

T-13916

Regular

T-13916

Name Donna BayerAddress 42007 So Vandenberg Rd
Gaston Or 97119

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Unnamed Stream / reservoirTrib. of Tualatin RiverUse livestock wildlifeCounty Washington

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

Name of ditch _____

App# 12-710738

Per # _____

Cert # 73838PR Date 11/1/1993

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

Change in USEDate Filed 2/7/2022Initial notice date 2/15/2022

DPD issued date _____

PD issued date 12/6/2023PD notice date 12/12/2023

Date of FO _____ Vol _____ Page _____

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

FEES PAID

Date	Amount	Receipt #
<u>2-7-2022</u>	<u>\$2450.00</u>	<u>137432</u>
<u>6-7-2024</u>	<u>\$230.00</u>	<u>143059</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments: _____

Irrigation District Tualatin Valley IrrigationAgent Aspen rural land eric urstadt@hotmail.com

CWRE _____

CC's list Washington County dept of land use☐ - Oversized map - Location _____

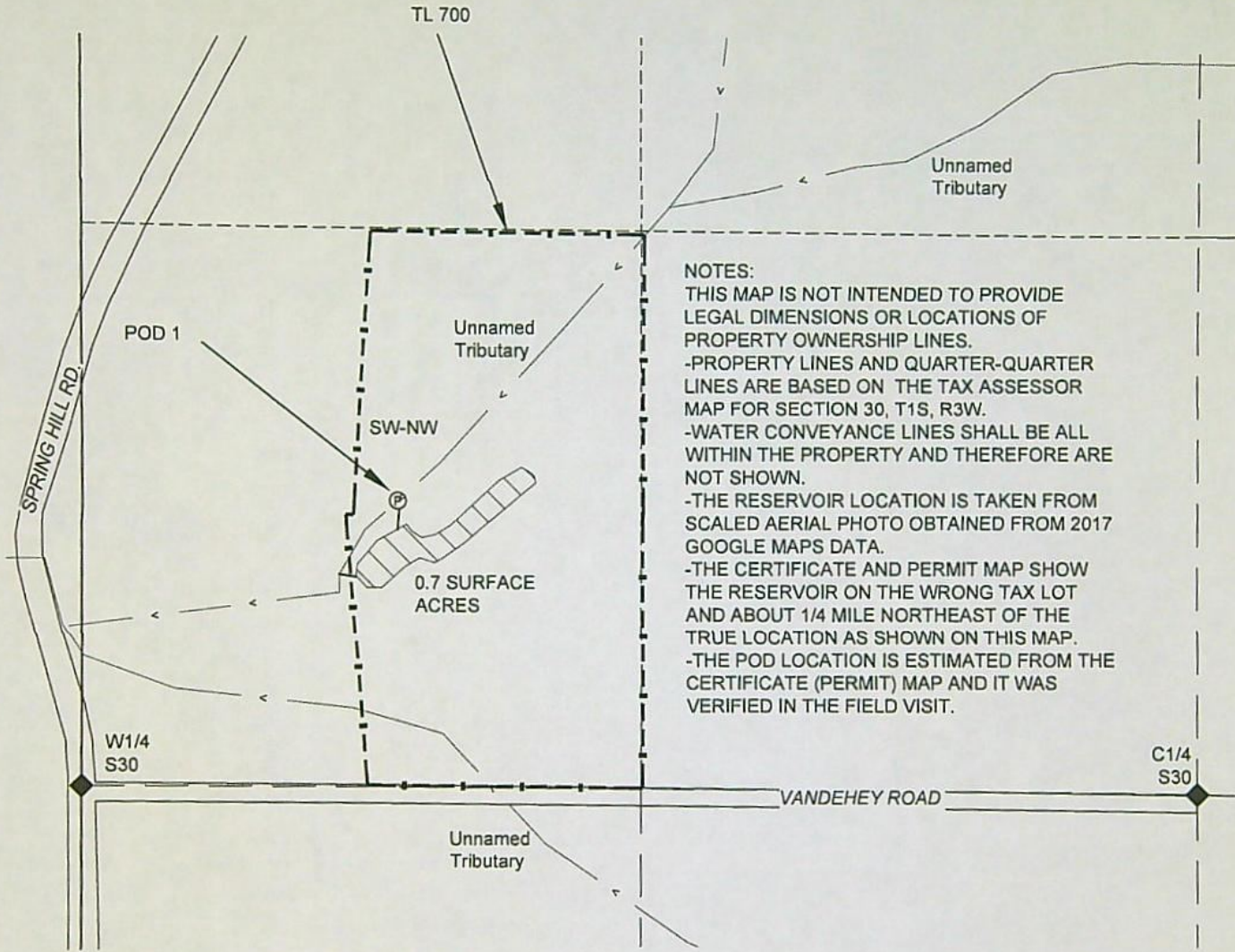
ATTACH A-1/1

Map For Claim of Beneficial Use

Section 30, T1S, R3W, Washington County
Transfer T-13916



1 IN = 400 FT
0 200 400



NOTES:
THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.
-PROPERTY LINES AND QUARTER-QUARTER LINES ARE BASED ON THE TAX ASSESSOR MAP FOR SECTION 30, T1S, R3W.
-WATER CONVEYANCE LINES SHALL BE ALL WITHIN THE PROPERTY AND THEREFORE ARE NOT SHOWN.
-THE RESERVOIR LOCATION IS TAKEN FROM SCALED AERIAL PHOTO OBTAINED FROM 2017 GOOGLE MAPS DATA.
-THE CERTIFICATE AND PERMIT MAP SHOW THE RESERVOIR ON THE WRONG TAX LOT AND ABOUT 1/4 MILE NORTHEAST OF THE TRUE LOCATION AS SHOWN ON THIS MAP.
-THE POD LOCATION IS ESTIMATED FROM THE CERTIFICATE (PERMIT) MAP AND IT WAS VERIFIED IN THE FIELD VISIT.

POD1 IS 745' NORTH AND 670' EAST OF THE WEST 1/4 S30

Received
JUN 07 2024

OWRD

LEGEND

- ▲ DONATION LAND CLAIM CORNER (NONE)
- ◆ QUARTER CORNER
- Ⓟ POINT OF DIVERSION
- > STREAM OR SURFACE DRAINAGE
- - - TAX LOT LINE
- - - SECTION LINE
- - - QUARTER-QUARTER LINE
- ▨ RESERVOIR



MAP BY:
ASPEN RURAL LAND CONSULTING
ERIC URSTADT, PE, PLS
971-250-1520
MAY 2024
Boyer2A

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:Corie
Transfer #:T-13916	
Date Received: 6/25/24 6/7/24	
CWRE Name:Eric Urstadt	
Priority Date (s):1/1/1993	

Fees Required:

- ☐ YES ☐ NO A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☒ YES ☐ NO A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
- Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.
- Fill in

Fill in App
or Transfer
Number

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #: or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP	
DATE:	RECEIPT #:
ACCEIVED FROM: _____	APPLICATION: _____
CASH <input type="checkbox"/> CHECK <input type="checkbox"/>	PURCHASE: _____
OTHER (COUNTY) <input type="checkbox"/>	TOTAL RECEIVED: \$ _____
0001 INSURANCE 4770 WASH CO. ROAD	\$ _____
0407 CORPUS (COUNTY) _____	\$ _____
0203 OTHER LINE 4700 State Water Right Plan _____	0204 Other Water _____
0001 INSURANCE 4770 WASH CO. ROAD	\$ _____
MISCELLANEOUS	
0407 COPY & TAPE FEES 4611	\$ _____
0410 RESEARCH FEES	\$ _____
0408 WASH. RECORDS (COUNTY) _____	\$ _____
101420 GEOPLOT LAB (COUNTY) _____	\$ _____
0404 EXTENSION OF TIME _____	\$ _____
WATER RIGHTS	
0201 SURFACE WATER	\$ _____
0202 GROUND WATER	\$ _____
0205 TRANSFER	\$ _____
EXAM FEE	
0210	\$ _____
0212	\$ _____
RECORD FEE	
0210	\$ _____
0212	\$ _____
MILL CONSTRUCTION	
0210	\$ _____
0212	\$ _____
OTHER (COUNTY) CORR	
0210	\$ _____
0212	\$ _____
HYDROLOGICAL	
0210	\$ _____
0212	\$ _____
HYDRO APPLICATION	
0210	\$ _____
0212	\$ _____
SPECIAL SERVICE:	

Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- ☐ Pump Test required (Priority Date on or after December 20, 1988)
- ☐ Pump Test submitted
- ☐ Pump Test not submitted



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

June 10, 2024

Donna Boyer
42007 SW Vandehey Rd
Gaston, OR 97119

On June 7, 2024, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

T-13916

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$230.00 COBU recording fee.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-13916

**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 # **143059**

INVOICE # _____

RECEIVED FROM: Donna Boyer

BY: _____

CASH: ☐ CHECK: # 5626 OTHER: (IDENTIFY) ☐ _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13916</u>

TOTAL REC'D \$ 230.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$

OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) \$

TC162 DEPOSIT LIAB. (IDENTIFY) \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER \$

0203 GROUND WATER \$

0205 TRANSFER \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$

LANDOWNER'S PERMIT \$

0200 OTHER (IDENTIFY) 0230 \$ 230.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$

0210 MONITORING WELLS \$

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$

0231 HYDRO LICENSE FEE (FW/WRD) \$

HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$

RECEIPT: **143059**

DATED 6-7-24 BY: [Signature]

**CLAIM OF
BENEFICIAL USE
for Transfers changing
Character of Use of a
Reservoir Only**



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

A fee of **\$230** must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 6" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change character of use of a reservoir.

If additional changes were authorized, you will need to select a different form.

Received

JUN 07 2024

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YES

1. File Information:

APPLICATION #

T-13916

2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME Donna Boyer		PHONE No. 503.863.1983	ADDITIONAL CONTACT No.
ADDRESS 42007 SW Vandehey Road			
CITY Gaston	STATE OR	ZIP 97119	E-MAIL donnaiboyer@yahoo.com

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each*** transfer holder of record must sign this form.

3. Transfer holder of record (this may, or may not, be the current property owner):

TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

22 MAY 2024

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Donna Boyer	22 MAY 2024	Landowner
Eric Boyer	22 MAY 2024	Landowner's son

6. County:

Washington

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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JUN 07 2024

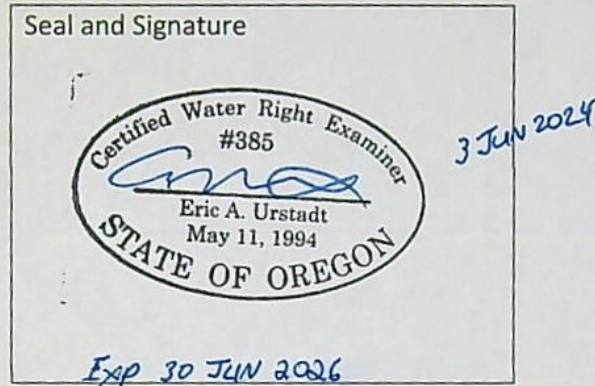
OWRD

WR

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Eric Urstadt, PE, PLS, CWRE		PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO. N/A
ADDRESS 39290 NW Murtaugh Road			
CITY North Plains	STATE OR	ZIP 97133	E-MAIL ericurstadt@hotmail.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Donna Boyer	Landowner	5/23/2024

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JUN 07 2024
OWRD

SECTION 3

CONDITIONS

All conditions contained in the transfer, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE STORAGE MADE THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "FULL USE MADE DATE"
ISSUANCE DATE	16 MAY 2024	
FULL USE MADE (C)	1 OCT 2025	22 MAY 2024

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table. **Table Deleted**

3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

NO

If "NO", items b through f relating to this section may be deleted. **Table Deleted**

4. Other conditions required by the transfer final order:

a. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

N/A

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SECTION 4
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
A	Claim of Beneficial Use Map

Received
JUN 07 2024
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SECTION 5

CLAIM OF BENEFICIAL USE MAP

A Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the reservoir does not require a new survey of the reservoir. The reservoir location identified on the Claim map should be based on the original right of record at the time the transfer final order was issued.

If the transfer final order did not require the installation of a meter/measuring device or fish protection devices, it may be possible to obtain a waiver, under OAR 690-014-0170(7), from providing a new map with the Claim. Any request for a mapping waiver must be in writing in the form of an e-mail or a letter.

PROPERTY LINES AND QUARTER-QUARTER LINES WERE BASED ON THE TAX ASSESSOR MAP FOR SECTION 30, T1S, R3W. THE RESERVOIR LOCATION IS TAKEN FROM SCALED AERIAL PHOTO OBTAINED FROM 2017 GOOGLE MAPS DATA. THE CERTIFICATE AND PERMIT MAP SHOW THE RESERVOIR ON THE WRONG TAX LOT AND ABOUT 1/4 MILE NORTHEAST OF THE TRUE LOCATION AS SHOWN ON THIS MAP. THE POD LOCATION IS ESTIMATED FROM THE CERTIFICATE (PERMIT) MAP AND IT WAS VERIFIED IN THE FIELD VISIT.

Received
JUN 07 2024
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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Transfer application number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

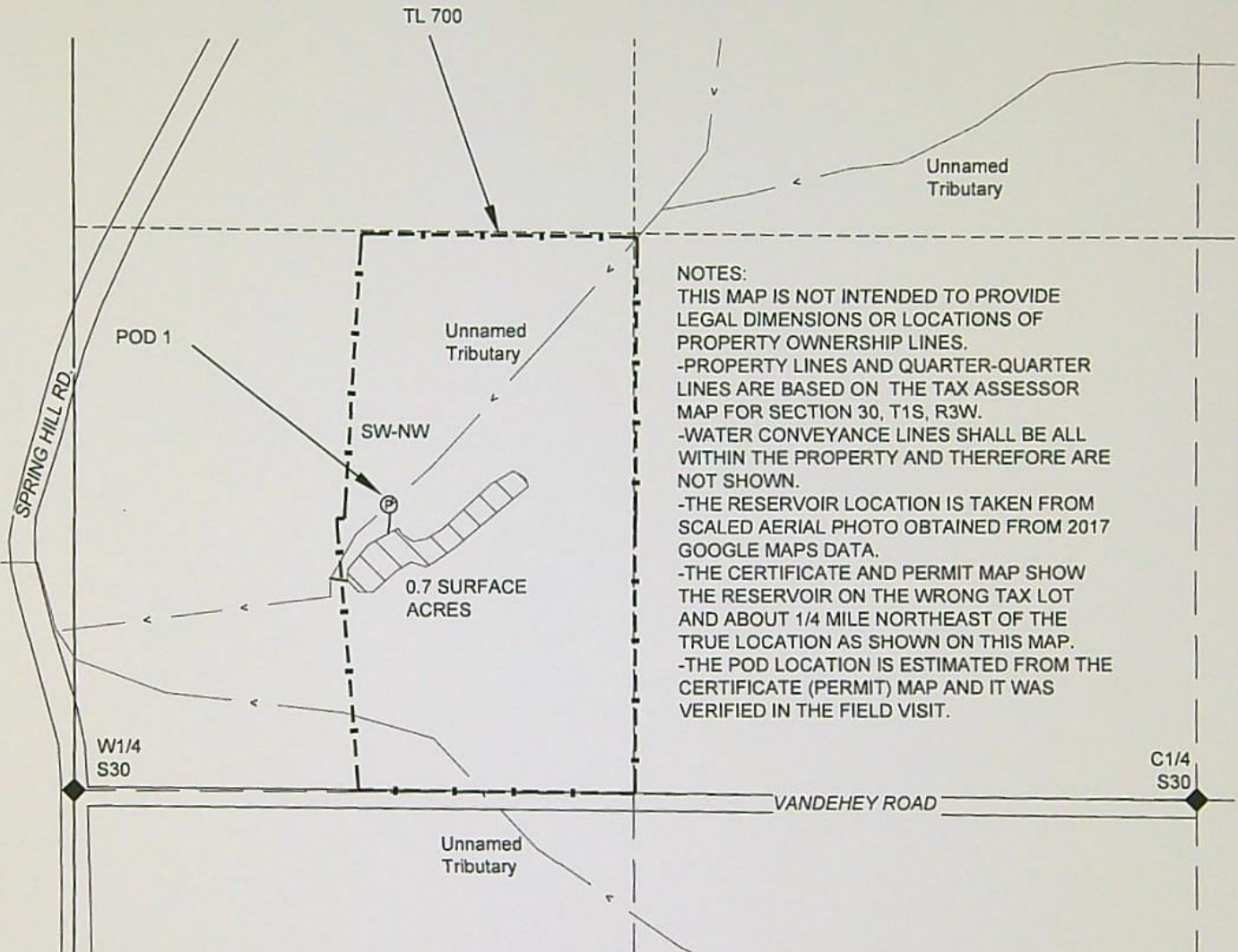
Received
JUN 07 2024

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Map For
Claim of Beneficial Use
Section 30, T1S, R3W, Washington County
Transfer T-13916



1 IN = 400 FT
0 200 400



NOTES:
THIS MAP IS NOT INTENDED TO PROVIDE
LEGAL DIMENSIONS OR LOCATIONS OF
PROPERTY OWNERSHIP LINES.
-PROPERTY LINES AND QUARTER-QUARTER
LINES ARE BASED ON THE TAX ASSESSOR
MAP FOR SECTION 30, T1S, R3W.
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WITHIN THE PROPERTY AND THEREFORE ARE
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POD1 IS 745' NORTH AND 670' EAST OF THE WEST 1/4 S30

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LEGEND

- DONATION LAND CLAIM CORNER (NONE)
- QUARTER CORNER
- POINT OF DIVERSION
- STREAM OR SURFACE DRAINAGE
- TAX LOT LINE
- SECTION LINE
- QUARTER-QUARTER LINE
- RESERVOIR



MAP BY:
**ASPEN RURAL LAND
CONSULTING**

ERIC URSTADT, PE, PLS
971-250-1520
MAY 2024
Boyer2A



Rural Land Consulting

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

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

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

22 May 2024

Subject: Claim of Beneficial Use for T-13916

To Whom It May Concern,

Enclosed is a Claim of Beneficial Use (COBU) for a transfer to change the Character of Use for a small pond along with the following attachments:

- A. COBU Map
- B. A check made out to Oregon Water Resources Department for \$230.00.

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

Respectfully,
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS

Received
JUN 07 2024
OWRD



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

May 16, 2024

Donna Boyer
42007 SW Vandehey Rd.
Gaston, OR 97119

Reference: T-13916 Superseding Correcting Final Order

Enclosed is a correcting final order recorded in Special Order Vol. 131, Page 65, issued to correct a scrivener's error in the order recorded in Special Order Vol. 129, Page 1153.

If you have any questions please contact your caseworker, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at dante.j.luongo@water.oregon.gov.

Sincerely,

Elyse Richman
Water Right Support
Transfers and Conservation Section

cc: Watermaster Dist. #18, Jacob W. Constans (*via email*)
Eric Urstadt, Agent
Tualatin Valley Irrigation District, Irrigation District
Washington County, Local Government

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Special Order Volume 129,) CORRECTING FINAL ORDER
Page 1153-1155 approving T-13916,)
Washington County)

Applicant

DONNA BOYER
42007 SW VANDEHEY RD
GASTON, OR 97119

Findings of Fact

1. On February 7, 2022, DONNA BOYER filed an application to change the character of use under Certificate 73838. The Department assigned the application number T-13916.
2. On April 18, 2024, the Department issued an order approving Transfer T-13916. The order was recorded at Special Order Volume 129, Pages 1153-1155.
3. The order contained a scrivener's error in Finding of Fact #5, specifically the Volume Limitation under the right as show below in bold:

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

Certificate: 73838 in the name of JOHN C AGUIRRE (perfected under Application R-76738)
Use: Storage for LIVESTOCK, WILDLIFE
Priority Date: JANUARY 1, 1993
Volume: 20 ACRE-FEET
Source: UNNAMED STREAM BRANCH, a tributary of TUALATIN RIVER

4. The correct description of the Volume Limitation under the right should have been described as shown below in bold:

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

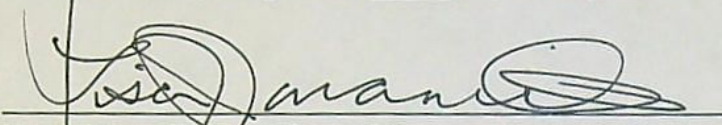
Certificate: 73838 in the name of JOHN C AGUIRRE (perfected under Application R-76738)
Use: Storage for LIVESTOCK, WILDLIFE
Priority Date: JANUARY 1, 1993
Volume: 2.0 ACRE-FEET
Source: UNNAMED STREAM BRANCH, a tributary of TUALATIN RIVER

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.

Now, therefore, it is ORDERED:

1. The order approving T-13916, as recorded in Special Order Volume 129, Page 1153-1155 is corrected to accurately describe the Volume Limitation under the right transferred.
2. All other provisions of Special Order Volume 129, Page 1153 remain in effect.

Dated at Salem, Oregon this 16 day of May, 2024.



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

Mailing Date: MAY 17 2024



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

April 18, 2024

Donna Boyer
42007 SW Vandehey Rd
Gaston, OR 97119
REFERENCE: Transfer Application T-13916

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, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at Dante.j.luongo@water.oregon.gov.

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Jacob W. Constans, Watermaster Dist. # 18 (via email)
Eric Anthony Urstadt, Agent
Tualatin Valley Irrigation District, Irrigation District
Washington County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-13916, Washington County)	APPROVING A CHANGE IN CHARACTER OF
)	USE

Authority

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

Applicant

DONNA BOYER
42007 SW VANDEHEY RD
GASTON, OR 97119

Findings of Fact

1. On February 7, 2022, DONNA BOYER filed an application to change the character of use under Certificate 73838. The Department assigned the application number T-13916.
2. Notice of the application for transfer was published on February 15, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 15, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13916 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of June 15, 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.
4. On December 6, 2023, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13916 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on December 14, 2023, and in the Forest Grove Times

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.

newspaper on December 14, 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 73838 in the name of JOHN C AGUIRRE (perfected under Application R-76738)

Use: Storage for LIVESTOCK, WILDLIFE

Priority Date: JANUARY 1, 1993

Volume: 20 ACRE-FEET

Source: UNNAMED STREAM BRANCH, a tributary of TUALATIN RIVER

Authorized Place of Use:

STORAGE FOR LIVESTOCK AND WILDLIFE				
Twp	Rng	Mer	Sec	Q-Q
1 S	3 W	WM	30	SW NW

6. Transfer Application T-13916 proposes to change the character of use to MULTIPURPOSE STORAGE.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2110(2)]

7. 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.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13916.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other existing water rights.
12. All other application requirements are met.

Conclusions of Law

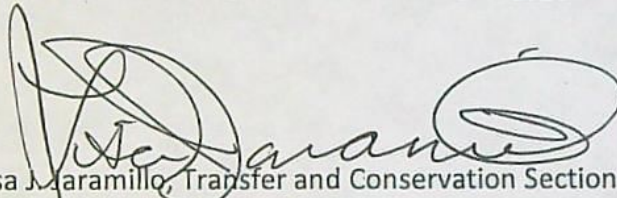
The change in character of use proposed in Transfer Application T-13916 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in character of use proposed in Transfer Application T-13916 is approved.

2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 73838 and any related decree.
3. Water right Certificate 73838 is cancelled.
4. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
5. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **APR 18 2024**



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

Mailing Date: **APR 19 2024**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13916

Transfer Specialist:

Transfer Type: Regular Transfer

Applicant: DONNA BOYER 42007 SW VANDEHEY RD GASTON, OR 97119 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A ERIC ANTHONY URSTADT 39290 NW MURTAUGH RD NORTH PLAINS, OR 97133 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Tualatin Valley Irrigation District Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Washington County Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	R-76738		73838	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: February 7, 2022	Proposed Action(s): USE	
Fees Pd: 2450.00	WM District: 18	ODFW District:
Initial Public Notice: February 15, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested: 11/15/2023	Request for news \$ sent:	News \$ received:
Request to publish sent: 12/6/2023	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 4-3 Initials: AZ	Date: 5-10 Initials: ISS	Date: 5-11 Initials: AZ	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: 6-13 Initials: AZ	Date: 11-3 Initials: ISS	Date: 11-4 Initials: AZ	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: 12/6/23
FO	Date: 12-18-23 Initials: AZ	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: 2-28-24 Initials: PIR	Date: 2-29-24 Initials: AZ	Date: 3-8-24	Date: 4/18/24

Special Issues: _____

Special Order Volume: Vol. 129 Pages 1153-1155

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 141979

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

INVOICE # _____

RECEIVED FROM: Dana Boyer
BY: _____

APPLICATION
PERMIT
TRANSFER T-13916

CASH: ☐ CHECK: # 5613 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 67.21

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 67.21

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:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: 141979

DATED: 11/22/23 BY: Lee D Miller

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 141979

725 Summer St. N.E. Ste. A
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RECEIVED FROM: Dana Boyer
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PERMIT
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	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

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

OTHER (IDENTIFY) _____

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: 141979

DATED: 11/22/23 BY: Lee D Miller

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

**Pamplin
MediaGroup**

PO Box 22109 Portland, OR 97269-2169
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Washington, ss
I, Kristine Humphries, being first duly sworn,
depose and say that I am the Principal Clerk
of the News Times, a newspaper of general
circulation, published in Washington County,
Oregon, as defined by ORS 193.010 and
193.020, that

Ad#: 308384

Owner: Oregon Water Resource Department

**Description: Notice of Preliminary Determination for
Water Right Transfer T-13916**

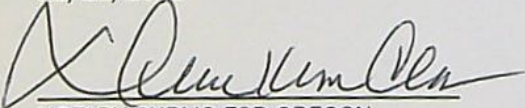
A copy of which is hereto annexed, was
published in the entire issue of said
newspaper for 2 week(s) in the
following issue:

12/14/2023, 12/21/2023



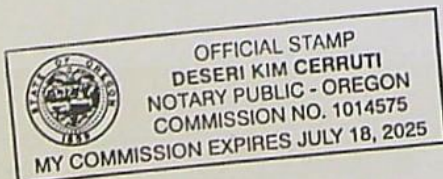
Kristine Humphries (Principal Clerk)

Subscribed and sworn to before me this
12/21/2023



NOTARY PUBLIC FOR OREGON

Acct #: 140748
Attn: JULIE BAUSTIAN
OREGON WATER RESOURCE DEPARTMENT
725 SUMMER STREET NE, STE A
SALEM, OR 97301



RECEIVED

DEC 22 2023

OWRD

**Notice of Preliminary Determination for
Water Right Transfer T-13916**

T-13916 filed by Donna Boyer, 42007 SW Vandehay Rd, Gaston, OR 97119, proposes a change in character of use under Certificate 73838. The right allows the use of 2.0 acre-feet from an unnamed stream branch in Sec. 30, T1S, 3W, WM for storage for livestock and wildlife in Sec. 30. The applicant proposes to change the character of use to multipurpose storage. 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, December 21, 2023. 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.

Published Dec. 14 & 21, 2023.

FGNT308384

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13916, Washington County)	PROPOSING APPROVAL OF A CHANGE IN
)	CHARACTER OF USE

Authority

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

Applicant

DONNA BOYER
42007 SW VANDEHEY RD
GASTON, OR 97119

Findings of Fact

1. On February 7, 2022, DONNA BOYER filed an application to change the character of use under Certificate 73838. The Department assigned the application number T-13916.
2. Notice of the application for transfer was published on February 15, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 15, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13916 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of June 15, 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.

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

Certificate:	73838 in the name of JOHN C AGUIRRE (perfected under Application R-76738)
Use:	Storage for LIVESTOCK, WILDLIFE

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.

Priority Date: JANUARY 1, 1993

Volume: 2.0 ACRE-FEET

Source: UNNAMED STREAM BRANCH, a tributary of TUALATIN RIVER

Authorized Place of Use:

STORAGE FOR LIVESTOCK AND WILDLIFE				
Twp	Rng	Mer	Sec	Q-Q
1S	3 W	WM	30	SW NW

5. Transfer Application T-13916 proposes to change the character of use to MULTIPURPOSE STORAGE.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2110(2)]

6. 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.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13916.
8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other existing water rights.
11. All other application requirements are met.

Determination and Proposed Action

The change in character of use proposed in Transfer Application T-13916 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.


If Transfer Application T-13916 is approved, the final order will include the following:

1. *The change in character of use proposed in Transfer Application T-13916 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 73838 and any related decree.*
3. *Water right Certificate 73838 is cancelled.*

4. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
5. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

DEC 6 - 2023



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

This Preliminary Determination was prepared by Dante J. Luongo. If you have any questions about the information in this document, you may reach me at 971-304-5006 or dante.j.luongo@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.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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Extra Services & Fees (check box, add fee as appropriate)

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\$

Postmark

Donna Boyer
42007 SW Vandehey Rd
Gaston, OR 97119

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instru

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

Donna Boyer
42007 SW Vandehey Rd
Gaston, OR 97119



9590 9402 6878 1104 8764 64

2. Article Number (Transfer from service label)

7020 3160 0000 6754 0230

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Eric Boyer

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Eric Boyer

C. Date of Delivery

11-11-23

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED

DEC 13 2023

OWRD

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☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

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☐ Insured Mail Restricted Delivery
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☐ Registered Mail™

☐ Registered Mail Restricted
Delivery

☐ Signature Confirmation™

☐ Signature Confirmation
Restricted Delivery

Domestic Return Receipt



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

DEC 6 - 2023

VIA CERTIFIED MAIL AND E-MAIL

Applicant

DONNA BOYER
42007 SW VANDEHEY RD
GASTON, OR 97119

SUBJECT: Water Right Transfer Application T-13916

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13916. 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 Forest Grove Times 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.



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

November 30, 2023

VIA CERTIFIED MAIL AND E-MAIL

Applicant

DONNA BOYER
42007 SW VANDEHEY RD
GASTON, OR 97119

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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 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

DJ Luongo

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: T-13916
Jacob W. Constans, District 18 Watermaster *(via e-mail)*
Eric Anthony Urstadt, Agent for the applicant *(via e-mail)*

encs



Oregon
Kate Brown, Governor

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

February 14, 2022

DONNA BOYER
42007 SW VANDEHEY RD
GASTON, OR 97119

Reference: Application T-13916

On February 7, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2450.00. Our receipt number 137432 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.

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 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.

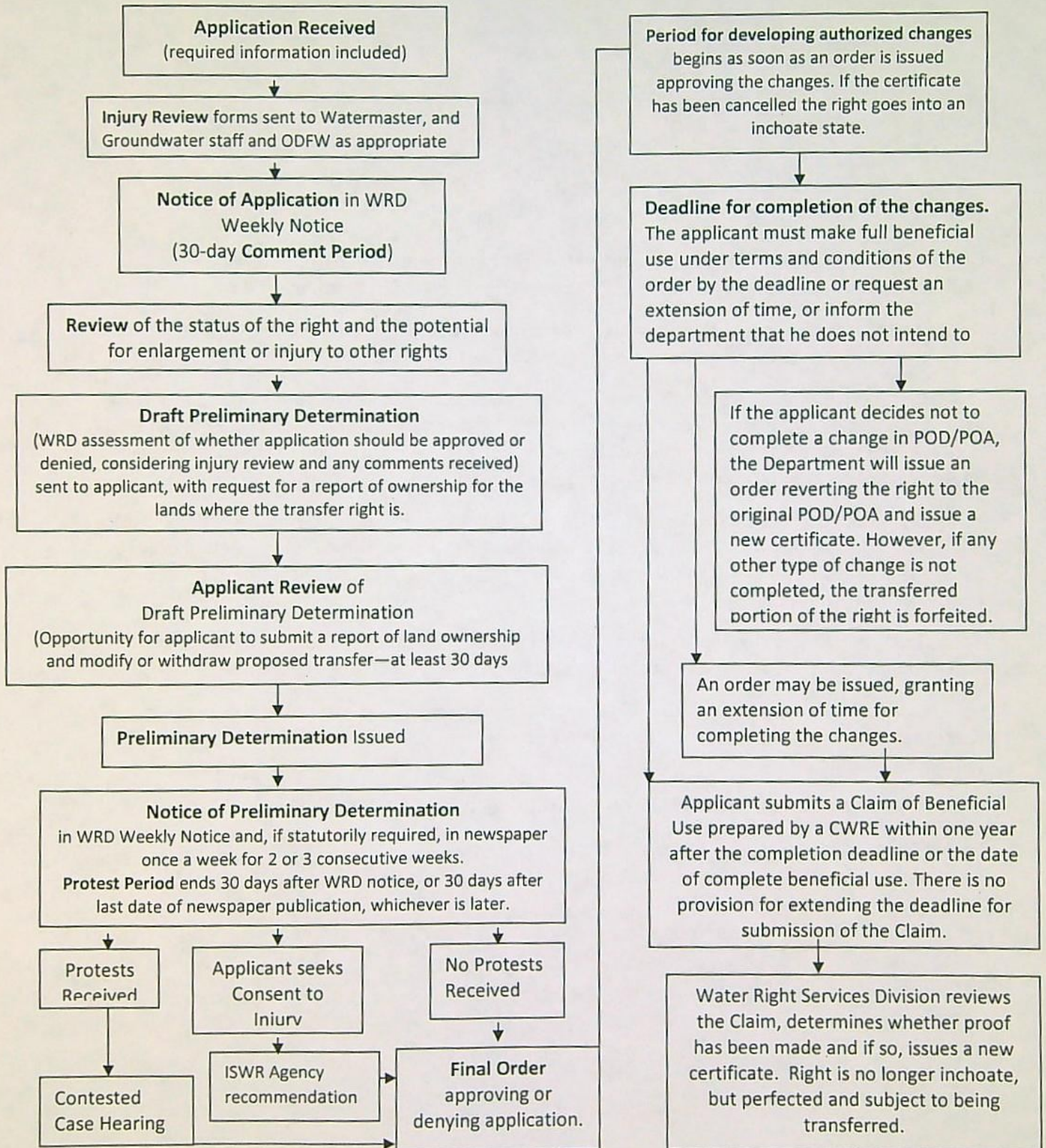
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #18, Jacob W. Constans (*via email*)
Washington County Department of Land Use
Eric Anthony Urstadt, Agent
Tualatin Valley Irrigation District

Enclosure

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

OAR 690 Division 380



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

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

RECEIPT # **137432**

INVOICE # _____

RECEIVED FROM: Donna Boyer

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13916</u>

CASH: ☐ CHECK: # 5532 ☒ OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 2450.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$ _____	0202 RECORD FEE \$ _____
0203 GROUND WATER	\$ _____	0204 \$ _____
0205 TRANSFER	\$ <u>2450.00</u>	

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

TREASURY OTHER / RDX

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

RECEIPT: **137432**

DATED: 2-7-2022 BY: Mindy Carlson

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 73838**
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.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____

503- _____

Date: _____

13016

Part 2 of 5 – Transfer Application Map

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

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

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	N/A

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Donna Boyer		PHONE NO. 503.264.1807	ADDITIONAL CONTACT NO. 503.863.1983
ADDRESS 42007 SW Vandehey Road			FAX NO. N/A
CITY Gaston	STATE OR	ZIP 97119	E-MAIL donnajboyer@yahoo.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Aspen Rural Land Consulting c/o Eric Urstadt		PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO. 503.647.1919
ADDRESS 39290 NW Murtaugh Road			FAX NO. N/A
CITY North Plains	STATE OR	ZIP 97133	E-MAIL ericurstadt@hotmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:

This application is being done to change the Character of Use of the reservoir to "Multipurpose". 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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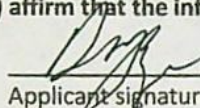
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By my signature below, I confirm that I understand:

- 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: Forest Grove Times.
- 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.


Applicant signature

Donna Boyer, Owner

Print Name (and Title if applicable)

1/28/22
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No*

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

Check the following boxes that apply:

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

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

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

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

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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

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

IRRIGATION DISTRICT NAME Tualatin Valley Irrigation District	ADDRESS 2330 Elm Street	
CITY Forest Grove	STATE OR	ZIP 97116

☐ 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 Wash County - Dept of Land Use & Transportation	ADDRESS 155 N. First Ave. Ste. 350-14	
CITY Hillsboro	STATE OR	ZIP 97124-3072

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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 # 73838

Description of Water Delivery System

System capacity: See Note** cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Note the system capacity is 2.0 acre-feet of storage. Joan Smith of the Water Resources Transfer Section stated this would be an adequate answer for this section.**

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. **The current delivery system is a shallow ditch or depression coming from the main channel to the reservoir. The reservoir simply fills when the river is high enough. At flood stage there are several conveyance paths which have moved over time with the river.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	1 S	3 W	30	SW NW	700**	745' North and 670' East of W 1/4 S30.

****Note: The certificate map shows the reservoir about 1/4 mile northeast of where it truly is and also on the wrong tax lot. The included map fixes that and any related errors.**

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

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input 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 # 73838

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			
										USE	1	S	3	W	30	SW	NW	700	GLot 2	0.7	Multi	POD 1	1993
															</								

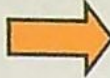
Additional remarks: ***Note: The certificate map shows the reservoir about 1/4 mile northeast of where it truly is and also on the wrong tax lot. The included map fixes that and any related errors.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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.

Tip: You may search for well logs on the Department's web page at:

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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TACS

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 WASHINGTON) ss

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I, DONNA BOYER, in my capacity as LANDOWNER,
mailing address 42007 SW VANDEHEY ROAD, GASTON, OR 97119
telephone number (503)264.1807, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 73838; **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)
N/A							

OR

- ☐ Confirming Certificate # _____ has been issued within the past five years; **OR**
- ☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- ☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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3. The water right was used for: (e.g., crops, pasture, etc.): WILDLIFE AND/OR LIVESTOCK

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.

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[Signature]
Signature of Affiant

1/28/22
Date

Signed and sworn to (or affirmed) before me this 28th day of January, 2022.



[Signature]
Notary Public for Oregon

Washington County
My Commission Expires: 06/21/2025

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

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Evidence of Use

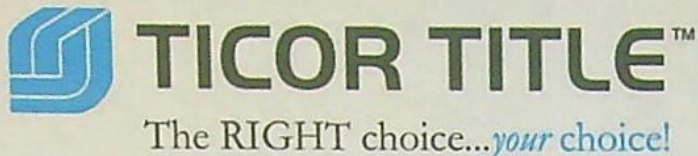
June 2021 Google Aerial Photo

Tax Lot 500 in outlined in yellow



reservoir

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Customer Service
Phone: 503.219.1000
Email: Ticor.Resource@TicorTitle.com
Washington (OR)

ATTACH C-1/4

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OWNERSHIP INFORMATION

Owner(s) : Boyer Donna J
CoOwner(s) :
Site Address : 42007 SW Vandehey Rd Gaston 97119
Mail Address : 42007 SW Vandehey Rd Gaston Or 97119

Parcel Number : R0437012
Ref Parcel # : 1533000 00700
T: 01S R: 03W S: 30 Q: QQ:
Telephone :

PROPERTY DESCRIPTION

Map Page Grid :
Census Tract : 330.00 Block: 2
Neighborhood : 1536
School District : Forest Grove
Subdivision/Plat : Spring Hill Farm #17, 18
Class Code : Single Family Res
Land Use : 5515 Agr, Farm Zone, Improved
Legal : ACRES 20.49, ZONED FARMLAND-
: POTENTIAL ADDITIONAL TAX LIABILITY
:

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$339,300
Mkt Structure : \$192,560
Mkt Total : \$560,170
%Improved : 36
M50 Total : \$220,870
Levy Code : 01503
16-17 Taxes : \$2,873.80
Millage Rate : 13.0113

PROPERTY CHARACTERISTICS

Bedrooms : 3	Lot Acres : 20.49	Year Built : 1996
Bathrooms : 3.00	Lot SqFt : 892,544	EffYearBlt : 1996
HeatMethod : Heat Pump	BsmFin SF :	Floor Cover : 225
Pool :	BsmUnfinSF :	Foundation : Concrete Ftg
Appliances : Yes	Bldg SqFt : 2,288	Roof Shape : Gable
Dishwasher :	1stFlrSF : 2,288	Roof Matl : Comp Shingle
Hood Fan :	UpperFlrSF :	InteriorMat : Drywall
Deck :	Porch SqFt : 1,080	Paving Matl : Concrete
GarageType : Attached	Attic SqFt :	Ext Finish : Wood Std
Garage SF : 1,056	Deck SqFt :	Const Type : Wdstud\no Shtg

TRANSFER HISTORY

Owner(s)	Date	Doc #	Price	Deed	Loan	Type
: Boyer Donna J	: 09/08/2014	: 56571	: \$475,000	: Warranty	: \$380,000	: Convent
: Aguirre John Charles/Minerva S	: 05/04/1994	: 44121	: \$10	: Assign of Co	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

13916

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed

C-2/4

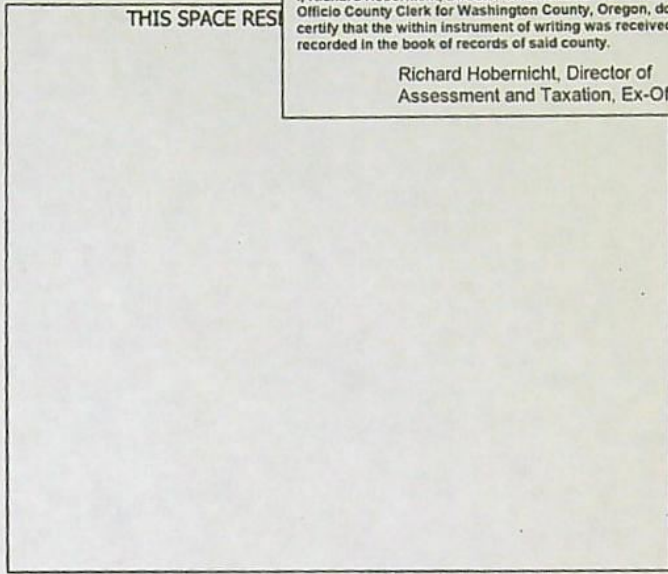


After recording return to:
Donna J. Boyer
42007 SW Vandehey Rd
Gaston, OR 97119

Until a change is requested all tax
statements shall be sent to the
following address:
Donna J. Boyer
42007 SW Vandehey Rd
Gaston, OR 97119

File No.: 7032-2293487 (LB)
Date: August 18, 2014

FIRST AMERICAN 2293487-4B



Washington County, Oregon		2014-056571
D-DW		
Stn=4 K GRUNEWALD	09/08/2014 01:28:13 PM	
\$20.00 \$11.00 \$5.00 \$475.00 \$20.00	\$531.00	
I, Richard Hobernicht, Director of Assessment and Taxation and Ex- Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.		
Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio		

RECEIVED
FEB 07 2022
OWRD

STATUTORY WARRANTY DEED

Minerva S. Aguirre, Grantor, conveys and warrants to **Donna J. Boyer, an unmarried woman**,
Grantee, the following described real property free of liens and encumbrances, except as specifically set
forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. The **2014-2015** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$475,000.00**. (Here comply with requirements of ORS 93.030)

13916

QWRD

APN: R437012

Statutory Warranty Deed
- continued

File No.: 7032-2293487 (LB)

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 30 day of SEPTEMBER, 2014.

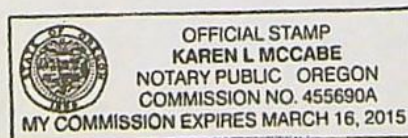
Minerva S. Aguirre

STATE OF Oregon)
)ss.
County of Washington)

This instrument was acknowledged before me on this 3rd day of September, 2014
by **Minerva S. Aguirre**.

ed before me on this 30th day of SEPTEMBER, 2014

Notary Public for Oregon
My commission expires:



13916

C - 7/4

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APN: R437012

Statutory Warranty Deed
- continued

File No.: 7032-2293487 (LB)

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Washington, State of Oregon, described as follows:

The East half of Tract No. 17, and all of Tract No. 18, SPRING HILL FARM, in the County of Washington and State of Oregon.

EXCEPT the following described property:

Being a part of that tract of land conveyed to Paul and Wanda Ott by Deed recorded on page 38, in Book 316 and on page 271, Book 333, Deed records of said County, and being more particularly described as follows:

Beginning at a point in the center of Spring Hill Road at the NW corner of Tract 18, SPRING HILL FARM; thence South 89°41' East along the North line of said Tract 18, 550 feet, more or less, to a fence corner; thence Southerly along said fence 660 feet, more or less, to a point on the South line of said Tract 18; thence North 89°41' West along said South line 740 feet, more or less, to the SW corner of said Tract 18, a point in the center of said Spring Hill Road; thence North 14°40' East in the center of said road 419.76 feet to an angle point thereon; thence continuing in the center of said road North 25°38' East 280.37 feet to the point of beginning.

EXCEPTING any portion within County road right of way.

NOTE: This legal description was created prior to January 1, 2008.

13916

Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

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1. APPLICANT INFORMATION

NAME Donna Boyer		PHONE (HM) 503.264.1807	
PHONE (WK)	CELL 503.863.1983	FAX N/A	
ADDRESS 42007 SW Vandehey Road			
CITY Gaston	STATE OR	ZIP 97119	E-MAIL** donnajboyer@yahoo.com

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME Tualatin Valley Irrigation District		PHONE (HM) 503.357.3118	
PHONE (WK)	CELL	FAX	
ADDRESS 2330 Elm Street			
CITY Forest Grove	STATE OR	ZIP 97116	E-MAIL** bobby.nuvolini@tvid.org

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	R-76738	none found	73838	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES ☐ NO ☒ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES ☐ NO ☒ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES ☐ NO ☒ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES ☐ NO ☒ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION

4. APPLICANT'S SIGNATURE

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

☐ email, ☒ phone*, ☐ postal mail, ☐ in person, or ☐ other (please specify) _____

*The phone call was with Eric Urstadt, CWRE, who prepared the application.

- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Applicant Signature

Donna Boyer
Name (print)

1/27/22
Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.

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YES ☐ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☐ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier

Name (print), Title

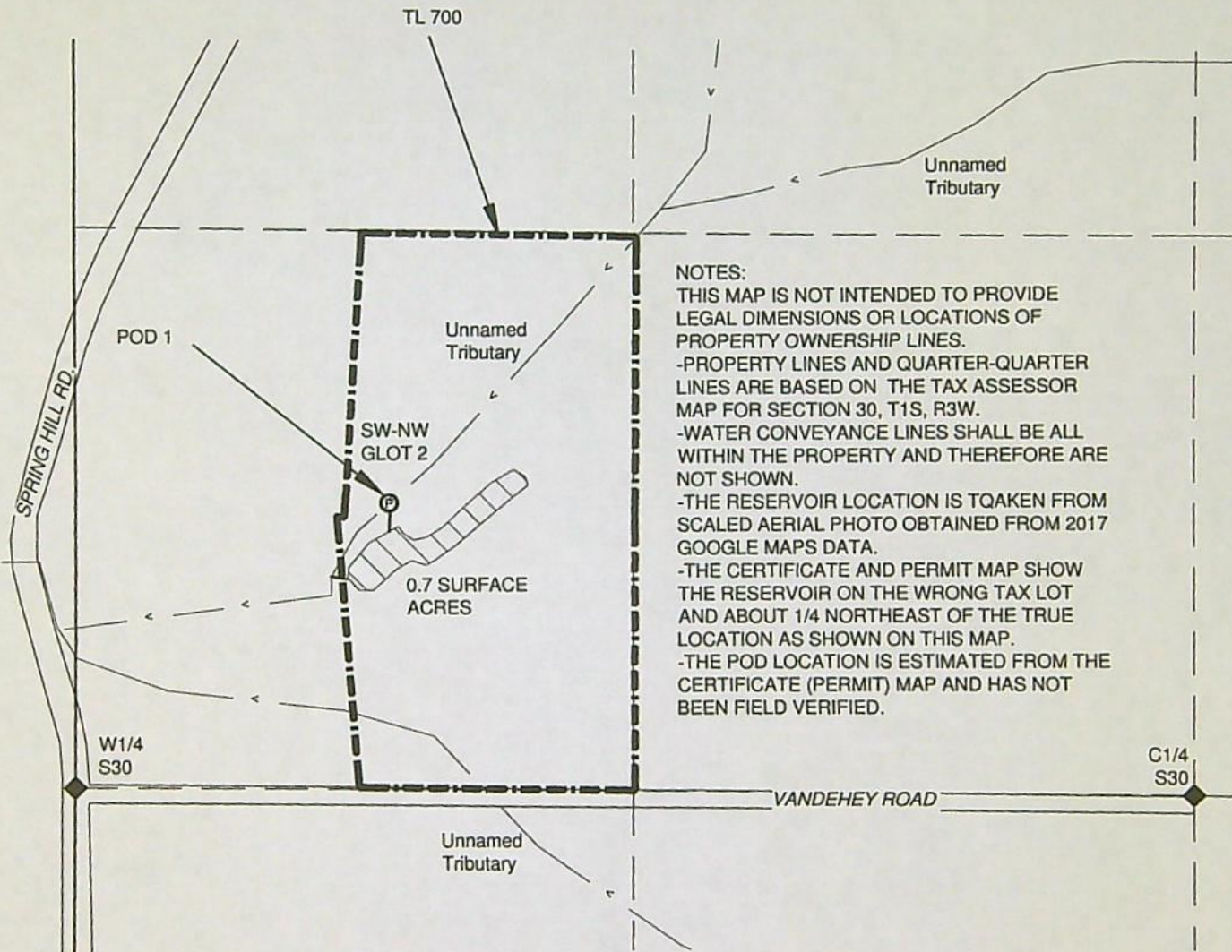
Date

Map For Water Right Transfer

Section 30, T1S, R3W, Washington County
Certificate 73838



1 IN = 400 FT
0 200 400



NOTES:
THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.
-PROPERTY LINES AND QUARTER-QUARTER LINES ARE BASED ON THE TAX ASSESSOR MAP FOR SECTION 30, T1S, R3W.
-WATER CONVEYANCE LINES SHALL BE ALL WITHIN THE PROPERTY AND THEREFORE ARE NOT SHOWN.
-THE RESERVOIR LOCATION IS TOAKEN FROM SCALED AERIAL PHOTO OBTAINED FROM 2017 GOOGLE MAPS DATA.
-THE CERTIFICATE AND PERMIT MAP SHOW THE RESERVOIR ON THE WRONG TAX LOT AND ABOUT 1/4 NORTHEAST OF THE TRUE LOCATION AS SHOWN ON THIS MAP.
-THE POD LOCATION IS ESTIMATED FROM THE CERTIFICATE (PERMIT) MAP AND HAS NOT BEEN FIELD VERIFIED.

POD1 IS 745' NORTH AND 670' EAST OF THE EAST 1/4 S30



LEGEND

- ▲ DONATION LAND CLAIM CORNER (NONE)
- ◆ QUARTER CORNER
- ⊙ POINT OF DIVERSION
- >- STREAM OR SURFACE DRAINAGE
- .-.- TAX LOT LINE
- SECTION LINE
- .-.- QUARTER-QUARTER LINE
- GLOT GOVERNMENT LOT NUMBER
- [Hatched Box] RESERVOIR

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MAP BY:
ASPEN RURAL LAND CONSULTING
ERIC URSTADT, PE, PLS
971250-1520
13913
Aug 2017
Boyer1C

Land Use Information Form



ATTACH A-1/2
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant(s): Donna Boyer

Mailing Address: 42007 Vandehey Road

City: Gaston

State: OR

Zip Code: 97119

Daytime Phone: 503.264.1807

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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>1S</u>	<u>3W</u>	<u>30</u>	<u>N/A</u>	<u>700</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation, multipurpose</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Washington County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☒ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☒ Reservoir/Pond ☐ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 2.0 ☐ 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 multipurpose

Briefly describe:

The owner wishes to change the allowed uses of the water stored in the reservoir to allow irrigation of commercial farming crops.

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

See bottom of Page 3. →

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13916

WR / FS

A - 2 1/2

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): Farm use is allowed outright, CDC 201-1.2
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Genny Bond Title: Senior Planner

Signature: *Genny Bond* Phone: 503 846 8761 Date: 1/27/2022

Government Entity: Washington County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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13916
FEB 07 2022

OWRD

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-

Checked by: <u>Corey C</u> Date: <u>2/9/22</u>	Type of Change(s) Proposed: <i>Mark the Proposed Changes</i>	Substitution Gov Action	Supplemental to Primary Surface to Ground	POU <div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">USE</div>	POD POA	APOD APOA
Fee Received: \$ <u>2,450.00</u>						
Calculated Fee:		How many rights to be Transferred? <u>1</u> Certificate # <u>73838</u>				
Additional Observations: _____ _____ _____						

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

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
 If no, what is missing? Whose signature is missing? _____
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
 Name of the district: TVID - Submitted
- ☒ 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 - C.C. Date: 2/9/22

Permanent Transfer Application Intake Completion Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)					
1	Base Fee (includes one type of change to one water right for up to 1 cfs)		1	\$1,360	
	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. Multiply line 2b by \$1,090 and enter »		2	0	
3	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 Multiply line 3b by \$610 and enter »		3	0	
4	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) Add lines 4a and 4d and enter »		4	0	
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		5	0	
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:		6	0	
7	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 » » » If no box is applicable, enter 0 on line 7» »		7	0	
8	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:		8		

Boyer - T-13916 Newspaper Notice

From: LUONGO Dante J * WRD (dante.j.luongo@water.oregon.gov)

To: ericurstadt@hotmail.com

Cc: donnajboyer@yahoo.com

Date: Monday, November 20, 2023 at 11:38 AM PST

Hey Eric,

The Department just got the quote from Forest Grove Times, the newspaper notice estimate is \$67.21. Please send the Department a check for the amount so we can issue the Preliminary Determination.

Best Regards,

Dante Luongo

From: Eric Urstadt <ericurstadt@hotmail.com>

Sent: Friday, June 16, 2023 2:11 PM

To: LUONGO Dante J * WRD <Dante.J.LUONGO@water.oregon.gov>

Cc: Donna Boyer <donnajboyer@yahoo.com>

Subject: Boyer - T-13916 - Owner Report

Luongo,

Did you get this email and was it acceptable for this step?

Respectfully,

Eric Urstadt, PE, PLS, CWRE

Aspen Rural Land Consulting

Water Rights – Forestry – Rural Land Engineering – Land Surveying

(971) 250-1520 (cell, text, voicemail)

From: Eric Urstadt

Sent: Friday, June 9, 2023 10:44 AM

To: LUONGO Dante J * WRD

Cc: Donna Boyer

Subject: Boyer - T-13916 - Owner Report

RECEIVED

NOV 22 2023

OWRD

Dante,

Attached is the Owner Report for Donna Boyer. I believe she has reviewed the Preliminary Decision and will email a written response. I never received any of that and it is not on WRIS at this time.



Rural Land Consulting

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

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

RECEIVED

FEB 07 2022

OWRD

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

25 JAN 2022

Subject: Application to Change Character of Use for Small Pond

To Whom It May Concern,

Enclosed is an application for a transfer to change the Character of Use for a small pond along with the following attachments:

- A. Land Use Form
- B. Evidence of Use form and proof
- C. Tax lot Legal Description and ownership information
- D. Transfer Map
- E. Supplemental Form D for Tualatin Valley Irrigation District
- F. A check made out to Oregon Water Resources Department for \$2450.00.

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

Respectfully,
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS