capacity: **5.02 (1.2 under this water right)** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Wells 3 and 4 using a 100 Hp line shaft turbine pump, and a 60 Hp submersible pump, respectively. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3255	2	N	13	E	28	SW	SW	700	300 feet South and 1820 feet West from the SE Corner of DLC 39
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE	SW	DLC 39	60 feet North and 1040 feet West from the SE corner of DLC 39
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)     |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA)     |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                           |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                  |

Will all of the proposed changes affect the entire water right?

- ☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☒ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 82480**

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						
<b>EXAMPLE</b>																										
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
2	N	13	E	28	NE	SW	705	DLC 39						City of the Dalles Service Area (See Attachment B – Application Maps)										Municipal	Riverside Well 2, Riverside Well 1	8/19/1957
2	N	13	E	28	NE	SW	1000	DLC 39																		
2	N	13	E	28	NE	SW	700	DLC 39																		
2	N	13	E	28	NW	SW	700	DLC 39																		
2	N	13	E	28	SW	SW	700	DLC 41																		
2	N	13	E	28	SW	SW	1100	DLC 41																		
2	N	13	E	28	SE	SW	700	DLC 39																		
2	N	13	E	28	SE	SW	700	DLC 41																		
2	N	13	E	28	SE	SW	700	GL 6																		

**RECEIVED**  
**MAY 23 2022**  
**OWRD**







**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 – Certificates 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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

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 # N/A;

Surface water primary Certificate # N/A.

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**MAY 23 2022**

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

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

**OWRD**

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. **(Attachment E)**  
**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](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
<b>Riverside Well 2</b>	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
<b>Riverside Well 1</b>	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	





CITY OF THE DALLES  
Department of Public Works  
1215 West First Street  
The Dalles, Oregon 97058

---

January 19, 2022

Kelly Starnes  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-0900

RE: Water Right Transfer for the Benefit of the City of The Dalles

Dear Mr. Starnes;

Design, LLC has submitted a water right transfer application related to the use of water under Design's water right Certificates 46835, 46836, 46839 and 82480. As described in the application, after OWRD approves the proposed transfer to change the place of use, character of use, point of appropriation, and to add an additional point of appropriation for the entirety of Certificates 46835, 46836, 46839, and a 0.4 cfs portion of Certificate 82480, the City will be responsible for completing the requested changes. For the reasons described below, we are requesting (pursuant to OAR 690-380-5140) that OWRD allow 20 years to complete this transfer.

Completion of the requested transfer will require the City to conduct planning, develop engineering plans, as well as to construct the necessary infrastructure. For these reasons, allowing 20 years to complete the proposed transfer is justified.

Please contact me if you need additional information. My office telephone number is 541-506-2008 and my cellular number is (541) 980-1446.

Sincerely,

Dave Anderson  
Public Works Director  
City of The Dalles

RECEIVED

JAN 31 2022

OWRD





January 24, 2022

Kelly Starnes  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

RECEIVED

JAN 31 2022

OWRD

Re: Transfer Application for Certificates 46835, 46836, 46839 and 82480, in the name of Design, LLC

Dear Mr. Starnes:

Design, LLC is the holder of water right Certificates 46835, 46836, 46839 and 82480. Each certificate authorizes the appropriation of groundwater for industrial use. The Applicant is filing the enclosed transfer application, for the benefit of the City of The Dalles, to change the place of use, character of use, point of appropriation, and to add an additional point of appropriation for the entirety of Certificates 46835, 46836, 46839, and a 0.4 cfs portion of Certificate 82480. Please note that the Applicant has previously submitted a transfer application for the remaining 0.8 cfs portion of Certificate 82480.

Enclosed is an Application for Permanent Water Right Transfer and the required processing fee of \$8,720.

We are requesting that OWRD process the transfer under its reimbursement authority program. Enclosed is a Transfer Reimbursement Authority Estimate Application, and the associated application fee of \$125.

Please contact me if you have any questions or concerns. My telephone number is 541-257-9004.

Sincerely,

A handwritten signature in cursive script that reads "Kimberly Grigsby".

Kimberly Grigsby  
Principal Water Resources Consultant

Enclosures: Water Right Transfer Application  
Check for application fee in the amount of \$8,720  
Reimbursement Authority Estimate Application and check for \$125 application fee



Check Date: 3/16/2022

024482

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
T13904	3/16/2022	0019721	1,893.99			1,893.99
Oregon Water Resources Department						
Key Bank 8460 - GSI Water 5						
		00245				
		TOTAL	1,893.99			1,893.99

RECEIVED

MAR 17 2022

OWRD

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # 137691

INVOICE # \_\_\_\_\_

RECEIVED FROM:

GSI Water Solutions, Inc.

BY:

APPLICATION

PERMIT

TRANSFER

T-13904

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐☒

24482

☐

TOTAL REC'D

\$1,893.99

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

47124

R 11353-25

0412 OTHER:

(IDENTIFY)

Transfer Reimbursement Authority

\$1,893.99

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

## MISCELLANEOUS

0407 COPY &amp; TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

## WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

## WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER

(IDENTIFY)

## EXAM FEE

\$

0202

\$

0204

\$

## EXAM FEE

\$

0219

0220

## RECORD FEE

\$

\$

## LICENSE FEE

\$

\$

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: 137691

DATED: 3-17-2022

BY: VB



Received by OWRD

MAR 17 2022

Salem, OR

**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-353-23**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and Design, LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: <b>Kelly Starnes</b>	Name: Design, LLC	Name: GSI Water Solutions, Inc.
Title: Transfer Advisor	Contact:	Contact: Kim Grigsby
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 1600 Amphitheatre Pkwy Mountain View, CA 94043	Address: 1600 SW Western Blvd., Ste 240 Corvallis, OR 97333
Phone: 503 979-3511	Phone: (650) 214-1176	Phone: (541) 251-9004
Fax: 503 986-0901	Fax:	Fax:
Email: <a href="mailto:patrick.k.starnes@water.oregon.gov">patrick.k.starnes@water.oregon.gov</a>	Email:	Email: <a href="mailto:kgrigsby@gsiws.com">kgrigsby@gsiws.com</a>

**Purpose** The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-13904)

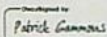
- 1. Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- 2. Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- 3. Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- 4. Consideration.**
  - Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,893.99**. Applicant agrees to pay the full amount of **\$1,893.99** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - The costs stated in this Agreement do not include the statutory application processing and filing fees.
- 5. Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

JH



7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

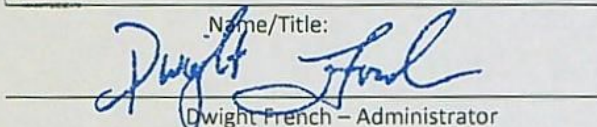


Director

3/16/2022

Date

For OWRD:



Dwight French – Administrator

3/18/2022

Date

Mail signed Agreement to:

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

Received by OWRD

MAR 17 2022

Salem, OR



DESIGN, LLC RA R11-353-23 T-13904

Front Desk Staff receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
NRS 2 writes and sends deficiency ltr (email and hard copy)				
NRS 2 addresses correspondence from app/agent regarding deficiencies				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes DPD, PN, and RR				
Transfer staff peer reviews DPD, PN, RR				
Transfer Analyst completes policy check at DPD stage				
NRS 2 sends DPD to app/agent by email and/or mail				
NRS 2 drafts and sends revised DPD				
Transfer Staff peer reviews revised DPD				
Transfer Analyst peer reviews revised DPD				
NRS 2 reviews report of ownership				
NRS 2 completes PD				
Transfer Staff peer reviews PD				
Transfer Analyst peer reviews PD				
Data Center reviews PD AND RR: (RR where applicable)				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs PD				
NRS 2 completes FO				
Transfer Staff peer reviews FO				
Transfer Analyst peer reviews FO				
Administrator signs FO				
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS		34.88		
			TOTAL	\$1,893.99



Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
RA Fee 1/19/22	1/19/2022	0019413	125.00			125.00
Oregon Water Resources Department			125.00			125.00
Key Bank 8460 - GSI Water	8	00245				
TOTAL			125.00			

RECEIVED

JAN 31 2022

OWRD

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **137377** INVOICE # \_\_\_\_\_

RECEIVED FROM: GSI Water Solutions, Inc. APPLICATION \_\_\_\_\_  
BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
CASH: ☐ CHECK: # 24321 OTHER: (IDENTIFY) \_\_\_\_\_ TRANSFER T-13904  
☐ TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47124 \$  
0412 OTHER: (IDENTIFY) Transfer by imbursement Authority \$ 125.00  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

MISCELLANEOUS

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

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
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 (FWWRD)	\$
0231 HYDRO LICENSE FEE (FWWRD)	\$
HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

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

RECEIPT: **137377** DATED: 1-31-2022 BY: [Signature]





OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

**Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.**

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. **There is a non-refundable application fee of \$125.00 per request.**

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-13904</u>

	Applicant Information	Applicant's Representative/Contact
Name:	Design, LLC	GSI Water Solutions, Inc. Attn: Kim Grigsby
Address:	1600 Amphitheatre Parkway	1600 SW Western Blvd., Suite 240
	Mountain View, CA 94043	Corvallis, OR 97333
Phone:	650-214-1176	541-251-9004
Fax:		
E-Mail Address:		kgrigsby@gsiws.com

I understand the following:

- That upon receipt of my non-refundable application fee of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department  
Transfer Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

RECEIVED

JAN 31 2022

I certify that I am the (check one):

Applicant ☒ Applicant's Representative ☐ Other (Please specify) \_\_\_\_\_ **OWRD**

Name: Kimberly Grigsby

Signature: \_\_\_\_\_

*Kimberly Grigsby*

OWRD USE ONLY: Reimbursement Authority Number: R11-353-23





Oregon  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 4, 2022

DESIGN LLC  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

Reference: Application T-13904

On January 31, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$8720.00. Our receipt number 137387 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of appropriation 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) 979-9931.

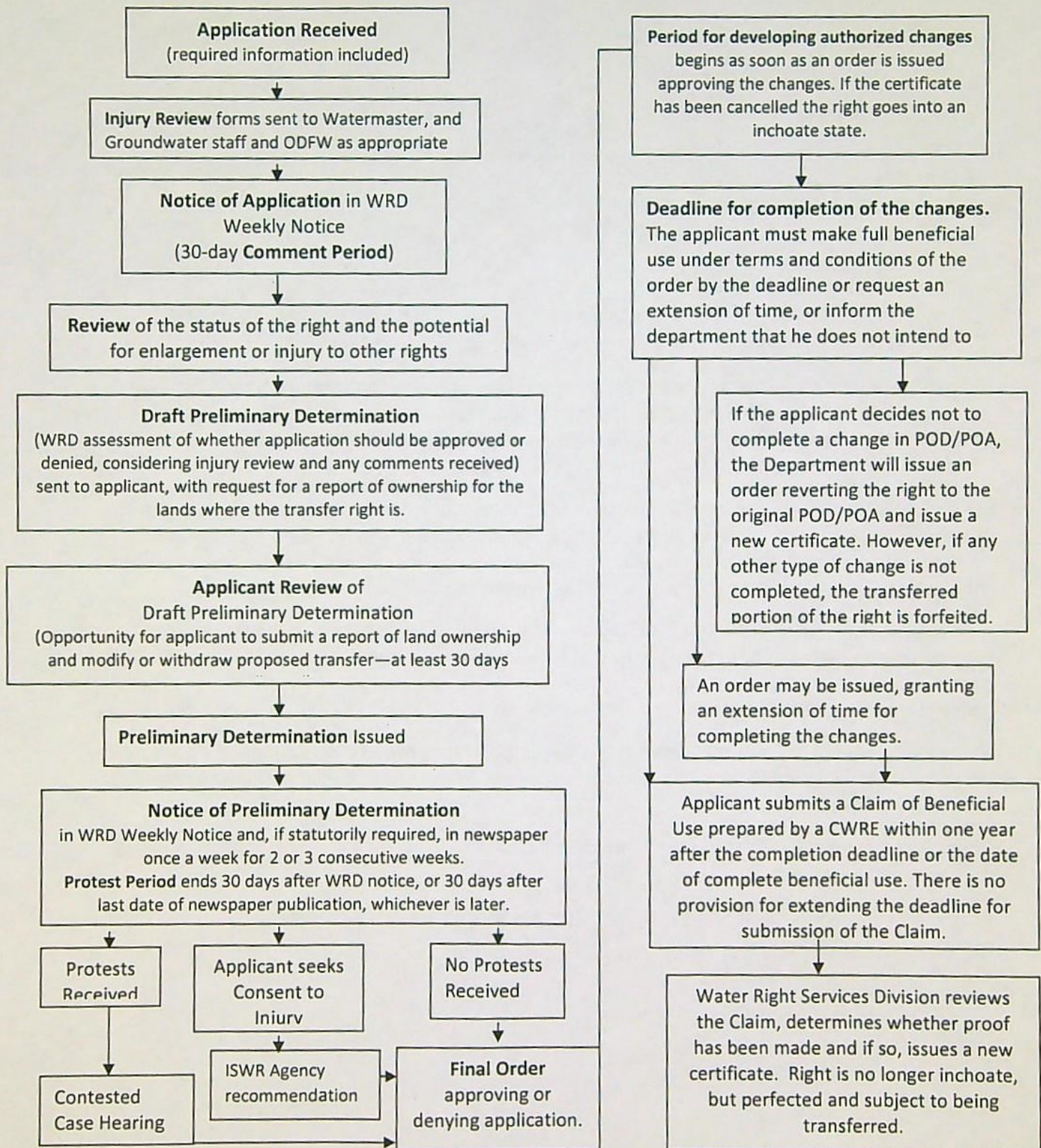
Cc: Watermaster Dist. #3, Robert L. Wood (*via email*)  
Kim Grigsby, Agent  
The Dalles Community Development

Enclosure

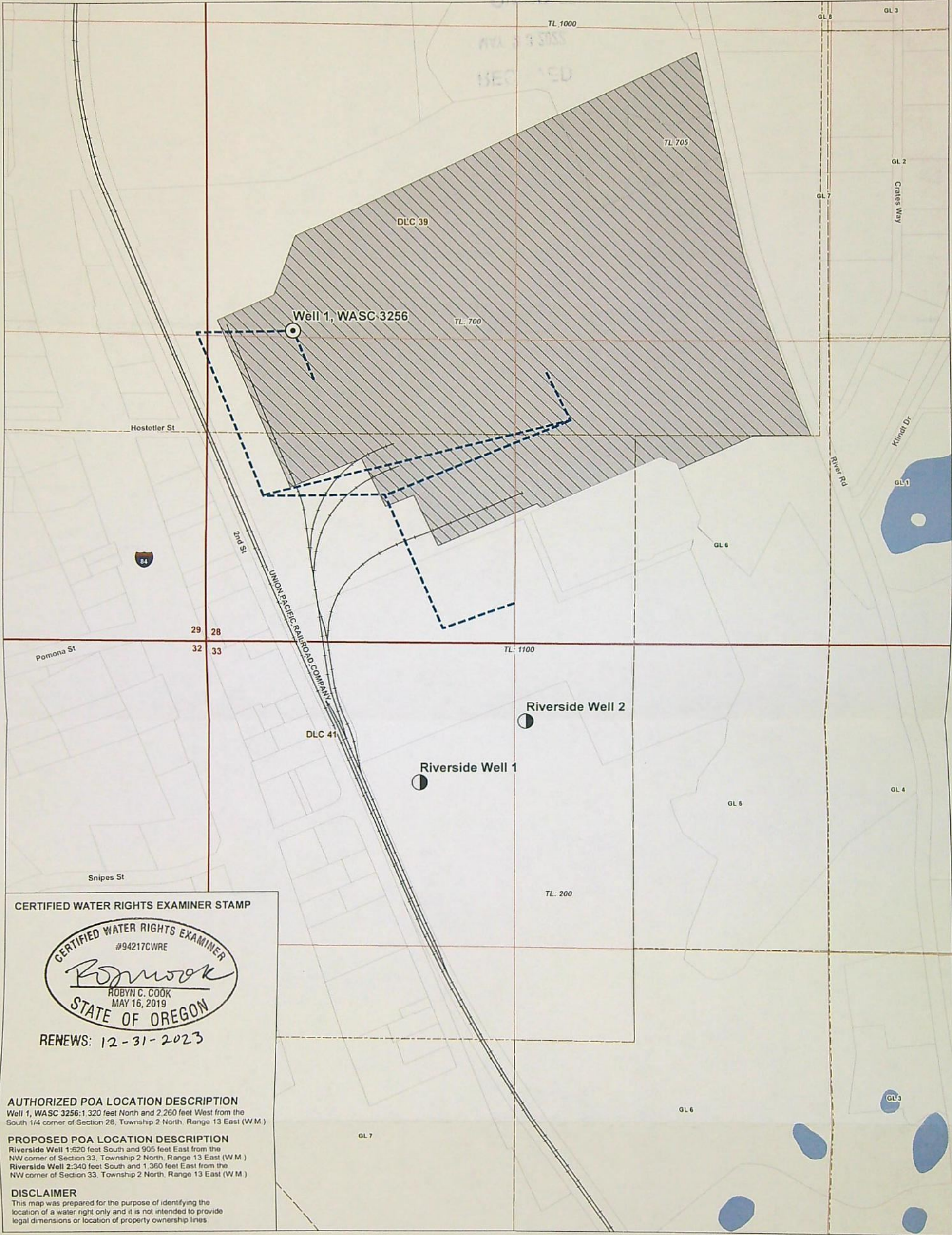


## Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380







**LEGEND**

- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- Watercourse
- Waterbody

**Application for Permanent Water Right Transfer**  
**in the Name of Design, LLC, Certificate 46835**

**Authorized and Proposed Points of Appropriation and Authorized Place of Use**  
Township 2 North, Range 13 East (W.M.)

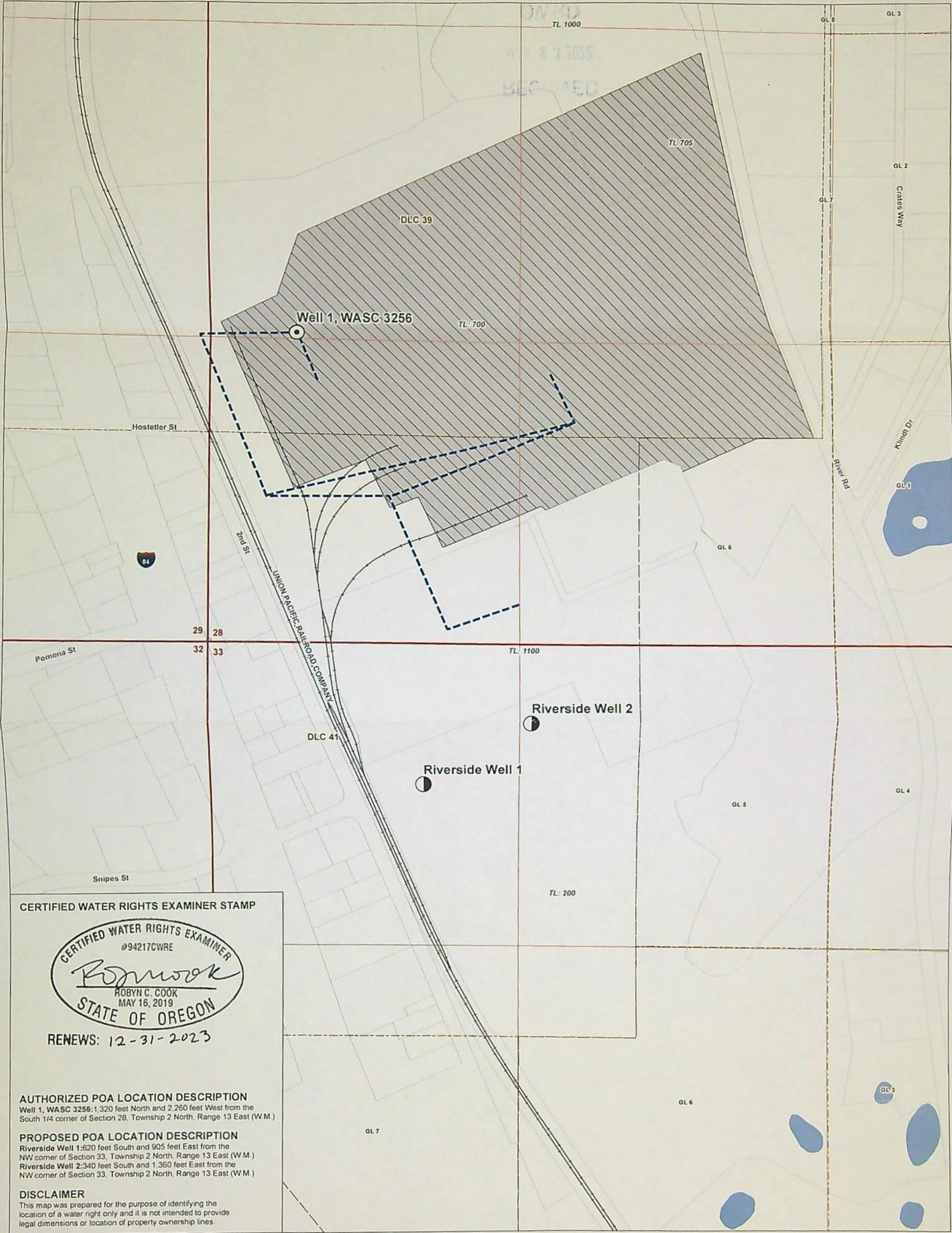
**RECEIVED**  
**MAY 23 2022**

**OWRD**

**MAP NOTES**  
Date: May 16, 2022  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS

**GSI**  
Water Solutions, Inc.

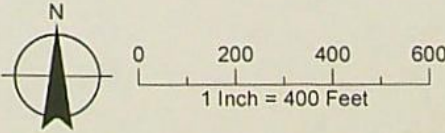




Application for Permanent Water Right Transfer  
in the Name of Design, LLC, Certificate 46836

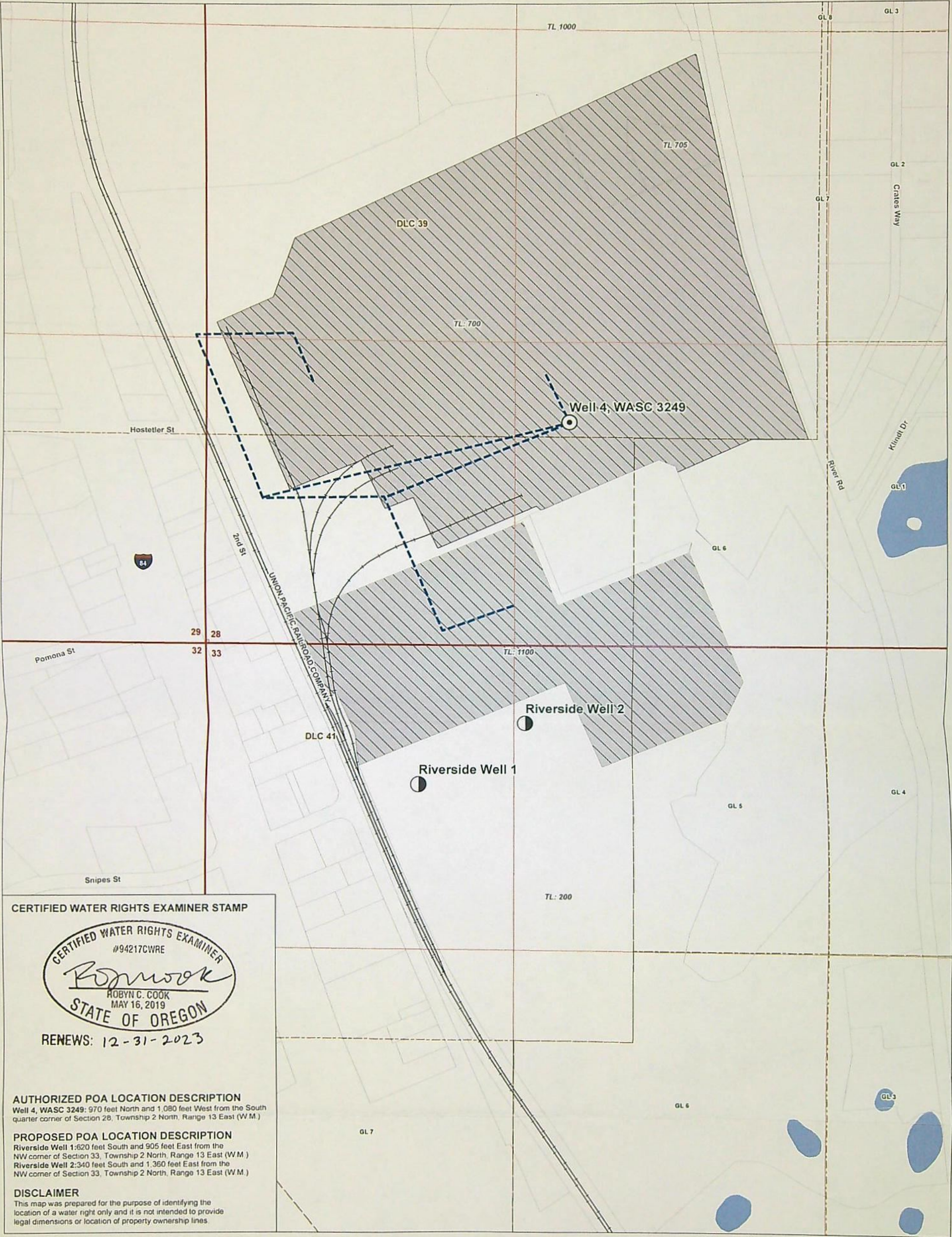
Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)

RECEIVED  
MAY 23 2022  
OWRD



**MAP NOTES**  
Date: May 16, 2022  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS  
**GSI**  
Water Solutions, Inc.





CERTIFIED WATER RIGHTS EXAMINER STAMP



AUTHORIZED POA LOCATION DESCRIPTION

Well 4, WASC 3249: 970 feet North and 1,080 feet West from the South quarter corner of Section 28, Township 2 North, Range 13 East (W.M.)

PROPOSED POA LOCATION DESCRIPTION

Riverside Well 1: 620 feet South and 905 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)  
Riverside Well 2: 340 feet South and 1,360 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)

DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

LEGEND

- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- Watercourse
- Waterbody

Application for Permanent Water Right Transfer  
in the Name of Design, LLC, Certificate 46839

Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)

RECEIVED

MAY 23 2022

OWRD

MAP NOTES

Date: May 16, 2022

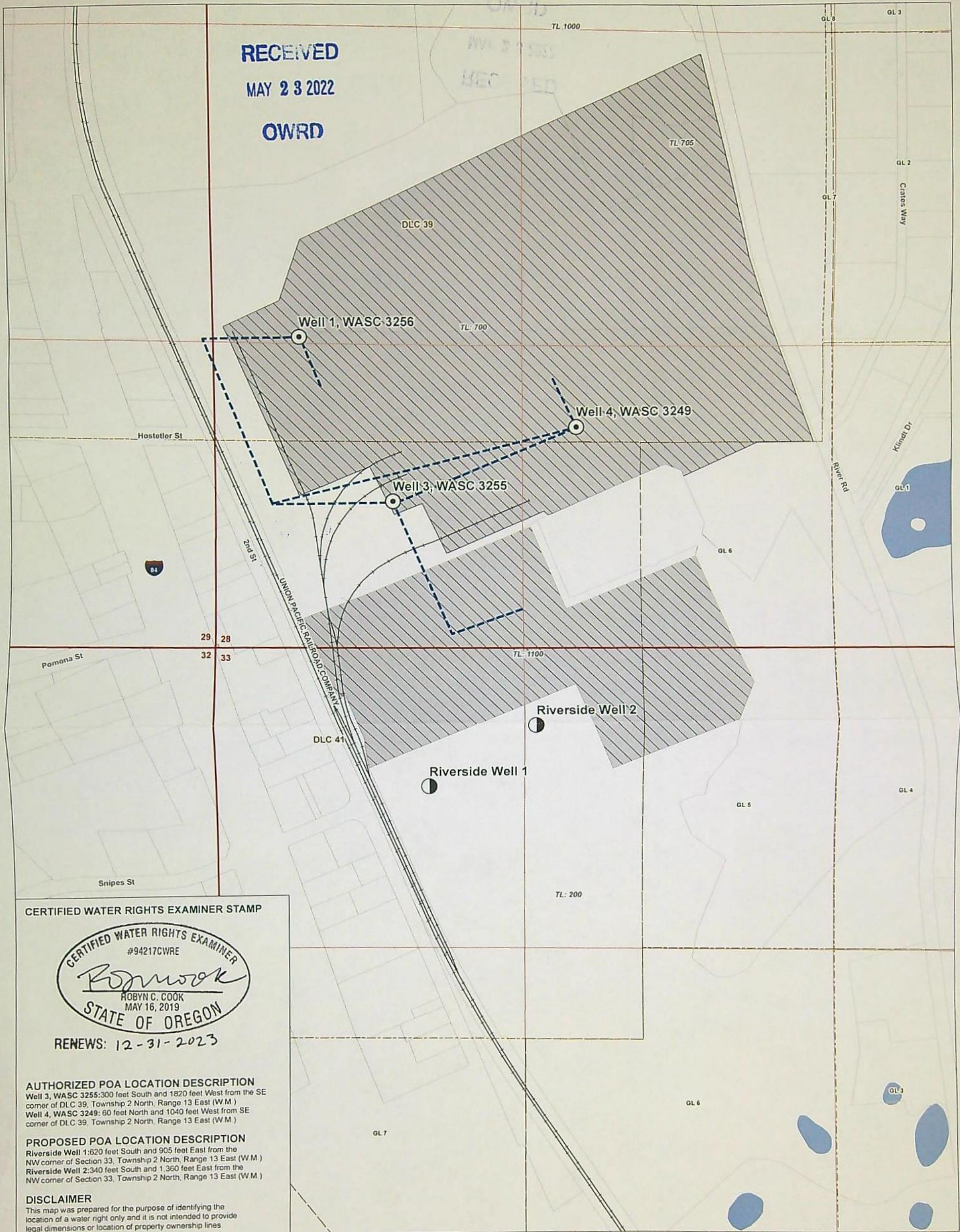
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS



0 200 400 600  
1 Inch = 400 Feet







#### LEGEND

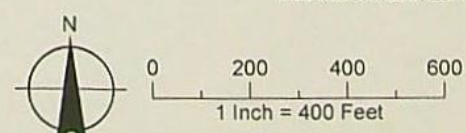
- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- Watercourse
- Waterbody

#### Application for Permanent Water Right Transfer in the Name of Design, LLC, Certificate 82480

Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)

#### MAP NOTES

Date: May 16, 2022  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS





# Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13904

Checked by: <u>B</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	POU	POD	APOD
Date: <u>2-2</u>		Gov Action	Surface to Ground	USE	POA	APOA
Fee Received: <u>8710</u>						
Calculated Fee: <u>8710</u>			How many rights to be Transferred? <u>4</u>			
			Certificate #			
Additional Observations:			<u>46835 POU, USE, POA, APOA</u>			
			<u>-36 1st → MWS</u>			
			<u>-39</u>			
			<u>82480</u>			

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

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

Actions taken: accepted

Date: 2-2-22



## Permanent Transfer Application Intake Completion Checklist

<b>FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)</b>			
<b>1</b>	Base Fee (includes one type of change to one water right for up to 1 cfs)	<b>1</b>	<b>\$1,360</b>
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) If only one change, this will be 0. <b>2</b> Multiply line 2b by \$1,090 and enter » » » » » » » » » » » » » » » »	<b>2</b>	<b>0</b>
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0 <b>3</b> Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » »	<b>3</b>	<b>0</b>
	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes = \$480 (4a) If YES: enter the number of wells being proposed: _____ (4b) Subtract 1 from the number in line 4b = _____ (4c) If only one well this will be 0. Multiply line 4c by \$410 = _____ (4d) <b>4</b> Add lines 4a and 4d and enter » » » » » » » » » » » » » » » »	<b>4</b>	<b>0</b>
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » » <b>5</b>	<b>5</b>	<b>0</b>
<b>6</b>	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	<b>6</b>	<b>0</b>
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » » » <b>7</b> If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	<b>7</b>	<b>0</b>
<b>8</b>	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:	<b>8</b>	



OREGON



WATER RESOURCES  
DEPARTMENT

RECEIVED

MAR 17 2022

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Design LLC

11600 Amphitheatre Parkway Mountain View CA

Transaction Type: Reimbursement Authority

Fees Received: \$ 1,893.99

☐ Cash

☒ Check:

Check No. 024482

Name(s) on Check: GSI Water Solutions Inc

Address on Check: 55 SW Yamhill St # 300  
Portland OR 97204

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Judy Swell  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.





RECEIVED

MAR 17 2022

OWRD

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Design LLC

1600 Amphitheatre Parkway Mountain View CA  
94043

Transaction Type: Reimbursement Authority

Fees Received: \$ 1,893.99

☐ Cash

☒ Check:

Check No. 024482

Name(s) on Check: GSI Water Solutions Inc

Address on Check: 55 SW Yamhill St Suite 300  
Portland OR 97204

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Sincerely,

OWRD Customer Service Staff

Submission received by:

[Signature]  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application  
T-13904, Wasco County

) D R A F T

) PRELIMINARY DETERMINATION  
) PROPOSING APPROVAL OF A CHANGE IN  
) POINTS OF APPROPRIATION, A CHANGE  
) IN PLACES OF USE AND CHANGES 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.

**Applicant**

DESIGN, LLC.  
1600 AMPHITHEATRE PARKWAY  
MOUNTAIN VIEW, CA 94043

**Receiving Landowner**

CITY OF THE DALLES  
DEPARTMENT OF PUBLIC WORKS  
1215 WEST FIRST STREET  
THE DALLES, OR 97058

**Findings of Fact**

1. On January 31, 2022, DESIGN, LLC., filed an application to change the points of appropriation, change the places of use and change the character of use under Certificates 46835, 46836, 46839 and 82480. The Department assigned the application number T-13904.
2. Notice of the application for transfer was published on February 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 8, 2010, the Department received a notice for specific to general industrial use change under Certificate 82480 (original Certificate 46837, confirming Certificate 82480 was issued as a result of the approval of T-5607) per ORS 540.520(9).
4. On July 26, 2010, the Department recognized the change in use of the rights from specific to general industrial and added Tax Lot 1100, T2N, R13E, Section 28, WM, as requested by the applicant and described in the place of use description in FOF No. 21.
5. On February 3, 2021, DESIGN, LLC., also filed Transfer Application T-13596, which proposes changes to the remaining portion of Certificate 82480. Transfer Application T-13904 and Transfer Application T-13596, will be issued concurrently. No remaining right will be issued for Certificate 82480.



6. On January 31, 2022, the applicant requested a completion date of October 1, 2044, to conduct planning, develop engineering plans, and for construction of the necessary infrastructure. The Department granted this completion date pursuant to OAR 690-380-5140.
7. On February 2, 2023, The Department contacted the agent for the applicant by email requesting clarification of the changes proposed by Transfer Application T-13904.
8. On February 2, 2023, the agent for the applicant provided clarification of the changes requested by Transfer Application T-13904.
9. The first right to be transferred is as follows:

**Certificate:** 46835 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-338)  
**Use:** INDUSTRIAL  
**Priority Date:** SEPTEMBER 7, 1956  
**Rate:** 2.9 CUBIC FEET PER SECOND  
**Source:** WELL No. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

10. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	<del>WELL 2</del> RIVERSIDE WELL 2 - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi
2 N	13 E	WM	33	NW NW	<del>WELL 1</del> RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.38 mi

11. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area



12. Transfer Application T-13904 proposes to change the character of use to municipal.

13. The second right to be transferred is as follows:

**Certificate:** 46836 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-645)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.11 CUBIC FEET PER SECOND

**Source:** WELL NO. 1, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	NW SW	39	WELL NO. 1 - 1320 FEET NORTH AND 2260 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

14. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	<del>RIVERSIDE WELL 2</del> - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.37 mi
2 N	13 E	WM	33	NW NW	<del>WELL 1</del> - RIVERSIDE WELL 1 - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 1 - 0.38 mi

15. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

16. Transfer Application T-13904 proposes to change the character of use to municipal.

17. The third right to be transferred is as follows:

**Certificate:** 46839 in the name of MARTIN MARIETTA ALUMINUM INC. (perfected under Permit G-648)

**Use:** INDUSTRIAL

**Priority Date:** AUGUST 19, 1957

**Rate:** 1.6 CUBIC FEET PER SECOND



**Source:** WELL NO. 4-A, a tributary of COLUMBIA RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SE SW	39	WELL NO. 4-A - 970 FEET NORTH AND 1080 FEET WEST FROM THE S1/4 CORNER OF SECTION 28

**Authorized Place of Use:**

INDUSTRIAL				
Twp	Rng	Mer	Sec	Q-Q
2 N	13 E	WM	28	NE SW
2 N	13 E	WM	28	NW SW
2 N	13 E	WM	28	SW SW
2 N	13 E	WM	28	SE SW

*no extra L*

18. Transfer Application T-13904 proposes to move the authorized point of appropriation, with approximate distances from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Well
2 N	13 E	WM	33	NE NW	<del>RIVERSIDE WELL 2</del> - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A - 0.24 mi
2 N	13 E	WM	33	NW NW	<del>RIVERSIDE WELL 1</del> - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL NO. 4-A - 0.32 mi

19. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

20. Transfer Application T-13904 proposes to change the character of use to municipal.

21. The fourth right to be transferred is as follows:

**Certificate:** 82480 in the name of MARTIN MARIETTA CORP. (perfected under Permit G-646)

**Use:** INDUSTRIAL USE

**Priority Date:** AUGUST 19, 1957

**Rate:** 0.4 - 1.200 CUBIC FEET PER SECOND

**Limit/Duty:** The quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old well under the subject right and shall not exceed 1.2 cubic foot per second.

**Source:** WELL 3 and WELL 4 in the COLUMBIA RIVER BASIN

*1.2 cfs - 0.8 = 0.4 cfs*  
*T-13904*

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SW SW	41	WELL 3 - 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER OF DLC 39



Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	13 E	WM	28	SE SW	39	WELL 4 - 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER OF DLC 39

**Authorized Place of Use:**

<del>GENERAL</del> INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Tax Lot	Q-Q
2 N	13 E	WM	28	705	NE SW
2 N	13 E	WM	28	700	NW SW
2 N	13 E	WM	28	700	SW SW
2 N	13 E	WM	28	700	SE SW
2 N	13 E	WM	28	1100	SW SW
2 N	13 E	WM	28	1100	SE SW
2 N	13 E	WM	33	1100	NE NW
2 N	13 E	WM	33	1100	NW NW

22. Transfer Application T-13904 proposes to move the authorized points of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance From Authorized Wells
2 N	13 E	WM	33	NE NW	<del>RIVERSIDE WELL 2</del> - 340 FEET NORTH AND 1360 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.25 mi WELL 4 - 0.32 mi
2 N	13 E	WM	33	NW NW	<del>RIVERSIDE WELL 1</del> - 620 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF SECTION 33	WELL 3 - 0.2 mi WELL 4 - 0.23 mi

23. Transfer Application T-13904 also proposes to change the place of use of the right to:

MUNICIPAL
City of The Dalles Service Area

24. Transfer Application T-13904 proposes to change the character of use to municipal.
25. The applicant does not meet the definition of a municipality under ORS 540.510(3)(b). The transferred rights will be lost if not assigned to and perfected by a municipality.
26. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice



***Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]***

27. 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.
28. A water delivery system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13904.
29. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
30. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
31. The proposed changes would not result in enlargement of the rights.
32. The proposed changes would not result in injury to other existing water rights.
33. All other application requirements are met.

**Determination and Proposed Action**

The changes in points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 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-13904 is approved, the final order will include the following:*

1. *The changes in points of appropriation, changes in places of use and changes in character of use proposed in Transfer Application T-13904 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 Certificates 46835, 46836, 46839, and 82480 and any related decree.*
3. *Water Right Certificates 46835, 46836, 46839, and 82480 are cancelled*
4. *A remaining portion of Certificate 82480 not proposed for transfer under Transfer Application T-13904, is proposed for transfer under Transfer Application T-13596. Because Transfer Application T-13904 and Transfer Application T-13596 will be issued concurrently, no Remaining Right Certificate will be issued for the remaining portion of Certificate 82480.*
5. *Under Certificate 46835, the quantity of water diverted at the new points of appropriation (WELL 6 and WELL 7) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1)*



6. Under Certificate 46836, the quantity of water diverted at the new point of appropriation (WELL 6 and WELL 7) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 1)
7. Under Certificate 46839, the quantity of water diverted at the new points of appropriation (WELL 6 and WELL 7) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL NO. 4-A)
8. Under Certificate 82480, the quantity of water diverted at the new points of appropriation (WELL 6 and WELL 7), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 3 and WELL 4).
9. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
10. 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 each point of appropriation (new and existing).
  - 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.
  - d. The water user shall install and maintain a dedicated measuring tube for the purpose of collecting water level measurements from the well.
  - e. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice.
11. The former places of use of the transferred rights shall no longer receive water under the rights.
12. Additional monitoring is required to ensure approval of the transfer will not adversely impact the groundwater resource. Certificates 46838 and 82480, are both located in a Critical Groundwater Area. Installation of totalizing flow meters are required as well as monthly reporting on or near the 1st of each month of flow meter readings and water levels in the wells. Measuring tubes are also required. The water user shall allow the Watermaster access to measure the water level and read the flow meter on a monthly basis. The Watermaster shall request access upon reasonable notice
13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2044**. 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.



14. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

This draft Preliminary Determination was prepared by Arla L Davis. If you have any questions about the information in this document, you may reach me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)



## DAVIS Arla L \* WRD

---

**From:** Kim Grigsby <kgrigsby@gsiws.com>  
**Sent:** Thursday, February 2, 2023 2:14 PM  
**To:** DAVIS Arla L \* WRD  
**Cc:** JARAMILLO Lisa J \* WRD; STARNES Patrick K \* WRD  
**Subject:** RE: Two questions for Transfer T-13904

Hi Arla,

Yes, your interpretation is correct!

Thank you for clarifying change vs additional. I will make sure we mark this correctly in future transfer applications.

Thank you,  
Kim

**Kimberly Grigsby**  
Principal Water Resources Consultant  
direct: 541.257.9004 | mobile: 503.351.1912  
1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333  
GSI Water Solutions, Inc. | [www.gsiws.com](http://www.gsiws.com)  
pronouns: she, her

---

**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Sent:** Thursday, February 2, 2023 1:42 PM  
**To:** Kim Grigsby <kgrigsby@gsiws.com>  
**Cc:** JARAMILLO Lisa J \* WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
**Subject:** RE: Two questions for Transfer T-13904

Hi Kim,

Thank you for your clarification of the application. I understand the confusion when filling out our applications.

What I am understanding from your email, is that none of the original/authorized wells should remain and they should all be replaced with these new wells, on all 4 of the certificates. If that is indeed accurate this would be a **change in point of appropriation only on each of the Certificates, and yes it is fine to replace a single point of appropriation with two new points of appropriation, and essentially replace/remove the authorized well on the Certificate.** The only time the box for additional points of appropriation should be selected is if the original/authorized well needs to remain a part of the Certificate/Permit and the new point of appropriation is in addition to the well that already exists on the Certificate/Permit.

Please let me know if I am indeed interpreting your email correctly and I should be able to wrap up this draft preliminary determination this week. I don't think we need updated application pages, as I can just note the existing application and attach our email thread to it.

Arla L. Davis  
She/Her/Hers  
Water Rights Transfer Specialist



Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

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---

**From:** Kim Grigsby <[kgrigsby@gsiws.com](mailto:kgrigsby@gsiws.com)>  
**Sent:** Thursday, February 2, 2023 12:16 PM  
**To:** DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
**Cc:** JARAMILLO Lisa J \* WRD <[Lisa.J.JARAMILLO@water.oregon.gov](mailto:Lisa.J.JARAMILLO@water.oregon.gov)>; STARNES Patrick K \* WRD <[Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov)>  
**Subject:** RE: Two questions for Transfer T-13904

Hi Arla,

I think I understand your question, but if my response is not helpful please feel free to give me a call and we can talk through it. (Please call my cell number as our office phone line is down right now.)

We marked both POA and APOA on the transfer application for Certificates 46835, 46836, and 46839 because those rights each authorize the use of water from one well, and we are requesting to change those rights to allow use water from two wells (Wells 6 and 7). So the request is to change from the original well to one of the new wells and add the second new well. If this is not how we should handle this situation in the future, please let me know!

The bottom line is that after the transfer, we are requesting that the water rights all authorize use from Well 6 and Well 7, but not from any of the originally authorized wells. (We tried to make this clear on the "Proposed" side of Tables 2.)

Please let me know if you need me to do anything to provide further clarification, or if you need a modification to the transfer application. I'm more than happy to do whatever is needed to clarify our request.

Thank you,  
Kim

**Kimberly Grigsby**  
Principal Water Resources Consultant  
direct: 541.257.9004 | mobile: 503.351.1912  
1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333  
GSI Water Solutions, Inc. | [www.gsiws.com](http://www.gsiws.com)  
*pronouns: she, her*

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**From:** DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
**Sent:** Thursday, February 2, 2023 11:42 AM  
**To:** Kim Grigsby <[kgrigsby@gsiws.com](mailto:kgrigsby@gsiws.com)>  
**Cc:** JARAMILLO Lisa J \* WRD <[Lisa.J.JARAMILLO@water.oregon.gov](mailto:Lisa.J.JARAMILLO@water.oregon.gov)>; STARNES Patrick K \* WRD



<Patrick.K.STARNES@water.oregon.gov>

**Subject:** RE: Two questions for Transfer T-13904

Hi Kim,

I forgot to include my question in my email response earlier today.

On transfer application T-13904 for Design, LLC., both a change in point of appropriation and additional point of appropriation are marked on the application under Certificates 46835, 46836, and 46839, however, there is not an indication as to which wells are replacing the authorized wells and which wells are additional wells. Under Certificate 82480 it appears that both of the wells are being replaced and the additional point was not marked on this part of the application. I will need to have this clarified before I can finish processing the Draft Preliminary Determination. Please let me know if you have any questions.

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

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---

**From:** Kim Grigsby <kgrigsby@gsiws.com>

**Sent:** Thursday, February 2, 2023 11:02 AM

**To:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>

**Cc:** JARAMILLO Lisa J \* WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>

**Subject:** RE: Two questions for Transfer T-13904

Thank you so much for your helpful response, Arla. This is exactly what I needed.

Kim

**Kimberly Grigsby**

Principal Water Resources Consultant

direct: 541.257.9004 | mobile: 503.351.1912

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

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pronouns: she, her

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**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>

**Sent:** Thursday, February 2, 2023 10:48 AM



To: Kim Grigsby <kgrigsby@gsiws.com>  
Cc: JARAMILLO Lisa J \* WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
Subject: RE: Two questions for Transfer T-13904

Good Morning Kim,

Thank you for your email. You are always welcome to pester me! But, I do apologize for the delay. I received the Groundwater Review on November 28, 2022. I am currently in the middle of drafting the order and will have it into peer review either the end of this week or early next week. From there I anticipate it may take a few weeks to receive it back from the peer reviewers, but when I receive it back I can issue the Draft Preliminary Determination. Thank you for understanding that I cannot make any guarantees on timelines, but I would guess that the latest the Draft Preliminary Determination will be issued would be the end of February or the first part of March, but that will depend heavily on others workloads.

After the Draft is issued, normal timeline would be within 3-6 months for the final order to be approved, as there will be a newspaper notice required. But that estimate of time will depend also on if there are no protests filed. If you have any other questions, please let me know, and again thank you so much for your continued patience!

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

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From: Kim Grigsby <kgrigsby@gsiws.com>  
Sent: Thursday, February 2, 2023 10:25 AM  
To: DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
Cc: JARAMILLO Lisa J \* WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K \* WRD <Patrick.K.STARNES@water.oregon.gov>  
Subject: RE: Two questions for Transfer T-13904

Hi Arla,

I'm sorry to continue to pester you about this, but can you please give me an estimate of timing on Transfer T-13904? It's being processed under RA and the client is anxious to get an estimate of the remaining processing time. I completely understand that it will not be any type of guarantee, and will only be your best estimate at this point in time.

Thank you,  
Kim



**Kimberly Grigsby**

**Principal Water Resources Consultant**

direct: 541.257.9004 | mobile: 503.351.1912

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

GSI Water Solutions, Inc. | [www.gsiws.com](http://www.gsiws.com)

pronouns: she, her

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**From:** Kim Grigsby

**Sent:** Wednesday, January 25, 2023 12:46 PM

**To:** DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>

**Subject:** RE: Two questions for Transfer T-13904

Hi Arla,

I'm just checking back again on Transfer T-13904. This is being processed under RA (filed last January), and it appears the groundwater review was completed in November. Do you have a sense of when you might be ready to issue the DPD?

Thank you,

Kim

**Kimberly Grigsby**

**Principal Water Resources Consultant**

direct: 541.257.9004 | mobile: 503.351.1912

1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333

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pronouns: she, her

---

**From:** DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>

**Sent:** Monday, July 25, 2022 11:47 AM

**To:** Kim Grigsby <[kgrigsby@gsiws.com](mailto:kgrigsby@gsiws.com)>

**Cc:** JARAMILLO Lisa J \* WRD <[Lisa.J.JARAMILLO@water.oregon.gov](mailto:Lisa.J.JARAMILLO@water.oregon.gov)>

**Subject:** RE: Two questions for Transfer T-13904

Hi Kim,

Because we are currently short on staff needed to complete the Groundwater Review, (please know that filling these vacant positions is a top priority for the Department) it is difficult to predict with any accuracy when the groundwater review will be completed and forwarded to the Transfer Section. Currently the estimate for the Groundwater Review to be completed is sometime in August of 2022. This estimate however is not meant to guarantee that the groundwater review will be completed and forwarded to the Transfer Section before the end of August of 2022, it is only the most current estimate information provided by the our Groundwater section regarding the status of the groundwater review. Please let me know if you have any other questions.

**Arla L. Davis**

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129





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---

**From:** Kim Grigsby <[kgrigsby@gsiws.com](mailto:kgrigsby@gsiws.com)>  
**Sent:** Monday, July 25, 2022 10:25 AM  
**To:** DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
**Subject:** RE: Two questions for Transfer T-13904

Hi Arla,

I have a follow-up question on this transfer. I understand that you are waiting for the groundwater review for this one. Do you have a sense of when you might be receiving it?

Thanks again for all of your help.

Kim

**Kimberly Grigsby**  
Principal Water Resources Consultant  
direct: 541.257.9004 | mobile: 503.351.1912  
1600 SW Western Boulevard, Suite 240, Corvallis, OR 97333  
GSI Water Solutions, Inc. | [www.gsiws.com](http://www.gsiws.com)  
*pronouns: she, her*

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**From:** DAVIS Arla L \* WRD [<mailto:Arla.L.DAVIS@water.oregon.gov>]  
**Sent:** Friday, July 22, 2022 1:43 PM  
**To:** Kim Grigsby <[kgrigsby@gsiws.com](mailto:kgrigsby@gsiws.com)>  
**Subject:** RE: Two questions for Transfer T-13904

Good Afternoon Kim,

Please find attached the requested Watermaster Review for Transfer Application T-13904. There were no public comments received for this transfer. Please let me know if you have any other questions.

**Arla L. Davis**

Water Rights Transfer Specialist  
Transfer and Conservation Section  
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129





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**From:** Kim Grigsby <[kgrigsby@gsiws.com](mailto:kgrigsby@gsiws.com)>  
**Sent:** Friday, July 22, 2022 9:52 AM  
**To:** DAVIS Arla L \* WRD <[Arla.L.DAVIS@water.oregon.gov](mailto:Arla.L.DAVIS@water.oregon.gov)>  
**Subject:** Two questions for Transfer T-13904

Good morning Arla,

I see that the watermaster review has been completed for Transfer T-13904. Could I get a copy of the review?

Also, the initial comment period for this transfer ended in March and I don't see any comments on WRIS. I understand this to mean that no comments were filed electronically. (Please let me know if I'm incorrect in this assumption.) Do you know if the Department received any hard copy comments?

Thank you,  
Kim

**Kimberly Grigsby**  
Principal Water Resources Consultant  
direct: 541.257.9004 | mobile: 503.351.1912  
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GSI Water Solutions, Inc. | [www.gsiws.com](http://www.gsiws.com)  
pronouns: she, her



## 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 # **82480**

RECEIVED

### Description of Water Delivery System

MAY 23 2022

System capacity: **5.02 (1.2 under this water right)** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Wells 3 and 4 using a 100 Hp line shaft turbine pump, and a 60 Hp submersible pump, respectively. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3255	2	N	13	E	28	SW	SW	700	300 feet South and 1820 feet West from the SE Corner of DLC 39
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE	SW	DLC 39	60 feet North and 1040 feet West from the SE corner of DLC 39
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)     |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA)     |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                           |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                  |

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.



**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 – Certificates 82480, 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. (Attachment E)

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](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
Riverside Well 2	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Riverside Well 1	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



## 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 # 46839

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### Description of Water Delivery System

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System capacity: 2.2 (1.60 under this water right) cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 4 using a 60 Hp submersible pump. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE	SW	DLC 39	970 feet North and 1080 feet West from the South ¼ Corner of Section 28
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)                       |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)                   |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> <del>Additional Point of Appropriation (APOA)</del> |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)   |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                                    |

Remove per email dated 7/2/23

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 46839**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date							
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
											POA/APOA/ POU/USE				City of the Dalles Service Area (See Attachment B – Application Maps)				Municipal	Riverside Well 2, Riverside Well 1	8/19/1957						
TOTAL ACRES:											TOTAL ACRES:						N/A										

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

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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 # 82480**

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						
<b>EXAMPLE</b>																										
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
2	N	13	E	28	NE	SW	705	DLC 39		Industrial Wells 3 & 4	8/19/1957	POA/POU/ USE	City of the Dalles Service Area (See Attachment B – Application Maps)					Municipal	Riverside Well 2, Riverside Well 1	8/19/1957						
2	N	13	E	28	NE	SW	1000	DLC 39																		
2	N	13	E	28	NE	SW	700	DLC 39																		
2	N	13	E	28	NW	SW	700	DLC 39																		
2	N	13	E	28	SW	SW	700	DLC 41																		
2	N	13	E	28	SW	SW	1100	DLC 41																		
2	N	13	E	28	SE	SW	700	DLC 39																		
2	N	13	E	28	SE	SW	700	DLC 41																		
2	N	13	E	28	SE	SW	700	GL 6																		

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[illegible]

Additional remarks: Certificate 82480 authorizes the use of up to 1.2 cfs for industrial use. This transfer proposes to change a 0.4 cfs portion of the water right. The proposed changes would affect this portion of the right for the entire place of use for Certificate 82480. (The Applicant has submitted another water right transfer application for the remaining 0.8 portion of Certificate 82480.) The authorized place of use is described in the Specific-to-General Industrial Use Change notice that was acknowledged by OWRD on July 29, 2010. The Applicant has obtained quit claim deeds from Lockheed Martin Corp. and The Dalles Industrial Group for all the portions of the certificates that are appurtenant to tax lots 1000 and 705. Hydro Extrusion USA, LLC also owns a portion of the authorized place of use (tax lot 1100) and has provided a consent to transfer this water right. (See Attachment D).

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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 – Certificates 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. (Attachment E)  
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](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
Riverside Well 2	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Riverside Well 1	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



MAY 23 2022

## Part 5 of 5 – Water Right Information

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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 # 46836

## Description of Water Delivery System

System capacity: 4.5 (1.11 under this water right) 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. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW SW	DLC 41 1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE NW	200 340 feet South and 1,360 feet East from the NW corner of Section 33
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW NW	200 620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)   |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)   |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> <del>Additional Point of Appropriation (AROA)</del> - removed per email date 7/2/23 |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)   |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)  |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



**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 – Certificates 82480, 46838, 46836, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46835 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. (Attachment E)

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](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
Riverside Well 2	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Riverside Well 1	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



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 # 46835**

List the change proposed for the acreage in each  $\frac{1}{4}$   $\frac{1}{4}$ . 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	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																					
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	
										POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)						Municipal	Riverside Well 2, Riverside Well 1	8/19/1957		
TOTAL ACRES:											TOTAL ACRES:						N/A				

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 – Certificates 82480, 46838, 46835, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46836 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A;

Surface water primary Certificate # N/A.

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

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

**OWRD**

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Attachment E)

**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](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
Riverside Well 2	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Riverside Well 1	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



## 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 # 46835

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### Description of Water Delivery System

MAY 23 2022

System capacity: 4.5 (2.90 under this water right) cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW	SW	DLC 39	1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28
Riverside Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Riverside Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)                                     |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)                                 |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) - per email dated 2/2/23 |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)   |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)  |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.



Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 46835**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E	1	NE NW	100	13.0	irrigation	POD #1	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
											POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)							Municipal	Riverside Well 2, Riverside Well 1	9/7/1956	
TOTAL ACRES:												TOTAL ACRES:						N/A				

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

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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 # 46835

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### Description of Water Delivery System

JAN 31 2022

System capacity: 4.5 (2.90 under this water right) cubic feet per second (cfs) OR

\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

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	X	X	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW SW	DLC 39 1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE NW	200 340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW NW	200 620 feet South and 905 feet East from the NW corner of Section 33

0.37 mi.  
0.38 mi.

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

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.



**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 – Certificates 82480, 46838, 46836, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46835 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Attachment E)

**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](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.	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



STATE OF OREGON

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MARTIN MARIETTA ALUMINUM INC.

of P.O. Box 711, The Dalles, State of Oregon, 97058, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of well

a tributary of Columbia River industrial

for the purpose of

under Permit No. G-338 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 September 7, 1956

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 2.9 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Irvine DLC 39, Section 28, T. 2 N., R. 13 E., W. M., 1320 feet North and 2260 feet West from the S $\frac{1}{2}$  Corner, Section 28

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 ----- of one cubic foot per second per acre,

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:

SW $\frac{1}{4}$   
Section 28  
T. 2 N., R. 13 E., W. M.

POU, USE, POA,  
APOA

ENTIRETY  
OF THE  
RIGHT

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

WITNESS the signature of the Water Resources Director, affixed

this date. November 2, 1978

*James E. Saxon*  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 39, page 46835



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 # 46835**

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						
<b>EXAMPLE</b>																										
2	S	9	E	1	NW	500		10.0	Water Right	POD #1	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
										POA/APOA/ POU/USE		City of the Dalles Service Area (See Attachment B – Application Maps)						Municipal	Well 6, Well 7	8/19/1957						
TOTAL ACRES:												TOTAL ACRES:						N/A								

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



## 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 # **46836**

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### Description of Water Delivery System

JAN 31 2022

System capacity: **4.5 (1.11 under this water right)** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 1 using a 200 Hp turbine pump and is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and closed pipe system that delivers water throughout the place of use for various industrial purposes.

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# [or Well ID Tag # L-_____]	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3256	2	N	13	E	28	NW	SW	DLC 41	1320 feet North and 2260 feet West from the South 1/4 Corner of Section 28
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

0.37 mi.  
0.38 mi.

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

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.



## STATE OF OREGON

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MARTIN MARIETTA ALUMINUM INC.

of P.O. Box 711, The Dalles, State of Oregon, 97058 has made  
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
Well No. 1

a tributary of Columbia River  
industrial

for the purpose of

under Permit No. G-645 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  
August 19, 1957

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  
1.11 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well.  
The well is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Irvine DLC 39, Section 28,  
T. 2 N., R. 13 E., W. M., 1320 feet North and 2260 feet West from the SE $\frac{1}{4}$  Corner,  
Section 28

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 ----- of one cubic foot per second  
per acre,

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:

SW $\frac{1}{4}$   
Section 28  
T. 2 N., R. 13 E., W. M.

ENTIRETY  
OF THE  
RIGHT

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

WITNESS the signature of the Water Resources Director, affixed

this date. November 2, 1978

*James E. Saxon*  
Water Resources Director



**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 – Certificates 82480, 46838, 46835, 46839, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46836 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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 # N/A:

Surface water primary Certificate # N/A.

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

JAN 31 2022

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

OWRD

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Attachment E)

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](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

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

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



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 # 46836**

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
											POA/APOA/ POU/USE			City of the Dalles Service Area (See Attachment B – Application Maps)							Municipal	Well 6, Well 7	8/19/1957			
TOTAL ACRES:											TOTAL ACRES:										N/A					

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

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JAN 31 2022

## Part 5 of 5 – Water Right Information

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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 # 46839

## Description of Water Delivery System

System capacity: 2.2 (1.60 under this water right) 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. Water is pumped from Well 4 using a 60 Hp submersible pump. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.

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 # 1- )	Twp	Rng	Sec	¼	¼	Tax lot, DLC or Gov't lot	Measured Distances (from a recognized survey corner)
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE SW	DLC 39 970 feet North and 1080 feet West from the South ¼ Corner of Section 28
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE NW	200 340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW NW	200 620 feet South and 905 feet East from the NW corner of Section 33

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)            |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                                  |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                         |

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.



**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 – Certificates 82480, 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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

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 # N/A;

Surface water primary Certificate # N/A.

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

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

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**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. **(Attachment E)**

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](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.	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	



STATE OF OREGON

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MARTIN MARIETTA ALUMINUM INC.

of P.O. Box 711, The Dalles, State of Oregon, 97058, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Well No. 4-A

a tributary of Columbia River industrial

for the purpose of

under Permit No. G-648 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 August 19, 1957 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 1.6 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Irvine DLC 39, Section 28, T. 2 N., R. 13 E., W. M., 970 feet North and 1080 feet West from the S $\frac{1}{4}$  Corner, Section 28

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 ----- of one cubic foot per second per acre,

ENTIRETY  
OF THE  
RIGHT

POU. USE, POA, APOA

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:

SW $\frac{1}{4}$   
Section 28  
T. 2 N., R. 13 E., W. M.

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

WITNESS the signature of the Water Resources Director, affixed this date. November 2, 1978

*James E. Lerner*  
Water Resources Director



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 # 46839**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																					
2	S	9	E 1/4			100	Irrigation	POD #5	1901	POU/POD	2	S	9	E 1/4			10.0		POD #5	1901	
											2	S	9	E 2/4			5.0		POD #6	1901	
										POA/APOA/ POU/USE	City of the Dalles Service Area (See Attachment B – Application Maps)						Municipal	Well 6, Well 7	8/19/1957		
TOTAL ACRES:											TOTAL ACRES:						N/A				

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



## 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 # **82480**

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### Description of Water Delivery System

System capacity: **5.02 (1.2 under this water right)** cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Wells 3 and 4 using a 100 Hp line shaft turbine pump, and a 60 Hp submersible pump, respectively. Water is conveyed via 14 inch mainline to a common water system consisting of a 100,000 gallon elevated water storage tower and a closed pipe system that delivers water for various industrial purposes.

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3255	2	N	13	E	28	SW	SW	700	300 feet South and 1820 feet West from the SE Corner of DLC 39
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WASC 3249	2	N	13	E	28	SE	SW	DLC 39	60 feet North and 1040 feet West from the SE corner of DLC 39
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NE	NW	200	340 feet South and 1,360 feet East from the NW corner of Section 33
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2	N	13	E	33	NW	NW	200	620 feet South and 905 feet East from the NW corner of Section 33

1641 9 ft. 1253.8 ft.  
 1316.3 ft. 1114.9 ft.

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P)     |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA)     |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                           |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                  |

Will all of the proposed changes affect the entire water right?

- ☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☒ No Complete all of Table 2 to describe the portion of the water right to be changed.



This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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.

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

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JAN 31 2022

OWRD

THIS CERTIFICATE ISSUED TO

MARTIN MARIETTA CORP  
6801 ROCKLEDGE DRIVE  
BETHESDA, MARYLAND 20034

POU, USB, POA

PARTIAL

confirms the right to use the waters of WELL 3 AND WELL 4 in the COLUMBIA RIVER BASIN for the purpose of INDUSTRIAL USE.

The right has been perfected under Permit G-646. The date of priority is AUGUST 19, 1957. The right is limited to not more than 1.2 CUBIC FOOT PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

T=0.4 cfs

R=0.8 cfs

WELL 3: SW 1/4 SW 1/4, (DLC 41), SECTION 28, T 2 N, R 13 E, W.M.; 300 FEET SOUTH AND 1820 FEET WEST FROM THE SE CORNER, DLC 39.

WELL 4: SE 1/4 SW 1/4, (DLC 39), SECTION 28, T 2 N, R 13 E, W.M.; 60 FEET NORTH AND 1040 FEET WEST FROM THE SE CORNER, DLC 39.

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

The quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 1.2 cubic foot per second.

T-5607.JWG

Certificate Number 82480



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

SW 1/4  
SECTION 28  
TOWNSHIP 2 NORTH, RANGE 13 EAST, W.M.

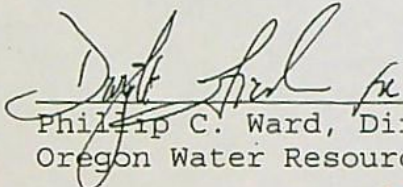
The diversion works shall include an access port, an in line flow meter, weir, or other suitable device for measuring the water to which the water user is entitled.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered MARCH 12, 1987, approving Transfer Application 5607, and supersedes Certificate 46837, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed

NOV 27 2006

  
Philip C. Ward, Director  
Oregon Water Resources Department

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Recorded in State Record of Water Right Certificates numbered 82480

T-5607.JWG



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 # 82480**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
<b>EXAMPLE</b>																										
2	S	9	E	15	NE	NW	300		100	1901	POD #2	POD #2	1901	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
2	N	13	E	28	NE	SW	705	DLC 39																		
2	N	13	E	28	NE	SW	1000	DLC 39																		
2	N	13	E	28	NE	SW	700	DLC 39																		
2	N	13	E	28	NW	SW	700	DLC 39																		
2	N	13	E	28	SW	SW	700	DLC 41		Industrial Wells 3 & 4	8/19/1957	POA/POU/ USE														
2	N	13	E	28	SW	SW	1100	DLC 41																		
2	N	13	E	28	SE	SW	700	DLC 39																		
2	N	13	E	28	SE	SW	700	DLC 41																		
2	N	13	E	28	SE	SW	700	GL 6																		

City of the Dalles Service Area  
(See Attachment B – Application Maps)

Municipal

Well 6,  
Well 7

8/19/1957

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[illegible]

Additional remarks: Certificate 82480 authorizes the use of up to 1.2 cfs for industrial use. This transfer proposes to change a 0.4 cfs portion of the water right. The proposed changes would affect this portion of the right for the entire place of use for Certificate 82480. (The Applicant has submitted another water right transfer application for the remaining 0.8 portion of Certificate 82480.) The authorized place of use is described in the Specific-to-General Industrial Use Change notice that was acknowledged by OWRD on July 29, 2010. The Applicant has obtained quit claim deeds from Lockheed Martin Corp. and The Dalles Industrial Group for all the portions of the certificates that are appurtenant to tax lots 1000 and 705. Hydro Extrusion USA, LLC also owns a portion of the authorized place of use (tax lot 1100) and has provided a consent to transfer this water right. (See Attachment D).

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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 – Certificates 46838, 46835, 46836, 46840, 46841, and 64506 are located on the "from lands." All of these rights, except Certificate 64506, authorize use for industrial/manufacturing (and Certificate 46839 is being changed to municipal use), so "layering" does not apply to either the "from" or "to" lands.

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

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 # N/A:

Surface water primary Certificate # N/A.

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

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

OWRD

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

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. **(Attachment E)**  
**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](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. _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 6	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	
Well 7	No		350 ft (est)	16-inch (est)	0 to 220 (est)	0 to 220 (est)	Open borehole 220 to 350 (est)	70 (est)	Basalt (Dalles Pool)	





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MAY 23 2022

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May 19, 2022

Kelly Starnes  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Transfer T-13904, in the name of Design, LLC

Dear Kelly:

On January 31, 2022, GSI Water Solutions filed transfer application T-13904 on behalf of Design LLC. The transfer application requested to change the place of use, character of use and point of appropriation, and to add an additional point of appropriation to all or a portion of four water rights. The proposed points of appropriation were identified as Well 6 and Well 7.

The Applicant is now requesting to change the names of the proposed wells to Riverside Well 2 and Riverside Well 1. The proposed locations and construction of the proposed points of appropriation remain unchanged; only the names are being changed.

Please find enclosed replacement pages for the transfer application and maps for Transfer T-13904 that include the new names for the proposed wells. The modified text in the application has been highlighted in yellow for easy identification. Please replace the original application pages and maps with the enclosed replacement pages and maps.

Please contact me if you have any questions or concerns. My telephone number is 541-257-9004.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Kimberly Grigsby  
Principal Water Resources Consultant

Enclosures: Revised Water Right Transfer Application pages and maps





CITY OF THE DALLES  
Department of Public Works  
1215 West First Street  
The Dalles, Oregon 97058

---

January 19, 2022

Kelly Starnes  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-0900

RE: Water Right Transfer for the Benefit of the City of The Dalles

Dear Mr. Starnes;

Design, LLC has submitted a water right transfer application related to the use of water under Design's water right Certificates 46835, 46836, 46839 and 82480. As described in the application, after OWRD approves the proposed transfer to change the place of use, character of use, point of appropriation, and to add an additional point of appropriation for the entirety of Certificates 46835, 46836, 46839, and a 0.4 cfs portion of Certificate 82480, the City will be responsible for completing the requested changes. For the reasons described below, we are requesting (pursuant to OAR 690-380-5140) that OWRD allow 20 years to complete this transfer.

Completion of the requested transfer will require the City to conduct planning, develop engineering plans, as well as to construct the necessary infrastructure. For these reasons, allowing 20 years to complete the proposed transfer is justified.

Please contact me if you need additional information. My office telephone number is 541-506-2008 and my cellular number is (541) 980-1446.

Sincerely,

Dave Anderson  
Public Works Director  
City of The Dalles

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JAN 31 2022

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
County of WASCO ) ss

I, Caitlin Bryan of Maul Foster & Alongi, Inc., in my capacity as, Direct Responsible Charge for the Water System

mailing address PO BOX 1646, GOLDENDALE, WA, 98620

telephone number (509) 690-3012, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one): JAN 31 2022

☒ Personal observation ☐ Professional expertise

OWRD

2. I attest that:

☒ Water was used during the previous five years in accordance with the terms and conditions of Certificates # 46835, 46836, 46839 AND 82480; OR

☐ My knowledge is specific to the use of water at the following locations within the last five years:

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

OR

- ☐ Confirming 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)



After Recording, Return To:

Stoel Rives LLP  
Attn: Kirk B. Maag  
760 SW Ninth Avenue, Suite 3000  
Portland, OR 97205

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JAN 31 2022

Until A Change Is Requested,  
Send All Tax Statements To:

OWRD

No change

---

Space above reserved for recorder

### STATUTORY QUITCLAIM DEED REGARDING WATER RIGHT CERTIFICATES

**LOCKHEED MARTIN CORPORATION**, a Maryland corporation ("**Grantor**"), releases and quitclaims to **DESIGN, LLC**, a Delaware limited liability company ("**Grantee**"), all rights, title and interest in and to the portions of Water Right Certificate Nos. 46835, 46836, 46838, 46839, 46840, 46841, 64506 and 82480 that are described in such certificate as being appurtenant to the real property in Wasco County, Oregon described on attached **Exhibit A** (the "**Subject Lands**").

The true consideration for this conveyance is other value acknowledged and received.

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,

QUITCLAIM DEED

105021435.3 0037371-00040

PAGE 1



Exhibit A

**Description of Subject Lands**

PARCEL 1 OF PARTITION PLAT NUMBER 2017-0013 RECORDED OCTOBER 26, 2017 UNDER MICROFILM NO. 2017-004255, RECORDS OF WASCO COUNTY, STATE OF OREGON. BEING A REPLAT OF PARCELS 2 AND 3, PARTITION PLAT 91-0016 AND PARCEL 1, PARTITION PLAT 2015-0015 LYING IN SECTION 28, TOWNSHIP 2 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, OREGON.

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SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 20 day of May, 2020.

THE DALLES INDUSTRIAL GROUP LLC,  
an Oregon limited liability company

By: [Signature]

Name: ERIK KERR

Its: MEMBER MANAGER

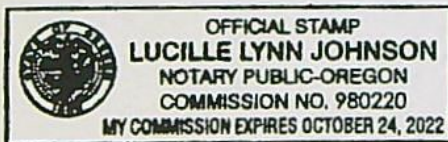
STATE OF Oregon )  
 ) ss.  
County of Wasco )

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This record was acknowledged before me on May 20, 2020, by Erik Kerr  
as Member/Mgr. of The Dalles Industrial Group LLC, an Oregon limited liability company,  
on behalf of the company.



Lucille Lynn Johnson  
Notary Public for Oregon  
My commission expires: 10/24/2022



Application for Water Right  
Transfer  
Consent by Deeded Landowner



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

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State of Illinois )  
 )ss  
County of Cook )

I Charles Straface in my capacity as  
President of Hydro Extension USA LLC,  
mailing address 6250 North River Road, Suite 5000, Rosemont, IL 60018, telephone  
number (847) 349-7230, duly sworn depose and say that I  
consent to the proposed change(s) to Water Right Certificate Numbers 46838 & 82480  
described in a Transfer Application (T-      ) submitted by Design, LLC,  
(transfer number, if known)  
on the property in tax lot number(s) 1100, Section 28 & 33, Township 2  
North, Range 13 East, W.M., located at 2929 W 2<sup>nd</sup> St, The Dalles, OR 97058.  
(site address)

Charles Straface  
Signature of Affiant

01/05/21  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 5<sup>th</sup> day of January, 2021.



Nancy Cisek  
Notary Public for Illinois

My commission expires 11-16-2021.



Industrial land and use that is being added:  
Northwest Aluminum Specialty  
2929 West Second Street  
The Dalles, OR 97058

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(B) The water right certificate numbers;

Certificate 46840 Columbia River	Issue Date 3/16/1959
Certificate 46841 Columbia River	Issue Date 3/22/1962
Certificate 64506 Columbia River	Issue Date 4/24/1979
Certificate 46838 Well #3	Issue Date 10/25/1957
Transfer 5607, that portion dealing with Well #3	Issue Date 3/12/1987

(C) A description of the location of the industrial facility owned by the holder of the original water right at the time the water right permit was issued;

The water right describes the place of use as the SW  $\frac{1}{4}$  of Section 28, T 2 N, R 13 E, WM. This could be further described as tax lot 700 on tax map 2N 13E Section 28.

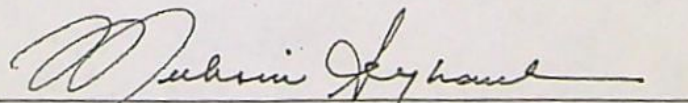
Tax lot 1100 on tax map 2N 13E is the parcel being added under the 540.259(9) process.

See the attached maps that highlight all of the land originally owned by Harvey Aluminum when the water rights were filed.

(D) A description of the general industrial use to be made of the water after the change.

The water will be used for cooling of various processes, in the inline deburring process, fire suppression and for general plant use.

Signature



Title

COO, NORTHWEST ALUMINUM (GOLDEN NORTHWEST ALUMINUM HOLDING CO)

Date

June 24, 2010

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JUL 08 2010

WATER RESOURCES DEPT  
SALEM, OREGON



# Land Use Information Form



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

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JAN 31 2022

## NOTE TO APPLICANTS

OWRD

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

### This form is NOT required if:

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

## NOTE TO LOCAL GOVERNMENTS

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



# Land Use Information Form



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

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Applicant(s): Design, LLC,

Mailing Address: 1600 Amphitheatre Parkway

City: Mountain View

State: CA

Zip Code: 94043

Daytime Phone: 650-214-1176

## 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:
City of The Dalles Service Area (See attached map)						<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Municipal</u>
<u>2 N</u>	<u>13 E</u>	<u>33</u>	<u>SENW</u>	<u>200</u>	Industrial Heavy	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Municipal</u>

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

The Dalles, OR

## 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: 6.01    ☒ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

Intended use of water: ☐ Irrigation    ☐ Commercial    ☐ Industrial    ☐ Domestic for \_\_\_\_\_ household(s)  
☒ Municipal    ☐ Quasi-Municipal    ☐ Instream    ☐ Other \_\_\_\_\_

Briefly describe:

The Applicant is proposing to change the points of appropriation, place of use, and character of use for Certificates 46835, 46836, 46839, and a 0.4 cfs portion of Certificate 82480 to allow use of groundwater for municipal purposes within the service area of the city of The Dalles.

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



## For Local Government Use Only

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

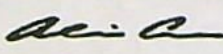
### Please check the appropriate box below and provide the requested information

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JAN 31 2022	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

The approval of this Land Use Compatibility form does not grant approval of any development on the subject property, besides the water well(s).

Name: Alice Cannon Title: Community Dev. Director  
 Signature:  Phone: 503-296-5481 Date: January 20, 2022  
 Government Entity: City of The Dalles, Oregon ext 1151

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





January 24, 2022

Kelly Starnes  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

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Re: Transfer Application for Certificates 46835, 46836, 46839 and 82480, in the name of Design, LLC

Dear Mr. Starnes:

Design, LLC is the holder of water right Certificates 46835, 46836, 46839 and 82480. Each certificate authorizes the appropriation of groundwater for industrial use. The Applicant is filing the enclosed transfer application, for the benefit of the City of The Dalles, to change the place of use, character of use, point of appropriation, and to add an additional point of appropriation for the entirety of Certificates 46835, 46836, 46839, and a 0.4 cfs portion of Certificate 82480. Please note that the Applicant has previously submitted a transfer application for the remaining 0.8 cfs portion of Certificate 82480.

Enclosed is an Application for Permanent Water Right Transfer and the required processing fee of \$8,720.

We are requesting that OWRD process the transfer under its reimbursement authority program. Enclosed is a Transfer Reimbursement Authority Estimate Application, and the associated application fee of \$125.

Please contact me if you have any questions or concerns. My telephone number is 541-257-9004.

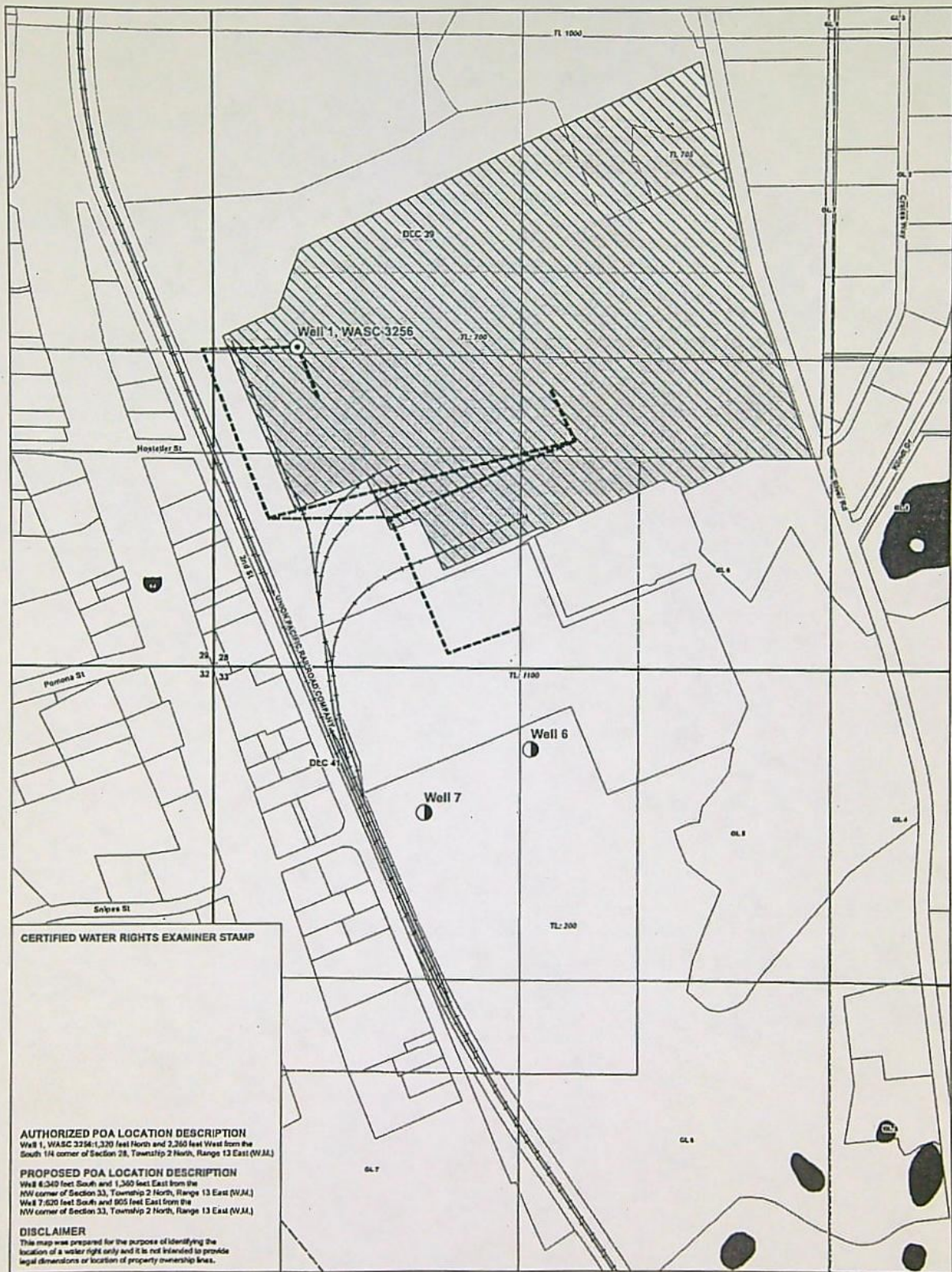
Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Kimberly Grigsby  
Principal Water Resources Consultant

Enclosures: Water Right Transfer Application  
Check for application fee in the amount of \$8,720  
Reimbursement Authority Estimate Application and check for \$125 application fee





#### LEGEND

- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- ▨ Authorized Place of Use (POU)
- Tax Lot
- ▤ Donation Land Claim (DLC)
- ▥ Government Lot (GL)
- Railroad
- ~ Watercourse
- Waterbody

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**JAN 31 2022**

**OWRD**

#### Application for Permanent Water Right Transfer in the Name of Design, LLC, Certificate 46836

Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)

#### MAP NOTES

Date: December 16, 2021  
Data Sources: BLM, ESRI, USGS, Waco Co, GIS



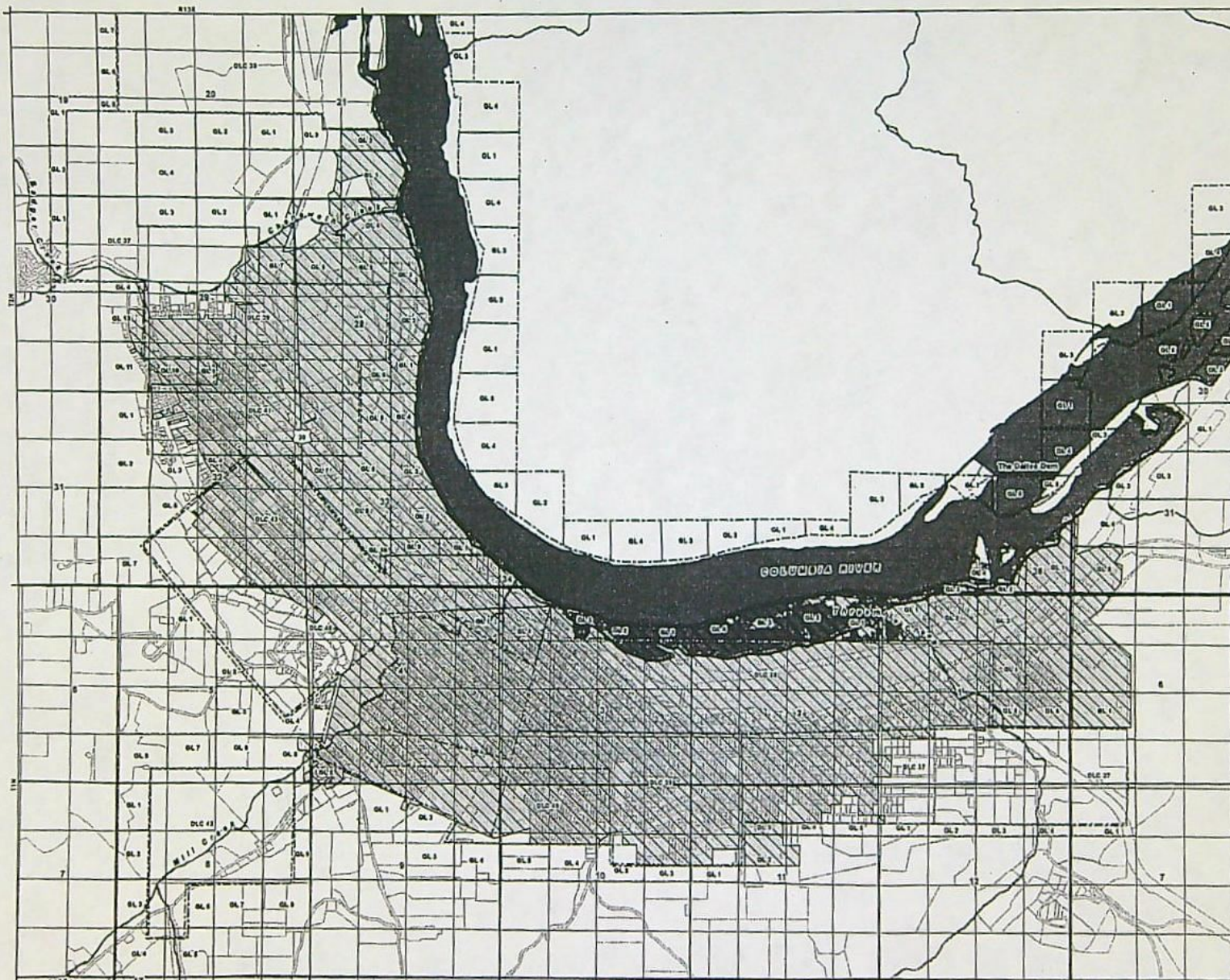
0 200 400 600  
1 inch = 400 Feet











# Application for Permanent Water Right Transfer

In the Name of Design, LLC,  
Certificates 46835, 46836, 46839,  
and 82480, Proposed Place of Use  
Townships 1 & 2 North, Ranges 13 & 14 East (W.M.)

## LEGEND

- Proposed Place of Use (POU)
- Government Lot (GL)
- Donation Land Claim (DLC)
- Tax Lot
- Watercourse
- Waterbody

CERTIFIED WATER RIGHTS EXAMINER STAMP

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## DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.



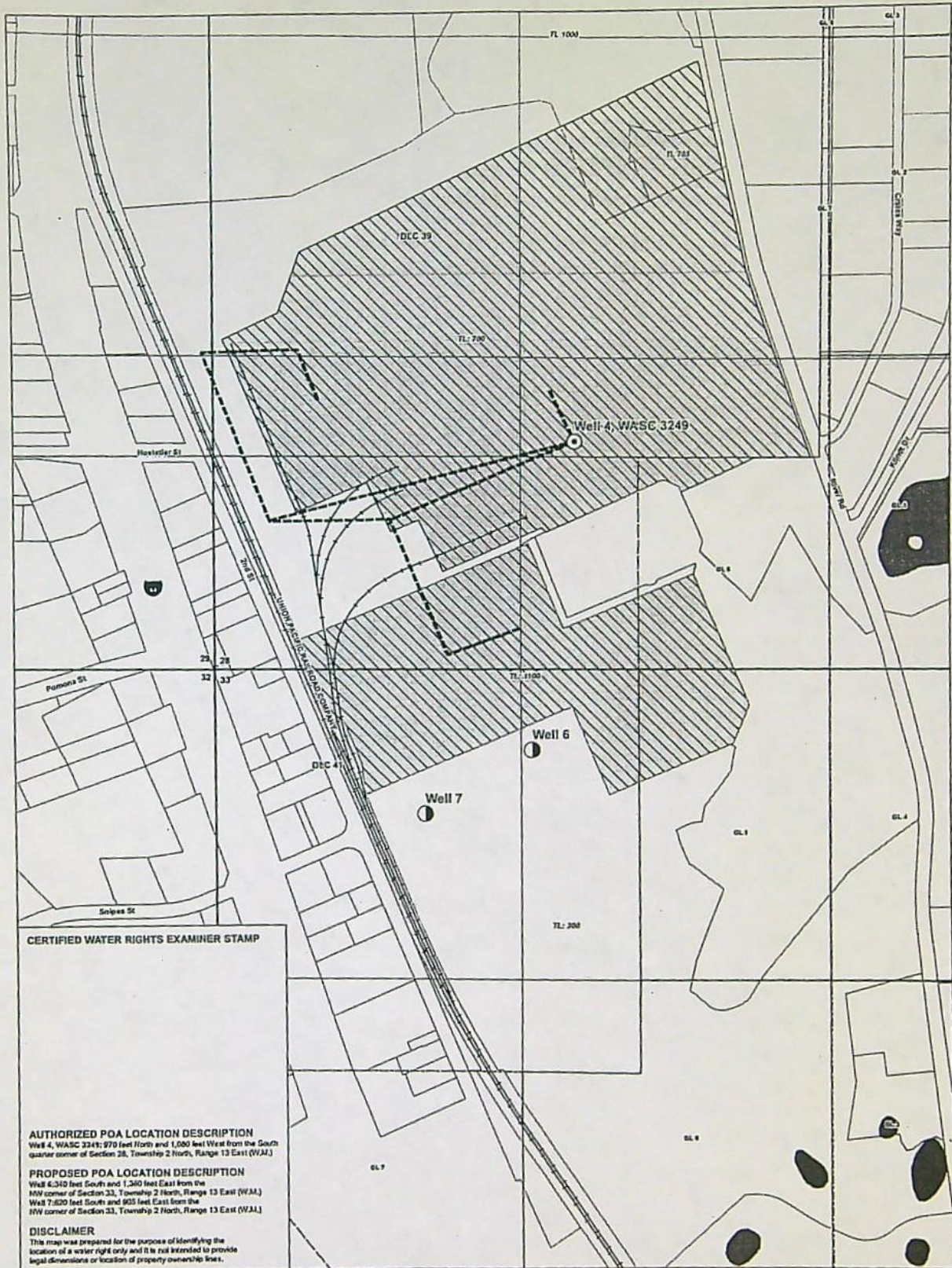
0 1,320 2,640 3,960  
1 inch = 2,640 feet

## MAP NOTES

Date: January 12, 2021  
Data Source: BLM, ESRI, USGS, Waco Co, GIS







#### LEGEND

- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- ~ Watercourse
- Waterbody

#### Application for Permanent Water Right Transfer in the Name of Design, LLC, Certificate 46839

Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)

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0 200 400 600  
1 inch = 400 Feet

**MAP NOTES**  
Date: December 18, 2021  
Data Source: BLM, ESRI, USGS, Wasco Co. GIS





Exhibit A

Description of Subject Lands

Lot 2 of NORTHWEST ALUMINUM SUBDIVISION, recorded December 6, 2017 under instrument Number 2017-004778, Wasco County, State of Oregon

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After Recording, Return To:

Stoel Rives LLP  
Attn: Virginia M. Pedreira  
600 University Street, Suite 3600  
Seattle, WA 98101

Until A Change Is Requested,  
Send All Tax Statements To:

No change

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JAN 31 2022

RECEIVED

JAN 31 2022

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Space above reserved for recorder

### QUITCLAIM DEED

THE DALLAS INDUSTRIAL GROUP LLC, an Oregon limited liability company ("Grantor"), releases and quitclaims to DESIGN, LLC, a Delaware limited liability company (Grantee), all rights, title and interest in and to the portions of Water Right Certificate Nos. 46835, 46836, 46838, 46839, 46840, 46841, 64506 and 82480 that are described in such certificate as being appurtenant to the real property in Wasco County, Oregon described on attached Exhibit A (the "Subject Lands").

The true consideration for this conveyance is other value acknowledged and received.

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,

QUITCLAIM DEED

105021452.2 0037371-00040

PAGE 1



SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 11<sup>th</sup> day of September, 2020.

By: LMC Properties, Inc. Attorney-In-Fact  
Under Irrevocable Power of Attorney  
Effective April 4, 2016

LOCKHEED MARTIN CORPORATION,  
a Maryland corporation

By: Thomas M Green  
Name: Thomas M Green  
Its: Director of Real Estate

STATE OF Maryland )  
County of Baltimore ) ss.

This record was acknowledged before me on September 11<sup>th</sup>, 2020, by Thomas M Green  
as Director of Real Estate of Lockheed Martin Corporation, a Maryland corporation, on behalf of the  
corporation.

Anita Newkirk  
Notary Public for Lockheed Martin Corporation  
My commission expires: June 02, 2024

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Anita Newkirk  
NOTARY PUBLIC  
BALTIMORE COUNTY  
MARYLAND  
MY COMMISSION EXPIRES June 02, 2024



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

Caitlin Bryan  
Signature of Affiant

12/29/2021  
Date

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JAN 31 2022

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Signed and sworn to (or affirmed) before me this 29<sup>th</sup> day of Dec, 2021.



Melissa Leitz  
Notary Public for Oregon

My Commission Expires: July 28, 2023

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





# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

July 26, 2010

Northwest Aluminum  
(Golden Northwest Aluminum Holding Company)  
3313 West Second Street  
The Dalles, OR 97058

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JAN 31 2022

OWRD

Reference: Certificates 46840, 46841, 64506, 46838 and Transfer T-5607

This will acknowledge receipt of your notice of a change from a specific to a general industrial use under the above referenced water rights.

It appears that you have complied with the notice requirements and criteria for this type of change as stated in ORS 540.520(9).

The Water Resources Department recognizes this change in use of the right and has added your letter to the water right files as documentation of the change.

Sincerely,

Sarah Henderson  
Executive Support

cc: Watermaster #3  
Files (S-32900, S-37388, S-58051, G-735, G-736, T-5607)



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

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This is a request under ORS 540.259(9)  
To include additional place of use

540.520

(9) A water right transfer under subsection (1) of this section is not required for a general industrial use that was not included in a water right certificate issued for a specific industrial use if:

(a) The quantity of water used for the general industrial use is not greater than the rate allowed in the original water right and not greater than the quantity of water diverted to satisfy the authorized specific use under the original water right;

There will be no increase beyond what is authorized in the water rights by the additional industrial land added to the water rights.

(b) The location where the water is to be used for general industrial use was owned by the holder of the original water right at the time the water right permit was issued;

The land involved here was all owned by different aluminum companies to operate an aluminum plant. Harvey Aluminum was the first company and the one that built the aluminum plant. The ownership changed to Martin Marietta Aluminum and then to Northwest Aluminum. See attached assessors maps and copies of deeds showing ownership when water rights were filed.

(c) The person who makes the change in water use provides the following information to the Water Resources Department:

(A) The name and mailing address of the person using water under the water right;

Requesting Change:

Northwest Aluminum (Golden Northwest Aluminum Holding Company)  
3313 West Second Street  
The Dalles, OR 97058

RECEIVED

JUL 08 2010

WATER RESOURCES DEPT  
SALEM, OREGON



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Design, LLC</b>		PHONE NO. <b>650-214-1176</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1600 Amphitheatre Parkway</b>		FAX NO.	
CITY <b>Mountain View</b>	STATE <b>CA</b>	ZIP <b>94043</b>	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 <b>GSI Water Solutions, Inc. Attn: Kimberly Grigsby</b>		PHONE NO. <b>541-257-9004</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1600 SW Western Blvd., Suite 240</b>		FAX NO.	
CITY <b>Corvallis</b>	STATE <b>OR</b>	ZIP <b>97333</b>	E-MAIL <b>kgrigsby@gsiws.com</b>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**The Applicant, for the benefit of the City of the Dalles, is proposing to change the place of use, character of use, and point of appropriation, as well as add a point of appropriation for Certificates 46835, 46836, and 46839, and for a 0.4 cfs portion of Certificate 82480. The Applicant is requesting to change the character of use to municipal use for the benefit of the City of the Dalles, and to change the place of use to the City of the Dalles service area.**

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

### Check One Box

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

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

IRRIGATION DISTRICT NAME N/A	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 N/A	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 The Dalles Community Development	ADDRESS 313 Court Street	
CITY The Dalles	STATE OR	ZIP 97058

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## Groundwater Transfer Review Summary Form

Transfer/PA # T- 13904

GW Reviewer Phillip I. Marcy Date Review Completed: 05/18/2022

### Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

### Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

### Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

*This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.*





Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271  
(503) 986-0900  
www.wrd.state.or.us

## Ground Water Review Form:

- ☐ Water Right Transfer  
☐ Permit Amendment  
☐ GR Modification  
☐ Other

Application: T-13904

Applicant Name: Design LLC

Proposed Changes: ☒ POA ☒ APOA ☐ SW→GW ☒ RA  
☒ USE ☒ POU ☐ OTHER

Reviewer(s): Phillip I. Marcy

Date of Review: 05/18/2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 11/21/22

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other \_\_\_\_\_

1. Basic description of the changes proposed in this transfer: The applicant is filing on behalf of the City of The Dalles to change the place of use and character of use, changing the point of appropriation in addition to adding a point of appropriation (APOA) for Certificates 46835, 46836, and 46839, and for a 0.4 cfs portion of Certificate 82480. The applicant is requesting to change the character (USE) and place of use (POU) for municipal distribution in the City of The Dalles service area. All rights subject to transfer are currently authorized for Industrial/Manufacturing uses owned by Martin Marietta Aluminum Inc., which no longer operates the plant at this location.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
☒ Yes ☐ No Comments: All proposed wells and currently authorized wells develop from interflow zones within the Columbia River Basalt Group (CRBG), specifically within the Sand Hollow Unit of the Wanapum Formation.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
☐ Yes ☒ No All rights develop from basalt.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA

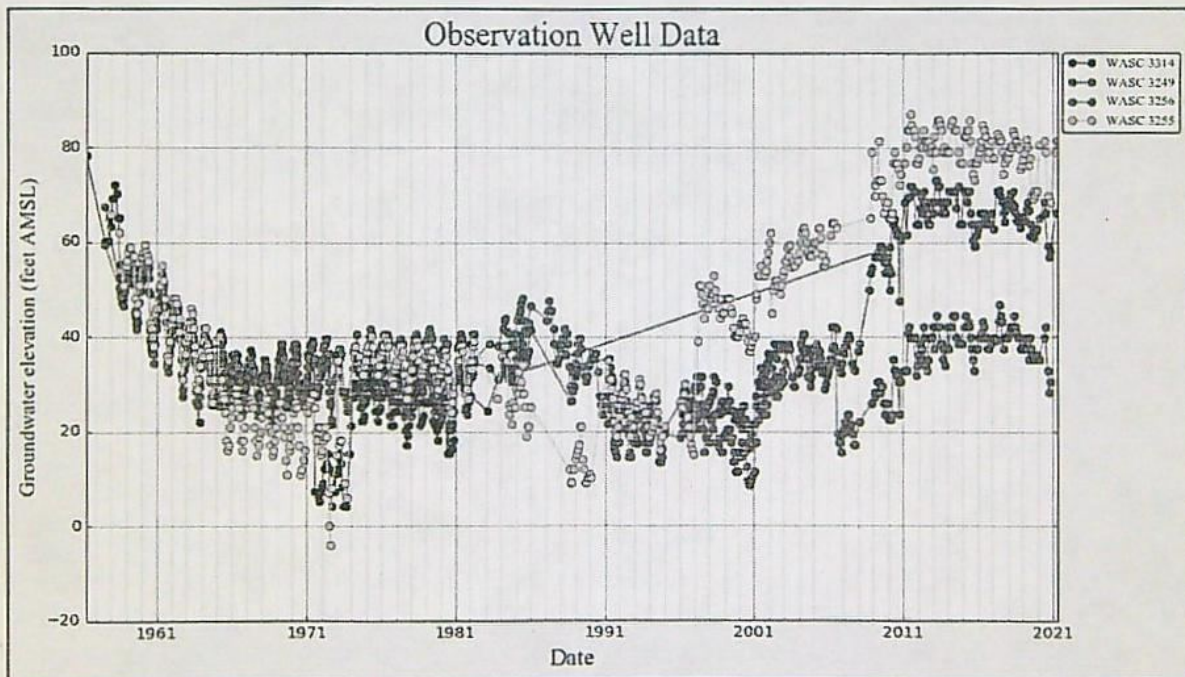


4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?  
☒ Yes ☐ No Comments: Proposed APOA locations are not significantly closer than WASC 3255 or WASC 3256 to any other right, but are 500' (Well 7) and 850' (Well 6) closer to WASC 3314 than WASC 3249, authorized under Certificate 46839.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?  
☐ Yes ☒ No If yes, explain: NA
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?  
☐ Yes ☒ No Comments: The proposed POA location is not closer to any nearby surface water source than the currently authorized POA. Groundwater present within CRBG is typically limited to the porous interflow zones between dense flow interiors. These dense flow interiors generally have very low permeability and provide considerable confinement where extensive faulting or incision by nearby streams have not occurred. In the case of the applicant's well, the targeted water-bearing zone extends beneath the Columbia River to the north and is not incised by local surface water drainages.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?  
Stream: \_\_\_\_\_ ☐ Minimal ☐ Significant  
Stream: \_\_\_\_\_ ☐ Minimal ☐ Significant  
Provide context for minimal/significant impact: NA
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?  
☐ Yes ☐ No Comments: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: The proposed POA lies within The Dalles Critical Groundwater Area, as do the currently authorized POA wells. If a transfer is approved, any POA well is required to have a totalizing flowmeter and control valve installed on the discharge line before any groundwater use takes place. In addition, the water right holder is required to maintain a monthly record of groundwater withdrawal from the well, with a copy of these records to be furnished to the Department within 30 days from the close of each calendar year. The completed well must maintain measurement access by installation of a dedicated measuring tube.



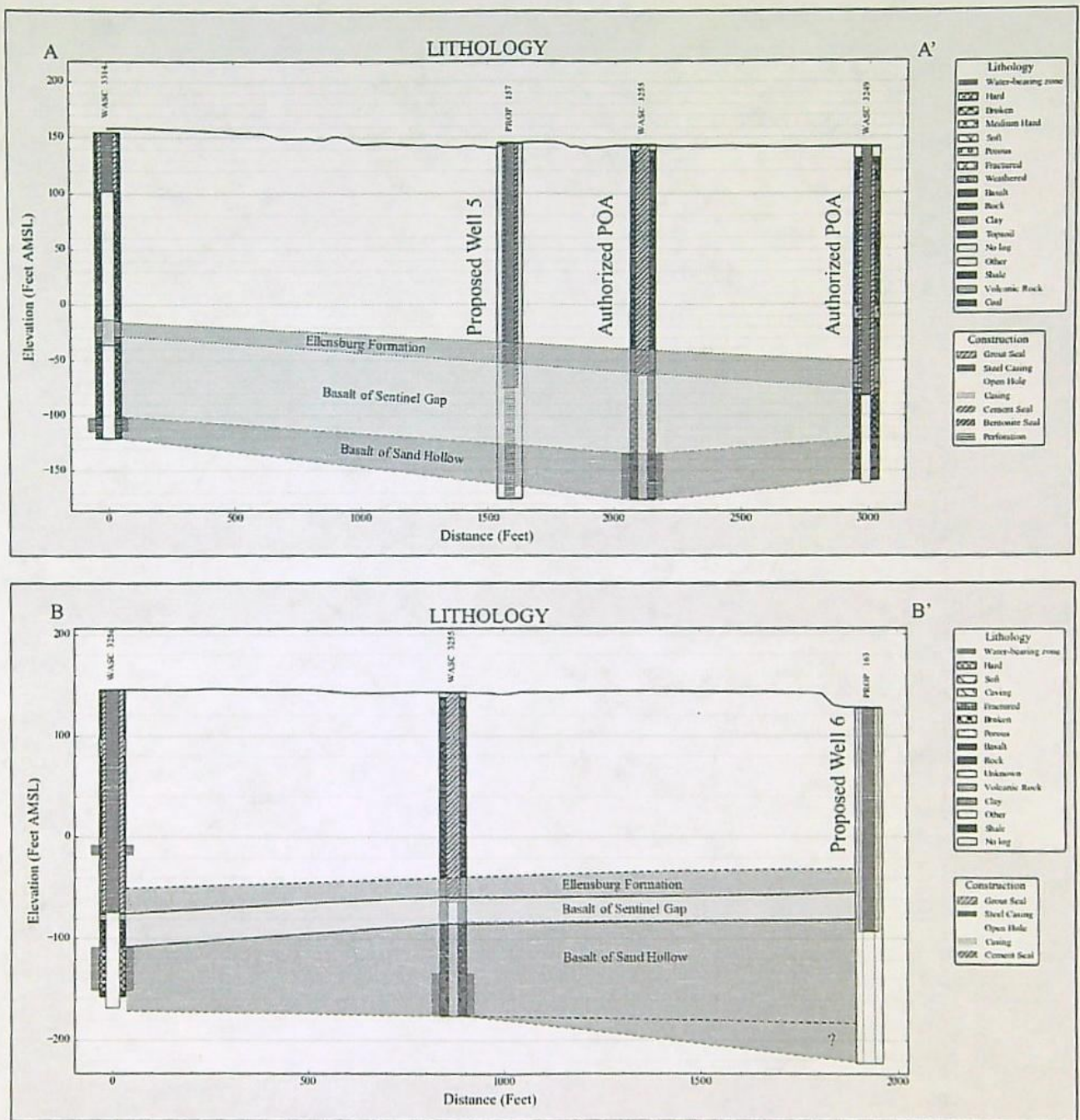
8. Any additional comments: Based on the high conductivity of CRBG interflow zones, the degree of interference experienced by neighboring wells is not anticipated to change significantly as a result of the proposed changes to the geographic distribution of pumping within the same aquifer system.

The proposed change in use is of concern, lying within The Dalles Pool portion of The Dalles Critical Area. Specifically, the concern is rooted in the fact that water rights previously utilized by the aluminum plant have seen little use for several years, dramatically reducing pumpage since 2008. This reduction in groundwater pumping coincides with a marked uptick in groundwater levels since this time (see hydrograph below). The outcome of the transfer proposed herein is anticipated to result in increased groundwater pumping from the Dalles Pool subarea and water levels should be closely monitored going forward to ensure protection of the resource.



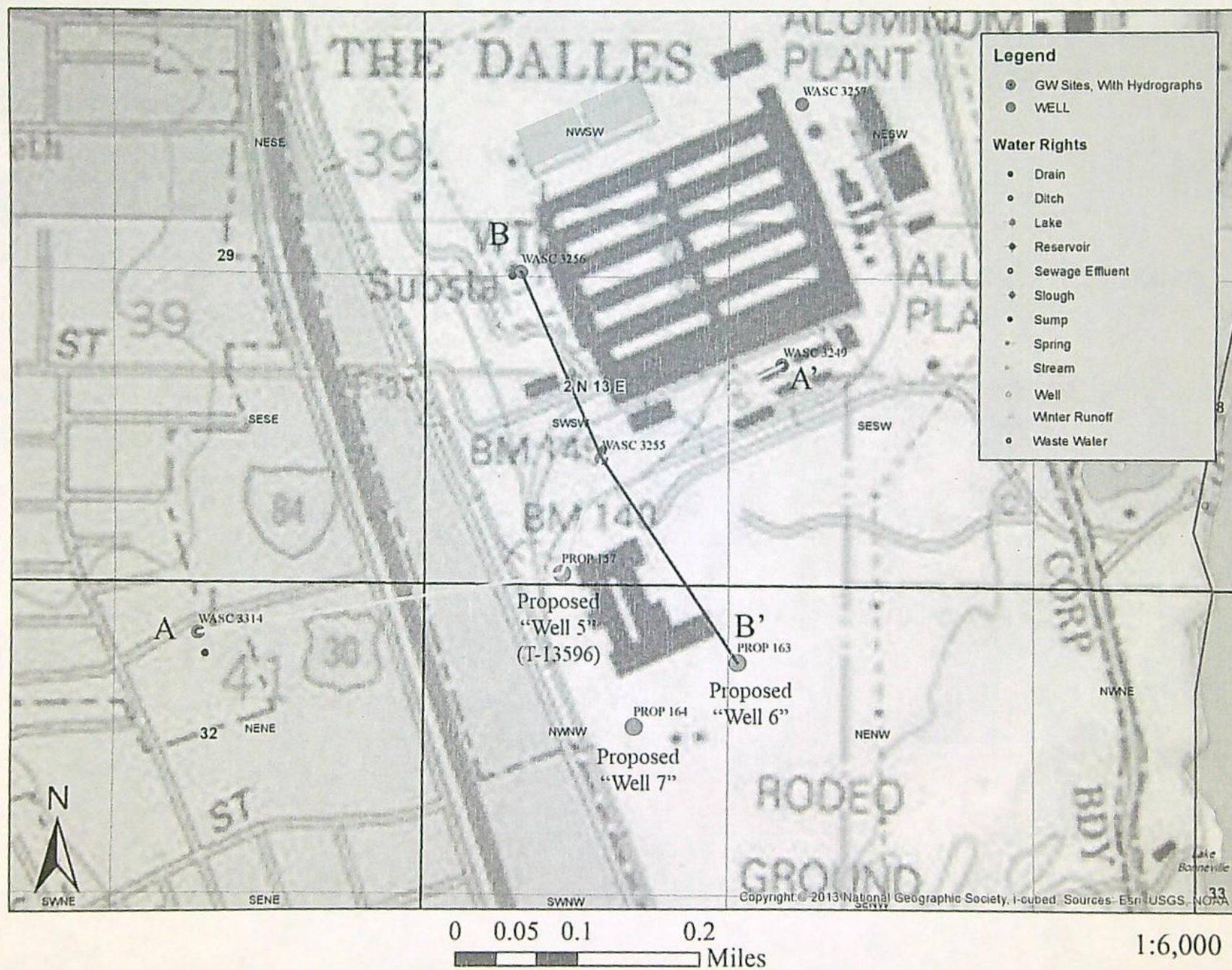
Hydrograph displaying groundwater elevations of observation wells producing from "The Dalles Pool", as described in the order establishing The Dalles Critical Groundwater Area. An uptick of elevations appears to coincide with diminished pumping beginning in 2008.



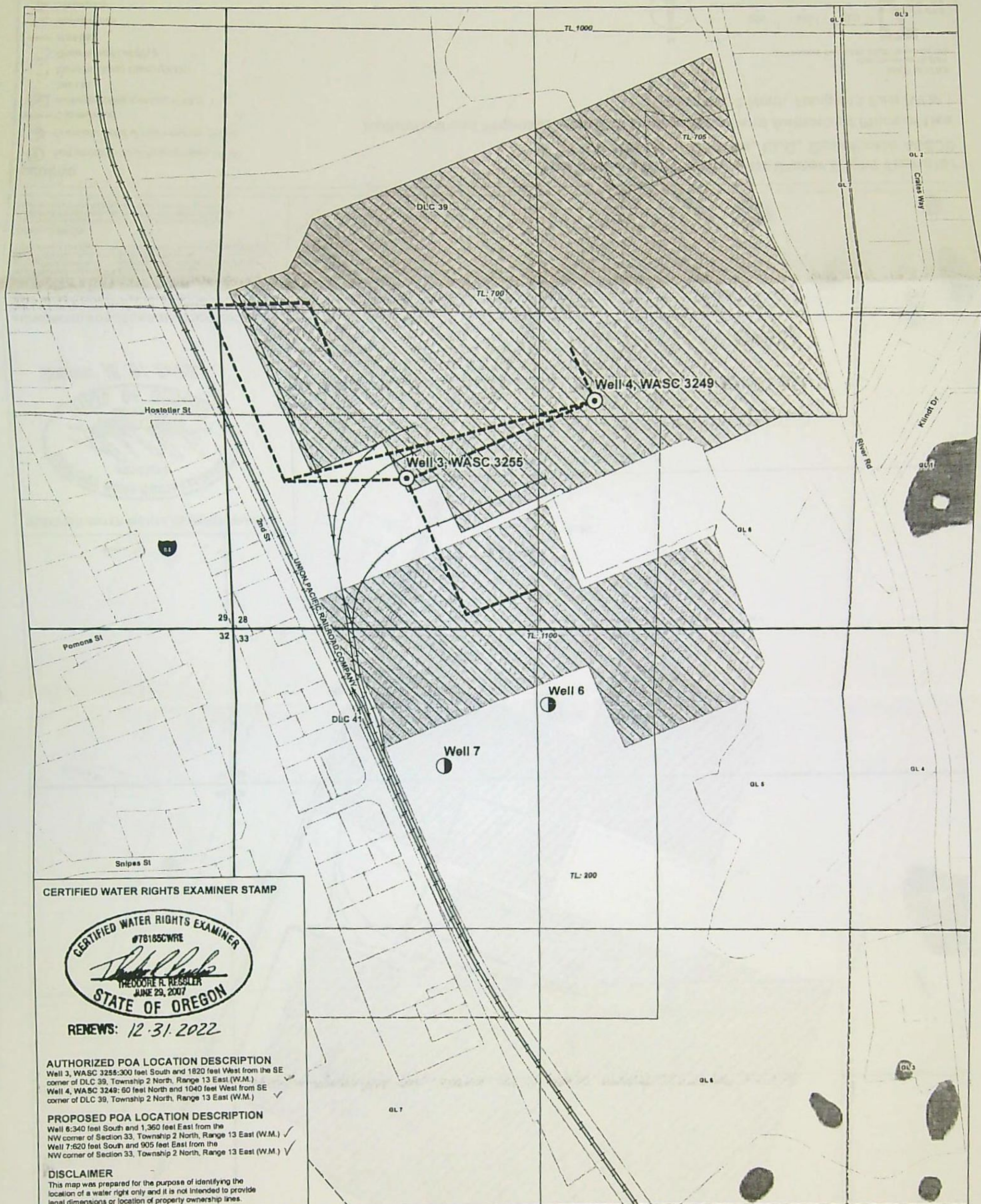


Wells accessing "The Dalles Pool" typically target the interflow zone constituting the upper portion of the Basalt of Sand Hollow and bottom of the Basalt of Sentinel Gap. Proposed construction of APOA wells is intended to target the same water-bearing zones as existing wells.









# CERTIFIED WATER RIGHTS EXAMINER STAMP



RENEWS: 12-31-2022

## AUTHORIZED POA LOCATION DESCRIPTION

Well 3, WASC 3255: 300 feet South and 1820 feet West from the SE corner of DLC 39, Township 2 North, Range 13 East (W.M.) ✓  
 Well 4, WASC 3249: 60 feet North and 1040 feet West from SE corner of DLC 39, Township 2 North, Range 13 East (W.M.) ✓

## PROPOSED POA LOCATION DESCRIPTION

Well 6: 340 feet South and 1,360 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.) ✓  
 Well 7: 620 feet South and 905 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.) ✓

## DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

## LEGEND

- Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- ▨ Authorized Place of Use (POU)
- Tax Lot
- ▤ Donation Land Claim (DLC)
- ▥ Government Lot (GL)
- Railroad
- ~ Watercourse
- Waterbody

## Application for Permanent Water Right Transfer in the Name of Design, LLC, Certificate 82480

Authorized and Proposed Points of Appropriation and Authorized Place of Use

Township 2 North, Range 13 East (W.M.)

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0 200 400 600  
1 Inch = 400 Feet

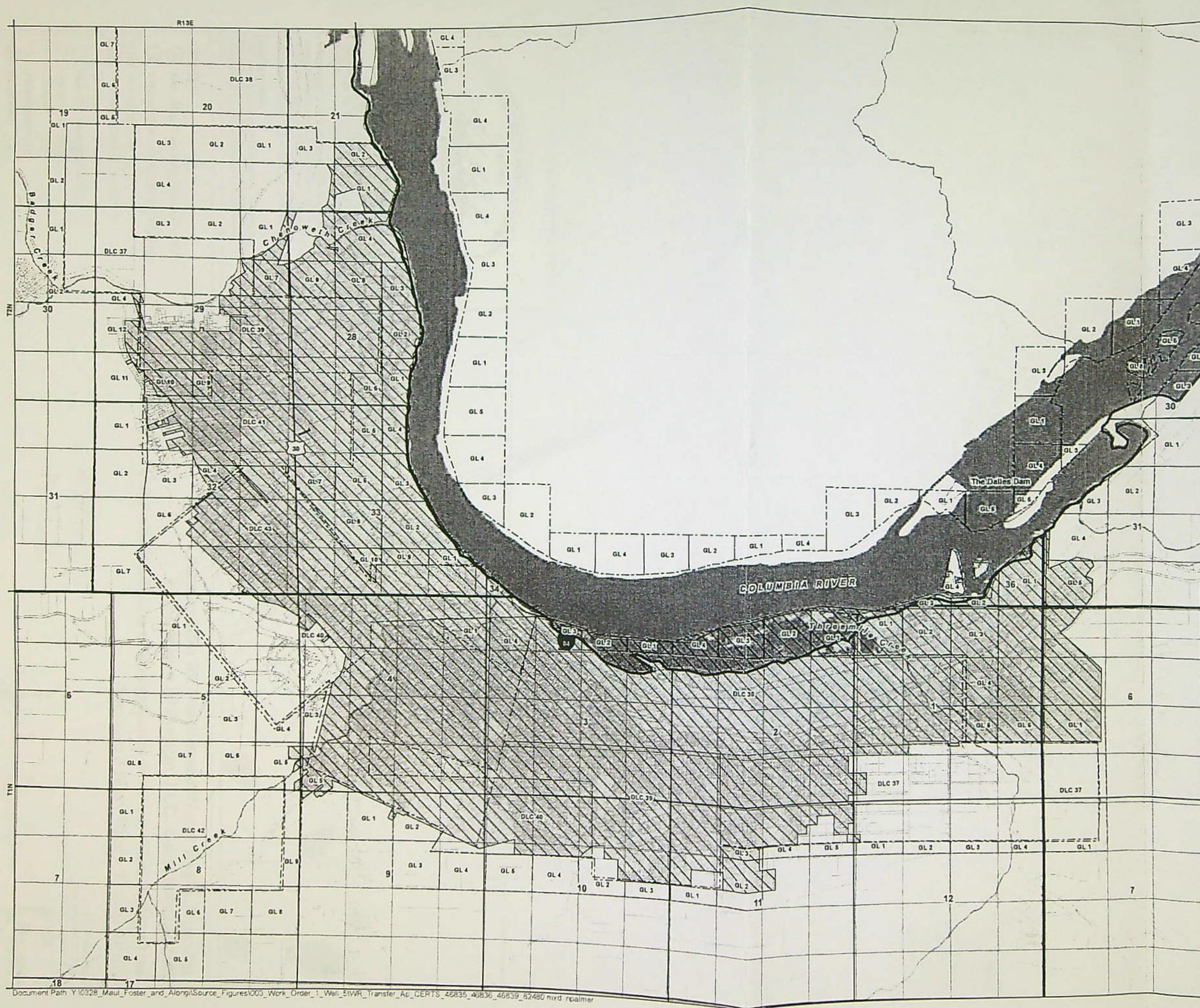
## MAP NOTES

Date: December 16, 2021

Data Sources: BLM, ESRI, USGS, Wasco Co. GIS







# Application for Permanent Water Right Transfer

in the Name of Design, LLC,  
Certificates 46835, 46836, 46839,  
and 82480, Proposed Place of Use

Townships 1 & 2 North, Ranges 13 & 14 East (W.M.)

## LEGEND

- Proposed Place of Use (POU)
- Government Lot (GL)
- Donation Land Claim (DLC)
- Tax Lot
- Watercourse
- Waterbody

## CERTIFIED WATER RIGHTS EXAMINER STAMP



RENEWS: 12-31-2022

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## DISCLAIMER

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0 1,320 2,640 3,960  
1 inch = 2,640 feet

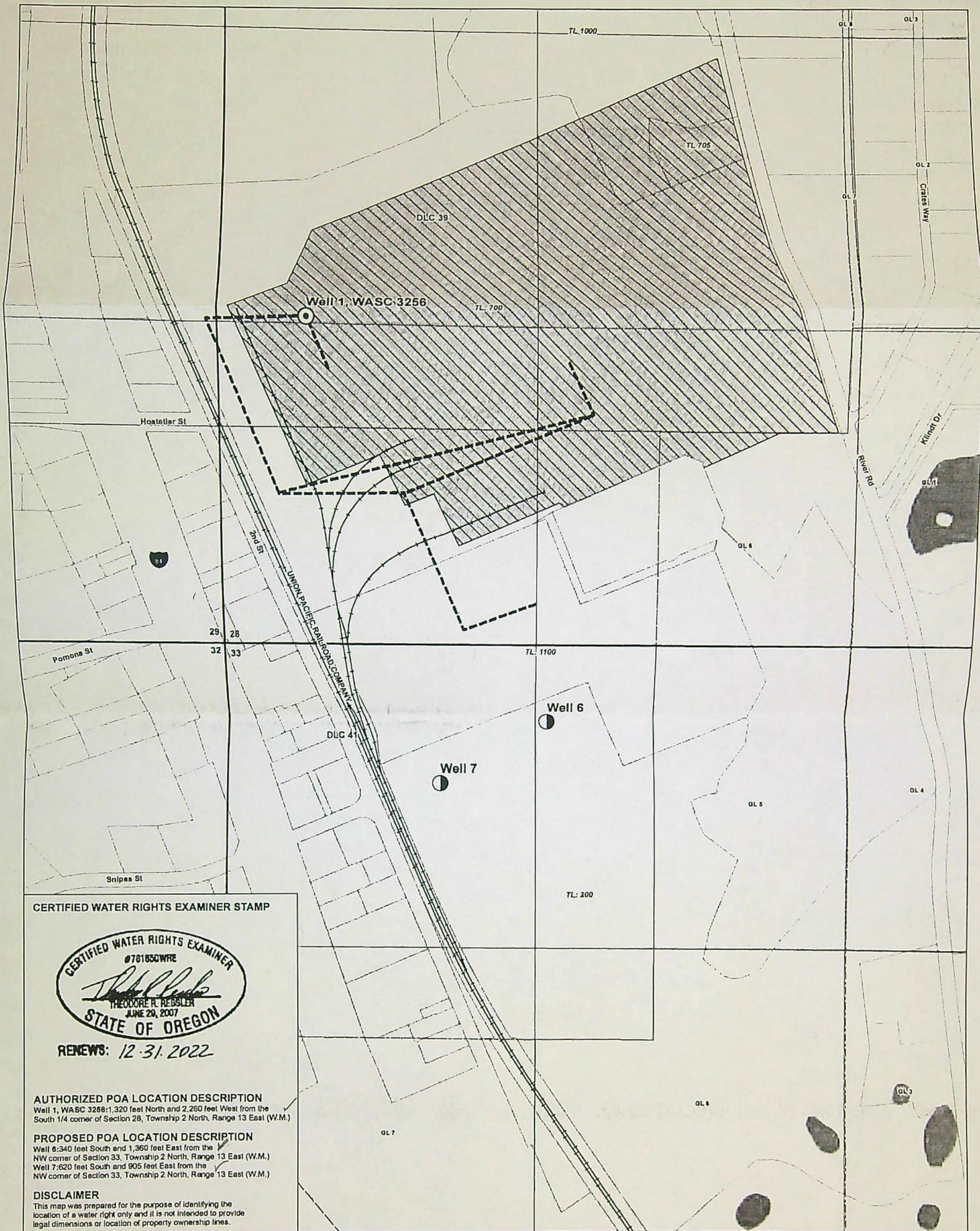
## MAP NOTES

Date: January 12, 2021

Data Sources: BLM, ESRI, USGS, Wasco Co. GIS







**CERTIFIED WATER RIGHTS EXAMINER STAMP**



RENEWS: 12-31-2022

**AUTHORIZED POA LOCATION DESCRIPTION**

Well 1, WASC 3256: 1,320 feet North and 2,260 feet West from the South 1/4 corner of Section 28, Township 2 North, Range 13 East (W.M.)

**PROPOSED POA LOCATION DESCRIPTION**

Well 6: 340 feet South and 1,360 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)  
Well 7: 620 feet South and 905 feet East from the NW corner of Section 33, Township 2 North, Range 13 East (W.M.)

**DISCLAIMER**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**LEGEND**

- ⊙ Authorized Point of Appropriation (POA)
- Proposed Point of Appropriation (POA)
- Conveyance
- ▨ Authorized Place of Use (POU)
- Tax Lot
- Donation Land Claim (DLC)
- Government Lot (GL)
- Railroad
- ~ Watercourse
- Waterbody

**Application for Permanent Water Right Transfer  
in the Name of Design, LLC, Certificate 46836**

**Authorized and Proposed Points of Appropriation and Authorized Place of Use  
Township 2 North, Range 13 East (W.M.)**

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**MAP NOTES**

Date: December 16, 2021  
Data Sources: BLM, ESRI, USGS, Wasco Co. GIS



0 200 400 600  
1 Inch = 400 Feet





Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

List the change proposed for the acreage in each  $\frac{1}{4}$   $\frac{1}{4}$ . 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.

Additional remarks: .

T-13904 looking for T. 2 C-46836 - could agent  
4/7  
this one is in place of it in applet