

Regular

Name Chapin Investments LLC

Address 99165 Wheatland Rd. N.
Salem, OR 97303

Change in POU

Date Filed 7-29-2022

Initial notice date 8-9-2022

DPD issued date _____

PD issued date 11/22/2024

PD notice date 11/26/2024

Date of FO 1/23/2025 Vol 133 Page 728-731

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A Well

Trib. of Unnamed Creek Basin

Use Irrigation County Marion

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

Name of ditch _____

App# G-3319 Per # G-3120 Cert # 95408 PR Date 12/13/1965

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

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

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

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

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

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

FEES PAID		
Date	Amount	Receipt #
<u>07/29/22</u>	<u>1,360.00</u>	<u>138788</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Doann Hamilton - phgdmh@gmail.com

CWRE _____

CC's list Marion County

☐ - Oversized map - Location _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14058

Transfer Specialist: *Joan L.*

Transfer Type: Regular Transfer

Applicant: CHAPIN INVESTMENTS LLC 9965 WHEATLAND RD N SALEM, OR 97303 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A DOANN HAMILTON 18487 S VALLEY VISTA RD MULINO, OR 97042-8741 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Marion 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"/>	G-3319	G-3120	95408	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: July 29, 2022	Proposed Action(s): PLACE OF USE	
Fees Pd: 1360.00	WM District: 16	ODFW District:
Initial Public Notice: August 9, 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 checked="" type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent: <i>NA</i>	News \$ received: <i>NA</i>
Request to publish sent:	Affidavit of publication received: <i>NA</i>	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>7/3/23</i> Initials: <i>Joan</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <i>8-2-24</i> Initials: <i>HC</i>	Date: <i>8-4-24</i> Initials: <i>HC</i>	CW Sent: _____	N/A
PD	Date: <i>9-9-24</i> Initials: <i>HC</i>	Date: <i>9-12-24</i> Initials: <i>HC</i>	Date: <i>9-13-24</i> Initials: <i>HC</i>	Date: <i>10-2-24</i> Initials: <i>HC</i>	Date: <i>10-4-24</i> Initials: <i>HC</i> <i>Not: 10-8-24</i>	Date: <i>10-31-24</i>	Date: <i>11/22/24</i>
FO	Date: <i>12-2-24</i> Initials: <i>HC</i>	Date: <i>12-10-24</i> Initials: <i>AD</i>	Date: <i>12-12-24</i> Initials: <i>HC</i>	Date: <i>12-16-24</i> Initials: <i>AR</i>	Date: <i>12-18-24</i> Initials: <i>HC</i>	Date: <i>2 items 1-9-25</i>	Date: <i>1/23/2025</i>

Special Issues: _____

Special Order Volume: Vol. 153 Pages 728-731



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

January 23, 2025

Chapin Investments LLC
9965 Wheatland Rd N
Salem, OR 97303

REFERENCE: Transfer Application T-14058

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,

David V. Jones Jr

Water Rights Services Support

Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Doann Hamilton, Agent
Marion County, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A CHANGE IN
T-14058, Marion County)	PLACE OF USE

Authority

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

Applicant

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM, OR 97303

Findings of Fact

1. On July 29, 2022, CHAPIN INVESTMENTS LLC filed an application to change the place of use under Certificate 95408. The Department assigned the application number T-14058.
2. Notice of the application for transfer was published on August 9, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 8, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14058 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 7, 2024, 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.

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.

4. On November 22, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14058 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 November 26, 2024, 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: 95408 in the names of BRENT LAFOLLETTE, VANESSA LAFOLLETTE AND CHAPIN INVESTMENTS LLC (perfected under Permit G-3120)

Use: IRRIGATION OF 0.3 ACRE

Priority Date: DECEMBER 13, 1965

Rate: 0.003 CUBIC FOOT PER SECOND (CFS); further limited to 0.001 CFS from WELL 2

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

Source: TWO WELLS, a tributary of an UNNAMED CREEK (EGAN LAKE)

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	7	SW SW	63	WELL 2 (ADDITIONAL) - 1025 FEET SOUTH AND 1205 FEET EAST FROM THE SOUTH RE-ENTRANT CORNER OF DLC 68
6 S	3 W	WM	12	NW SE	63	WELL 1 (ORIGINAL) - 700 FEET SOUTH AND 2470 FEET WEST FROM THE SOUTH RE-ENTRANT CORNER OF DLC 68

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	0.3

6. Transfer Application T-14058 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	0.3

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2200]

7. A confirming certificate was issued five years prior to the submittal to the transfer application. 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 rights was present within the five-year period prior to submittal of Transfer Application T-14058.
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, as conditioned, would not result in enlargement of the right.
11. The proposed change, as conditioned, would not result in injury to other existing water right.
12. All other application requirements are met.

Conclusions of Law

The change in place of use proposed in Transfer Application T-14058 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

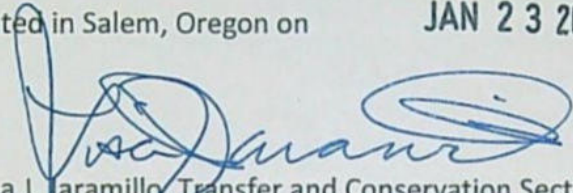
Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-14058 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 95408 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.
4. Water right Certificate 95408 is cancelled. A new certificate will be issued describing those portions of the right not affected by this transfer.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

JAN 23 2025



Lisa J. Taramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR

Oregon Water Resources Department

Mailing Date: **JAN 24 2025**

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRENT LAFOLLETTE
VANESSA LAFOLLETTE
3650 CLAUSEN ACRES LANE NE
SALEM OR 97303

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM OR 97303

confirms the right to the use of water perfected under the terms of permit g-3120. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the wells. The specific limits and conditions of the use are listed below

SOURCE OF WATER: TWO WELLS, A TRIBUTARY OF AN UNNAMED CREEK (EGAN LAKE)

PURPOSE OR USE: IRRIGATION OF 194.9 ACRES

MAXIMUM RATE: 2.197 CUBIC FEET PER SECOND; FURTHER LIMITED TO .879 CFS FROM WELL 2

DATE OF PRIORITY: DECEMBER 13, 1965

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	7	SW SW	63	WELL 2 (ADDITIONAL) - 1025 FEET SOUTH AND 1205 FEET EAST FROM THE SOUTH RE-ENTRANT CORNER OF DLC 68
6 S	3 W	WM	12	NW SE	63	WELL 1 (ORIGINAL) - 700 FEET SOUTH AND 2470 FEET WEST FROM THE SOUTH RE-ENTRANT CORNER OF DLC 68

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

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	21.3
6 S	2 W	WM	7	SW SW	63	34.0
6 S	2 W	WM	7	SE SW	63	4.8
6 S	2 W	WM	18	NW NW	63	2.0
6 S	3 W	WM	12	SW NE	68	1.6
6 S	3 W	WM	12	SE NW	68	1.9
6 S	3 W	WM	12	NE SW	68	2.1
6 S	3 W	WM	12	NE SW	63	4.7
6 S	3 W	WM	12	SE SW	63	5.4
6 S	3 W	WM	12	NE SE	63	22.0
6 S	3 W	WM	12	NW SE	68	4.3
6 S	3 W	WM	12	NW SE	63	21.7
6 S	3 W	WM	12	SW SE	63	34.6
6 S	3 W	WM	12	SE SE	63	29.1
6 S	3 W	WM	13	NE NE	63	4.7
6 S	3 W	WM	13	NW NE	63	0.7
Total:						194.9

The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully authorized under the right.

When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

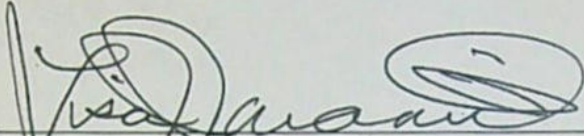
Water shall be acquired from the same aquifer as the original point of appropriation.

This certificate describes that portion of water right Certificate 95408, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 23 2025, approving Transfer Application T-14058.

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

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

WITNESS the signature of the Water Resources Director, affixed JAN 23 2025.

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

9589 0710 5270 0208 3257 42

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

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

- ☐ Return Receipt (hardcopy) \$ _____
- ☐ Return Receipt (electronic) \$ _____
- ☐ Certified Mail Restricted Delivery \$ _____
- ☐ Adult Signature Required \$ _____
- ☐ Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

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

City, State, ZIP+4®

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. /

Chapin Investments, LLC
 9965 Wheatland Rd. N
 Salem, OR 97303



9590 9402 8804 4005 1104 52

2. Article Number (Transfer from service label)

9589071052700208325742

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

John E. Chapin

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Jean E. Chapin

C. Date of Delivery

11/27/24

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

Received

DEC 02 2024

OWRD

3. Service Type

- ☐ Adult Signature ☐ Priority Mail Express®
- ☐ Adult Signature Restricted Delivery ☐ Registered Mail™
- ☐ Certified Mail® ☐ Registered Mail Restricted Delivery
- ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation™
- ☐ Collect on Delivery ☐ Signature Confirmation Restricted Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)



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 22, 2024

VIA CERTIFIED MAIL AND E-MAIL

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM, OR 97303

SUBJECT: Water Right Transfer Application T-14058

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14058. 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, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

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

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

Please don't hesitate to contact me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14058
Gregory J. Wacker, District 16 Watermaster (via e-mail)
Doann Hamilton, Agent for the applicant (via e-mail)

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14058, Marion County)	PROPOSING APPROVAL OF A CHANGE IN
)	PLACE OF USE

Authority

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

Applicant

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM, OR 97303

Findings of Fact

1. On July 29, 2022, CHAPIN INVESTMENTS LLC filed an application to change the place of use under Certificate 95408. The Department assigned the application number T-14058.
2. Notice of the application for transfer was published on August 9, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 8, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14058 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 7, 2024, 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:	95408 in the names of BRENT LAFOLLETTE, VANESSA LAFOLLETTE AND CHAPIN INVESTMENTS LLC (perfected under Permit G-3120)
Use:	IRRIGATION OF 0.3 ACRE

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: DECEMBER 13, 1965

Rate: 0.003 CUBIC FOOT PER SECOND (CFS); further limited to 0.001 CFS from WELL 2

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

Source: TWO WELLS, a tributary of an UNNAMED CREEK (EGAN LAKE)

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	7	SW SW	63	WELL 2 (ADDITIONAL) - 1025 FEET SOUTH AND 1205 FEET EAST FROM THE SOUTH RE-ENTRANT CORNER OF DLC 68
6 S	3 W	WM	12	NW SE	63	WELL 1 (ORIGINAL) - 700 FEET SOUTH AND 2470 FEET WEST FROM THE SOUTH RE-ENTRANT CORNER OF DLC 68

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	0.3

5. Transfer Application T-14058 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	0.3

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2200]

- A confirming certificate was issued five years prior to the submittal to the transfer application. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14058.
- The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- The proposed change, as conditioned, would not result in enlargement of the right.

10. The proposed change, as conditioned, would not result in injury to other existing water right.
11. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-14058 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

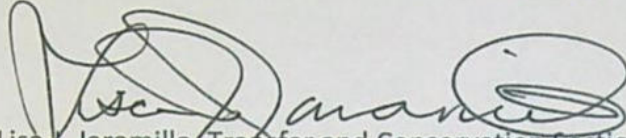
If Transfer Application T-14058 is approved, the final order will include the following:

1. *The change in place of use proposed in Transfer Application T-14058 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 95408 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.*
4. *Water right Certificate 95408 is cancelled. A new certificate will be issued describing those portions of the right not affected by this transfer.*
5. *The former place of use of the transferred right shall no longer receive water under the right.*
6. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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

Dated in Salem, Oregon on

NOV 22 2024



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Dante Luongo. If you have 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.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

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.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **138788**

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

INVOICE # _____

RECEIVED FROM: Chapin Investments, LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14058

CASH: ☐ CHECK: # 2573 ☒ OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 1,360.00

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 \$ 1,360.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____

LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____

0210 MONITORING WELLS \$ _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **138788**

DATE: 7-19-2022 BY: [Signature]

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate 95408**

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: ____/____/____

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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°).

Part 3 of 5 – Fee Worksheet

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 checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>	
2	Multiply line 2b by \$1090 and enter »	2 \$0
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in line 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>	
3	Multiply line 3b by \$610 and enter »	3 \$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed _____ (4a) Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (4b)	
4	Add line 4a to line 4b and enter »	4 \$0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.003 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.997(5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$410, then enter on line 5 »	
5		5 \$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6 \$1,360
	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 »	
7	If no box is applicable, enter 0 on line 7 »	7 \$0
8	Subtract line 7 from line 6 » Transfer Fee:	8 \$1,360

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$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	NA

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Chapin Investments LLC		PHONE NO. (503) 393-6327	ADDITIONAL CONTACT NO. (503) 510-1493 (cell)
ADDRESS 9965 Wheatland Rd N		FAX NO.	
CITY Salem	STATE OR	ZIP 97303	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:
A lot line adjustment was made on TL 6 2W 07C 400 and we need to adjust the place of use under water right certificate 95408 accordingly.

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

Check One Box


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

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Statesman Journal.
- 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.

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

Bruce N Chapin
Applicant Signature

Owner Chapin Investments LLC
Print Name and title if applicable

7-20-2022
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 NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME NA	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Marion County Planning Division	ADDRESS 5155 Silverton Road NE	
CITY Salem	STATE Oregon	ZIP 97305

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 # 95408

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Description of Water Delivery System

JUL 29 2022

System capacity: 2.2 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 2 (MARI 58084) using a 50 hp submersible pump to convey water through a 6-inch buried PVC mainline. Hydrants are located along this mainline to support macro-bore impact sprinklers and smaller impact sprinklers attached to portable handlines to irrigate filberts and nursery stock.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 4858	6 S	3 W	12	NW SE	DLC 63	700 feet south and 2,470 feet west from the south re-entrant corner, DLC 68.
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 58084	6 S	2 W	7	SW SW	DLC 63	1,025 feet south and 1,205 feet east from the south re-entrant corner, DLC 68.

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input 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) |

☐ Surface Water POD to Ground Water
POA (SW/GW)

☐ Government Action POD (GOV)

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

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 95408

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				
6	S	2	W	7	NW	SW	400	DLC 63	0.3	IR	Wells 1 & 2	12-13- 1965	POU	6	S	2	W	7	NW	SW	500	DLC 63	0.3	IR	Wells 1&2	12-13- 1965		
TOTAL ACRES:									0.3						TOTAL ACRES:									0.3				

Additional remarks: Please note corresponding and concurrent change proposed for GR-3914 on adjacent land under Groundwater Registration Modification Application T-14004.

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For Place of Use or Character of Use Changes

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

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

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

- ☐ 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 - NA

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
NA										

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of MARION) ss

County of MARION

I, BRUCE CHAPIN, in my capacity as OWNER / OPERATOR,

mailing address 9965 WHEATLAND RD NE, SALEM, OR 97303

telephone number (503) 393-6327 being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the entire place of use for
Certificate # ____; OR

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☒ Confirming Certificate # 95408 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)

JUL 29 2022

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

OWRD

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.

Bruce R. Chapin

Signature of Affiant

7-20-2022

Date

Signed and sworn to (or affirmed) before me this 20th day of July, 20 22.



Sarrah McMaster

Notary Public for Oregon

My Commission Expires: July 1 2024

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

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

BRENT LAFOLLETTE
VANESSA LAFOLLETTE
3650 CLAUSEN ACRES LANE NE
SALEM OR 97303

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM OR 97303

confirms the right to the use of water perfected under the terms of Permit G-3120. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS, A TRIBUTARY OF AN UNNAMED CREEK (EGAN LAKE)

PURPOSE OR USE: IRRIGATION OF 195.2 ACRES

MAXIMUM RATE: 2.2 CUBIC FEET PER SECOND (CFS); FURTHER LIMITED TO 0.88 CFS FROM WELL 2

DATE OF PRIORITY: DECEMBER 13, 1965

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	3 W	WM	12	NW SE	63	WELL 1 (ORIGINAL) - 700 FEET SOUTH AND 2470 FEET WEST FROM SOUTH RE-ENTRANT CORNER, DLC 68
6 S	2 W	WM	7	SW SW	63	WELL 2 (ADDITIONAL) - 1025 FEET SOUTH AND 1205 FEET EAST FROM SOUTH RE-ENTRANT CORNER, DLC 68

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	21.6
6 S	2 W	WM	7	SW SW	63	34.0
6 S	2 W	WM	7	SE SW	63	4.8

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	18	NW NW	63	2.0
6 S	3 W	WM	12	SW NE	68	1.6
6 S	3 W	WM	12	SE NW	68	1.9
6 S	3 W	WM	12	NE SW	68	2.1
6 S	3 W	WM	12	NE SW	63	4.7
6 S	3 W	WM	12	SE SW	63	5.4
6 S	3 W	WM	12	NE SE	63	22.0
6 S	3 W	WM	12	NW SE	68	4.3
6 S	3 W	WM	12	NW SE	63	21.7
6 S	3 W	WM	12	SW SE	63	34.6
6 S	3 W	WM	12	SE SE	63	29.1
6 S	3 W	WM	13	NE NE	63	4.7
6 S	3 W	WM	13	NW NE	63	0.7

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The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully authorized under the right.

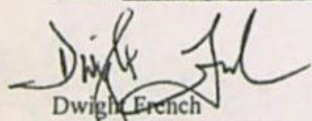
When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

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

This certificate is issued to confirm a change in ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered April 24, 2003, at Special Order Volume 57, Page 500, approving Transfer Application T-9240 and supercedes Certificate 36216, State record of Water Right Certificates.

Issued MAR 26 2021



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

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Marion)

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I Ellen Egan in my/our capacity as Owner,

mailing address 9805 River Rd NE, Salem, OR 97303,

telephone number (503 393-2131 Ext 4), duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 95408

described in a Water Right Transfer Application (T-NA),

(transfer number, if known)

submitted by Chapin Investments LLC

on the property in tax lot number(s) 400,

Section 7C Township 6 South Range 2 West, W.M.,

located at (no site address) west of 9805 River Rd NE, Salem, OR 97303

(site address)

Handwritten signature of Ellen Egan in blue ink.
Signature of Affiant

7/19/22
Date

Signature of Affiant

Date

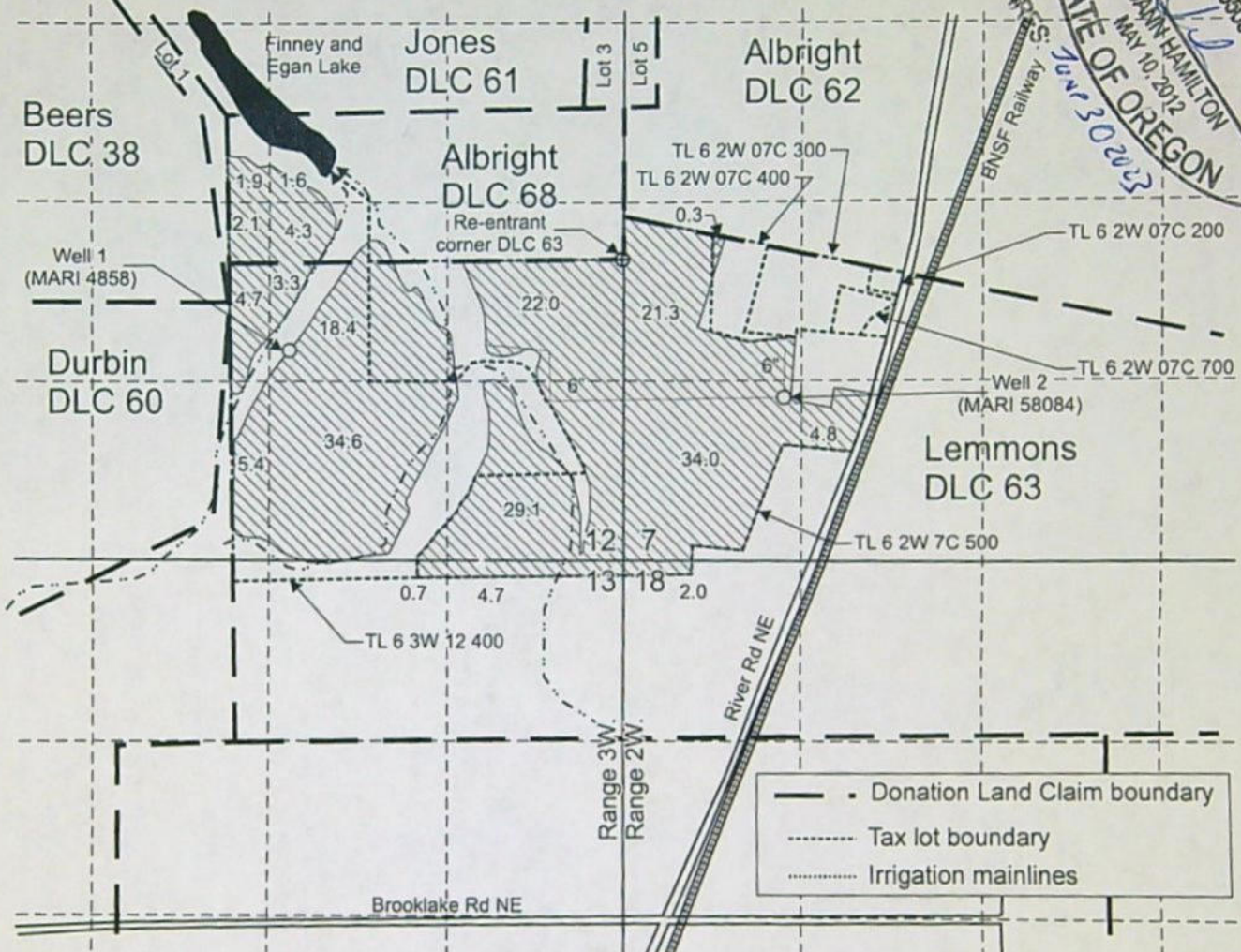
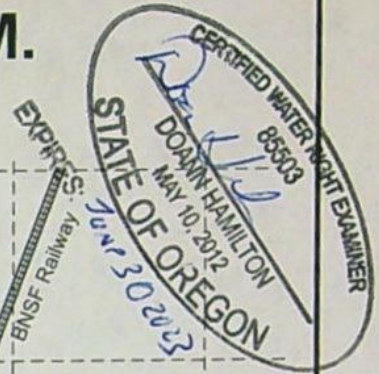
Subscribed and Sworn to before me this 19 day of July, 20 22.

Handwritten signature of Hannah Louise Frank in blue ink.
Notary Public for Oregon

My commission expires 12/01/2025.





T.6S. R.2W. Section 7, W.M.



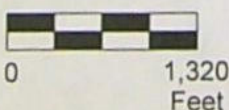
Well 1 (MARI 4858) is located 700 feet south and 2,470 feet west from the S re-entrant corner, DLC 68.

Well 2 (MARI 58084) is located 1,025 feet south and 1,205 feet east from the S re-entrant corner, DLC 68.

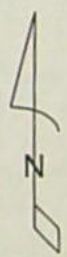
 Area (0.3 Acres) irrigated under Certificate 95408, priority date: December 13, 1965, affected by this transfer.

 Area (194.9 Acres) irrigated under Certificate 95408, priority date: December 13, 1965, not affected by this transfer.

Scale: 1" = 1,320'



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



Pacific Hydro-Geology Inc.

06/2022

Transfer Application "From" Map
Certificate 95408
Chapin Investments, LLC,
T.6S. R.2W. Sec. 7 & 18,
T.6S. R.3W. Sec.12 & 13, W.M.

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JUL 29 2022

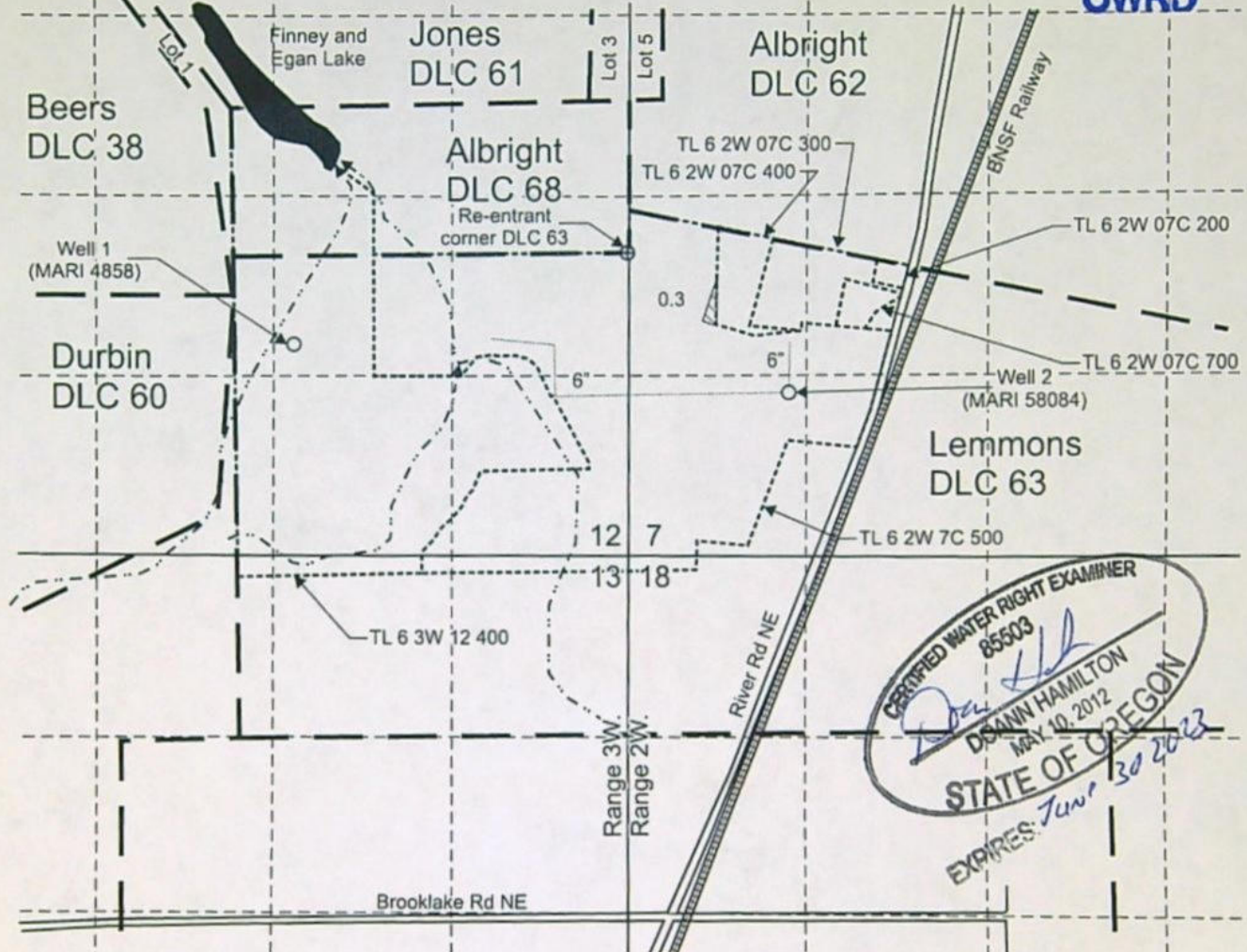
OWRD

T.6S. R.2W. Section 7, W.M.

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Well 1 (MARI 4858) is located 700 feet south and 2,470 feet west from the S re-entrant corner, DLC 68.

Well 2 (MARI 58084) is located 1,025 feet south and 1,205 feet east from the S re-entrant corner, DLC 68.

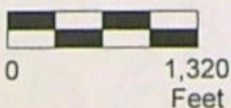
 Area (0.3 Acres) to be irrigated, priority date: December 13, 1965.

----- Tax lot boundary

— • — Donation Land Claim boundary

----- Water main line

Scale: 1" = 1,320'



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

Transfer Application "To" Map
Certificate 95408

Chapin Investments, LLC,
T.6S. R.2W. Sec. 7 & 18,
T.6S. R.3W. Sec.12 & 13, W.M.

Pacific Hydro-Geology Inc.

06/2022

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14058

Checked by: <u>AWA</u>	Type of Change(s) Proposed: <i>Mark the Proposed Changes</i>	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	POD	APOD
Date: <u>8/1/22</u>		Gov Action	Surface to Ground	USE	POA	APOA
Fee Received:						
Calculated Fee:		How many rights to be Transferred? Certificate # <u>95408</u>				
Additional Observations: _____						

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

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? _____
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
Name of the district: _____
- ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
- ☒ 4. Is there only one (1) water right included in this transfer application?
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: _____ Date: _____

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	

Case Worker Copy

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRENT LAFOLLETTE
VANESSA LAFOLLETTE
3650 CLAUSEN ACRES LANE NE
SALEM OR 97303

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM OR 97303

confirms the right to the use of water perfected under the terms of Permit G-3120. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS, A TRIBUTARY OF AN UNNAMED CREEK (EGAN LAKE)

PURPOSE OR USE: IRRIGATION OF ~~195.2~~ ACRES **194.9 Acres**

MAXIMUM RATE: ~~2.2~~ CUBIC FEET PER SECOND (CFS); FURTHER LIMITED TO 0.88 CFS FROM WELL 2

DATE OF PRIORITY: ~~DECEMBER 13, 1965~~ **2.196 CFS**

0.01127 CFS per acre

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	3 W	WM	12	NW SE	63	WELL 1 (ORIGINAL) - 700 FEET SOUTH AND 2470 FEET WEST FROM SOUTH RE-ENTRANT CORNER, DLC 68
6 S	2 W	WM	7	SW SW	63	WELL 2 (ADDITIONAL) - 1025 FEET SOUTH AND 1205 FEET EAST FROM SOUTH RE-ENTRANT CORNER, DLC 68

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	21.6
6 S	2 W	WM	7	SW SW	63	34.0
6 S	2 W	WM	7	SE SW	63	4.8

OFF | **RR**
- 0.3 | **- 21.3**

0.00338 CFS for 0.3 acre

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	18	NW NW	63	2.0
6 S	3 W	WM	12	SW NE	68	1.6
6 S	3 W	WM	12	SE NW	68	1.9
6 S	3 W	WM	12	NE SW	68	2.1
6 S	3 W	WM	12	NE SW	63	4.7
6 S	3 W	WM	12	SE SW	63	5.4
6 S	3 W	WM	12	NE SE	63	22.0
6 S	3 W	WM	12	NW SE	68	4.3
6 S	3 W	WM	12	NW SE	63	21.7
6 S	3 W	WM	12	SW SE	63	34.6
6 S	3 W	WM	12	SE SE	63	29.1
6 S	3 W	WM	13	NE NE	63	4.7
6 S	3 W	WM	13	NW NE	63	0.7

The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully authorized under the right.

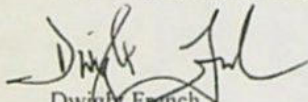
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Water shall be acquired from the same aquifer as the original point of appropriation.

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

This certificate is issued to confirm a change in ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered April 24, 2003, at Special Order Volume 57, Page 500, approving Transfer Application T-9240 and supercedes Certificate 36216, State record of Water Right Certificates.

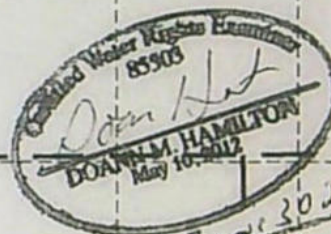
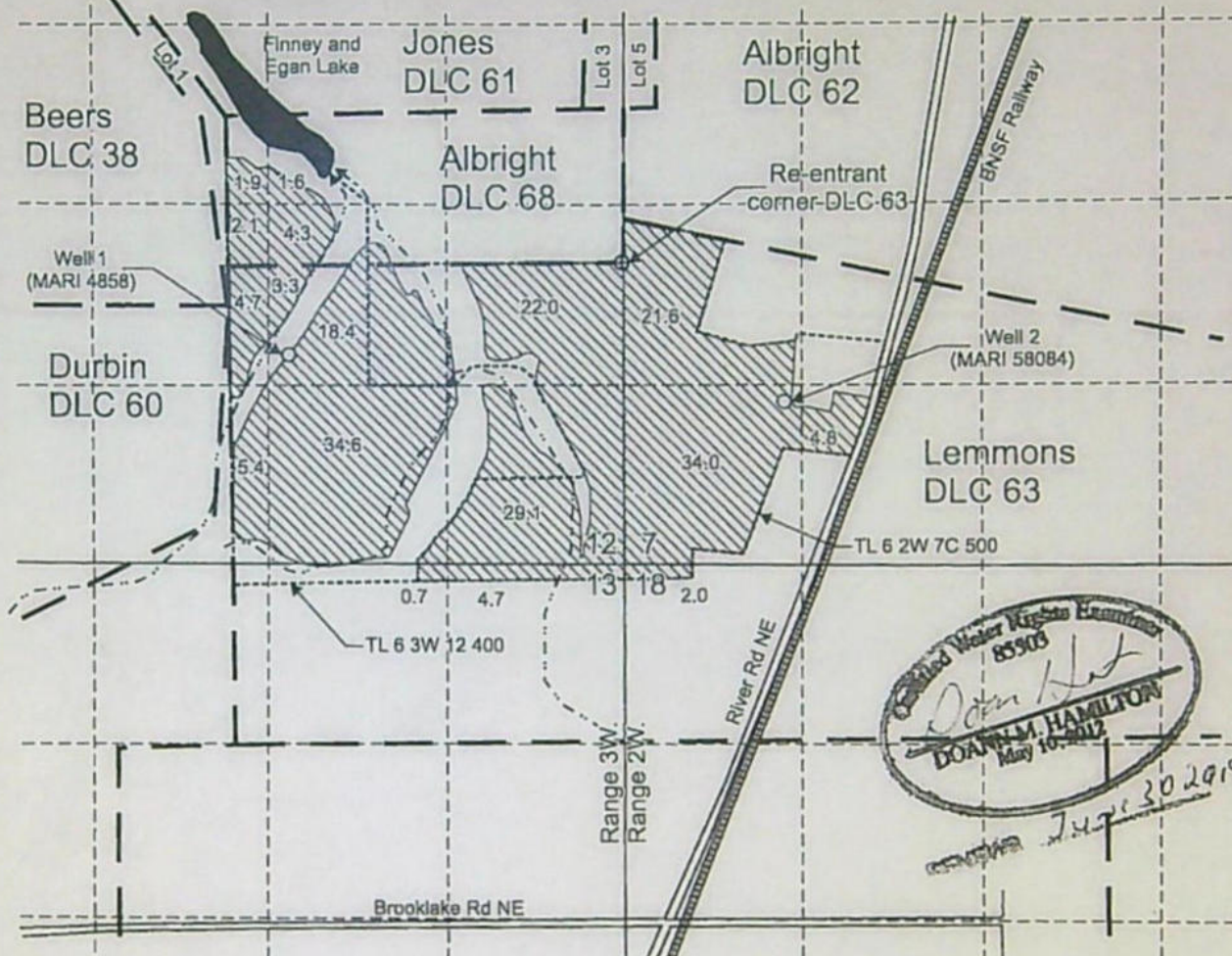
Issued MAR 26 2021



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

COPY

T.6S. R.2W. Sec. 7 & 18 T.6S. R.3W. Sec. 12 & 13, W.M.



Well 1 (MARI 4858) is located 700 feet south and 2,470 feet west from the S re-entrant corner, DLC 68.

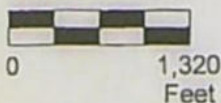
Well 2 (MARI 58084) is located 1,025 feet south and 1,205 feet east from the S re-entrant corner, DLC 68.

Area (195.2 Acres) irrigated under T-9240, priority date: December 13, 1965.

Tax lot boundary

Donation Land Claim boundary

Scale: 1" = 1,320'



RECEIVED

JUN 29 2018

OWRD

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

Claim of Beneficial Use Map
T-9240

Chapin Investments, LLC, Brent and Vanessa LaFollette
T.6S. R.2W. Sec. 7 & 18,
T.6S. R.3W. Sec. 12 & 13, W.M.

06/2018

Pacific Hydro-Geology Inc.

Case Worker Copy

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

RECEIVED

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

JUL 29 2022

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1** List them here: **Certificate 95408 issued 3-26-2021 ✓**
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.

OWRD

Attachments:

see also T-14004-GR MOD*

- ☒ 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: ____/____/____

T-14058

JUL 29 2022

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°).

Part 3 of 5 – Fee Worksheet

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

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	NA

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Chapin Investments LLC		PHONE NO. (503) 393-6327	ADDITIONAL CONTACT NO. (503) 510-1493 (cell)
ADDRESS 9965 Wheatland Rd N		FAX NO.	
CITY Salem	STATE OR	ZIP 97303	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:
A lot line adjustment was made on TL 6 2W 07C 400 and we need to adjust the place of use under water right certificate 95408 accordingly.

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

Check One Box

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

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Statesman Journal. NA POU only *
- 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.

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



Bruce R. Chapin
Applicant Signature

Owner Chapin Investments LLC
Print Name and title if applicable

Date

7-20-2022

Applicant Signature

Print Name and title if applicable

Date

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

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

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Marion County Planning Division	ADDRESS 5155 Silverton Road NE	
CITY Salem	STATE Oregon	ZIP 97305

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 # 95408

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Description of Water Delivery System

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System capacity: 2.2 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from Well 2 (MARI 58084) using a 50 hp submersible pump to convey water through a 6-inch buried PVC mainline. Hydrants are located along this mainline to support macro-bore impact sprinklers and smaller impact sprinklers attached to portable handlines to irrigate filberts and nursery stock.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 4858	6 S	3 W	12	NW	SE	DLC 63	700 feet south and 2,470 feet west from the south re-entrant corner, DLC 68.
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 58084	6 S	2 W	7	SW	SW	DLC 63	1,025 feet south and 1,205 feet east from the south re-entrant corner, DLC 68.

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input 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) |

☐ Surface Water POD to Ground Water
POA (SW/GW)

☐ Government Action POD (GOV)

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

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 95408

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see CODES from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	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						
6	S	2	W	7	NW	SW	400	DLC 63	0.3	IR	Wells 1 & 2	12-13- 1965	POU	6	S	2	W	7	NW	SW	500	DLC 63	0.3	IR	Wells 1&2	12-13- 1965
TOTAL ACRES:						0.3								TOTAL ACRES:						0.3						

Additional remarks: Please note corresponding and concurrent change proposed for GR-3914 on adjacent land under Groundwater Registration Modification Application T-14004.

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For Place of Use or Character of Use Changes

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

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

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

- ☐ 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 - NA

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

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

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COPY

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 MARION) ss

I, BRUCE CHAPIN, in my capacity as OWNER / OPERATOR,
mailing address 9965 WHEATLAND RD NE, SALEM, OR 97303
telephone number (503) 393-6327 being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the entire place of use for
Certificate # ____; OR

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☒ Confirming Certificate # 95408 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)

JUL 29 2022

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

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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.

Bruce R. Chapin
Signature of Affiant

7-20-2022
Date

Signed and sworn to (or affirmed) before me this 20th day of July, 2022.



Sarrah McMaster
Notary Public for Oregon

My Commission Expires: July 1 2024

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

COPY

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

BRENT LAFOLLETTE
VANESSA LAFOLLETTE
3650 CLAUSEN ACRES LANE NE
SALEM OR 97303

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM OR 97303

confirms the right to the use of water perfected under the terms of Permit G-3120. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS, A TRIBUTARY OF AN UNNAMED CREEK (EGAN LAKE)

PURPOSE OR USE: IRRIGATION OF 195.2 ACRES

MAXIMUM RATE: 2.2 CUBIC FEET PER SECOND (CFS); FURTHER LIMITED TO 0.88 CFS FROM WELL 2

DATE OF PRIORITY: DECEMBER 13, 1965

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	3 W	WM	12	NW SE	63	WELL 1 (ORIGINAL) - 700 FEET SOUTH AND 2470 FEET WEST FROM SOUTH RE-ENTRANT CORNER, DLC 68
6 S	2 W	WM	7	SW SW	63	WELL 2 (ADDITIONAL) - 1025 FEET SOUTH AND 1205 FEET EAST FROM SOUTH RE-ENTRANT CORNER, DLC 68

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	7	NW SW	63	21.6
6 S	2 W	WM	7	SW SW	63	34.0
6 S	2 W	WM	7	SE SW	63	4.8

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	18	NW NW	63	2.0
6 S	3 W	WM	12	SW NE	68	1.6
6 S	3 W	WM	12	SE NW	68	1.9
6 S	3 W	WM	12	NE SW	68	2.1
6 S	3 W	WM	12	NE SW	63	4.7
6 S	3 W	WM	12	SE SW	63	5.4
6 S	3 W	WM	12	NE SE	63	22.0
6 S	3 W	WM	12	NW SE	68	4.3
6 S	3 W	WM	12	NW SE	63	21.7
6 S	3 W	WM	12	SW SE	63	34.6
6 S	3 W	WM	12	SE SE	63	29.1
6 S	3 W	WM	13	NE NE	63	4.7
6 S	3 W	WM	13	NW NE	63	0.7

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The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully authorized under the right.


When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

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

This certificate is issued to confirm a change in ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered April 24, 2003, at Special Order Volume 57, Page 500, approving Transfer Application T-9240 and supercedes Certificate 36216, State record of Water Right Certificates.

Issued **MAR 26 2021**


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

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Marion)

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I Ellen Egan in my/our capacity as Owner,

mailing address 9805 River Rd NE, Salem, OR 97303,

telephone number (503 393-2131 Ext 4), duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 95408

described in a Water Right Transfer Application (T-NA),

(transfer number, if known)

submitted by Chapin Investments LLC

on the property in tax lot number(s) 400,

Section 7C Township 6 South Range 2 West, W.M.,

located at (no site address) west of 9805 River Rd NE, Salem, OR 97303

(site address)

Signature of Affiant

7/19/22
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 19 day of July, 20 22.

Notary Public for Oregon

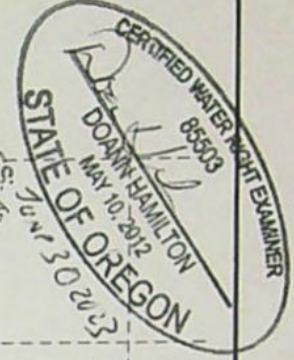
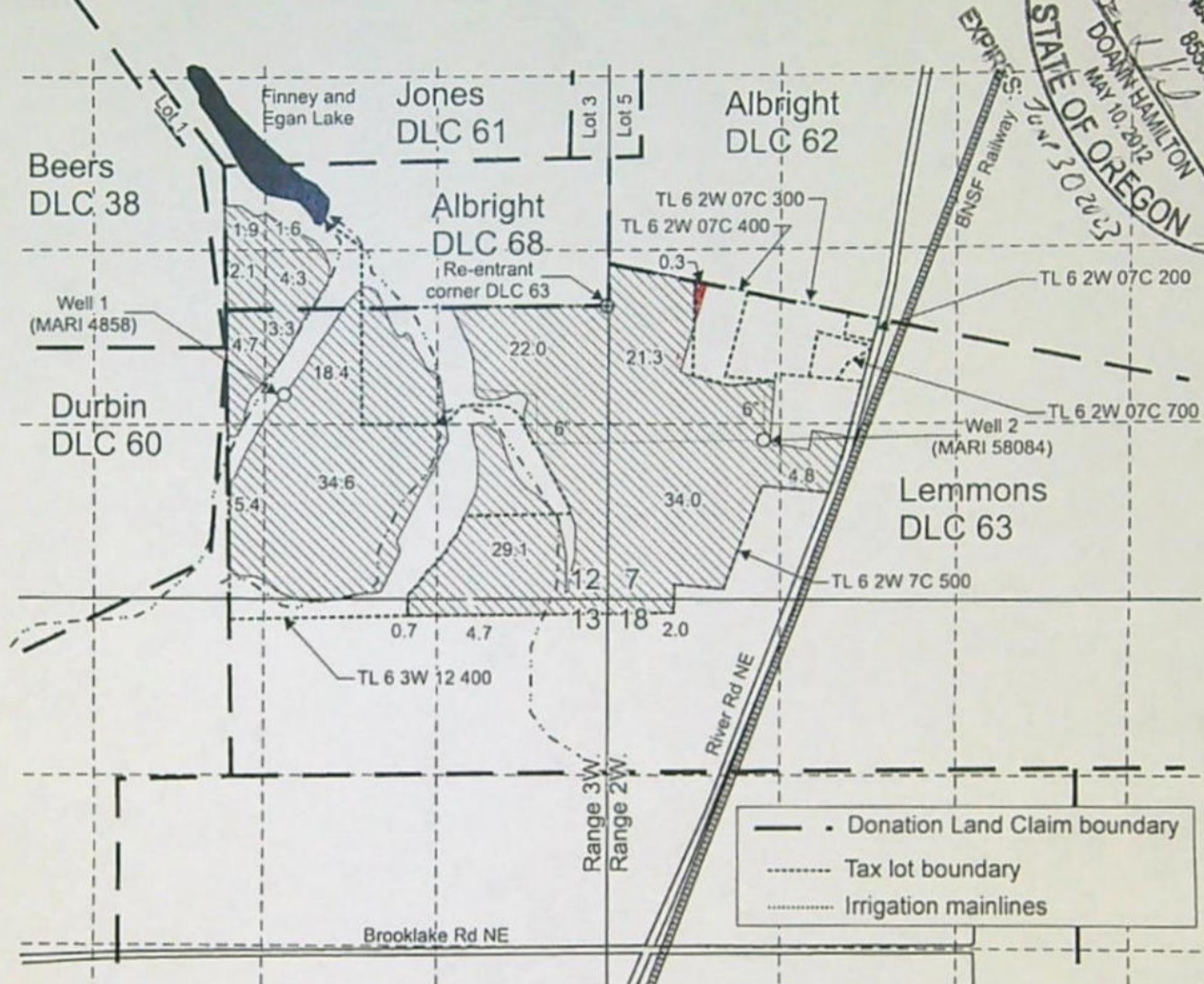


My commission expires 12/01/2025.

COPY


FROM


T.6S. R.2W. Section 7, W.M.



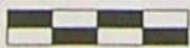
Well 1 (MARI 4858) is located 700 feet south and 2,470 feet west from the S re-entrant corner, DLC 68.

Well 2 (MARI 58084) is located 1,025 feet south and 1,205 feet east from the S re-entrant corner, DLC 68.

 Area (0.3 Acres) irrigated under Certificate 95408, priority date: December 13, 1965, affected by this transfer.

 Area (194.9 Acres) irrigated under Certificate 95408, priority date: December 13, 1965, not affected by this transfer.

Scale: 1" = 1,320'



0 1,320 Feet

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

Transfer Application "From" Map
Certificate 95408
Chapin Investments, LLC,
T.6S. R.2W. Sec. 7 & 18,
T.6S. R.3W. Sec. 12 & 13, W.M.

RECEIVED

JUL 29 2022

OWRD

Pacific Hydro-Geology Inc.

06/2022

COPY

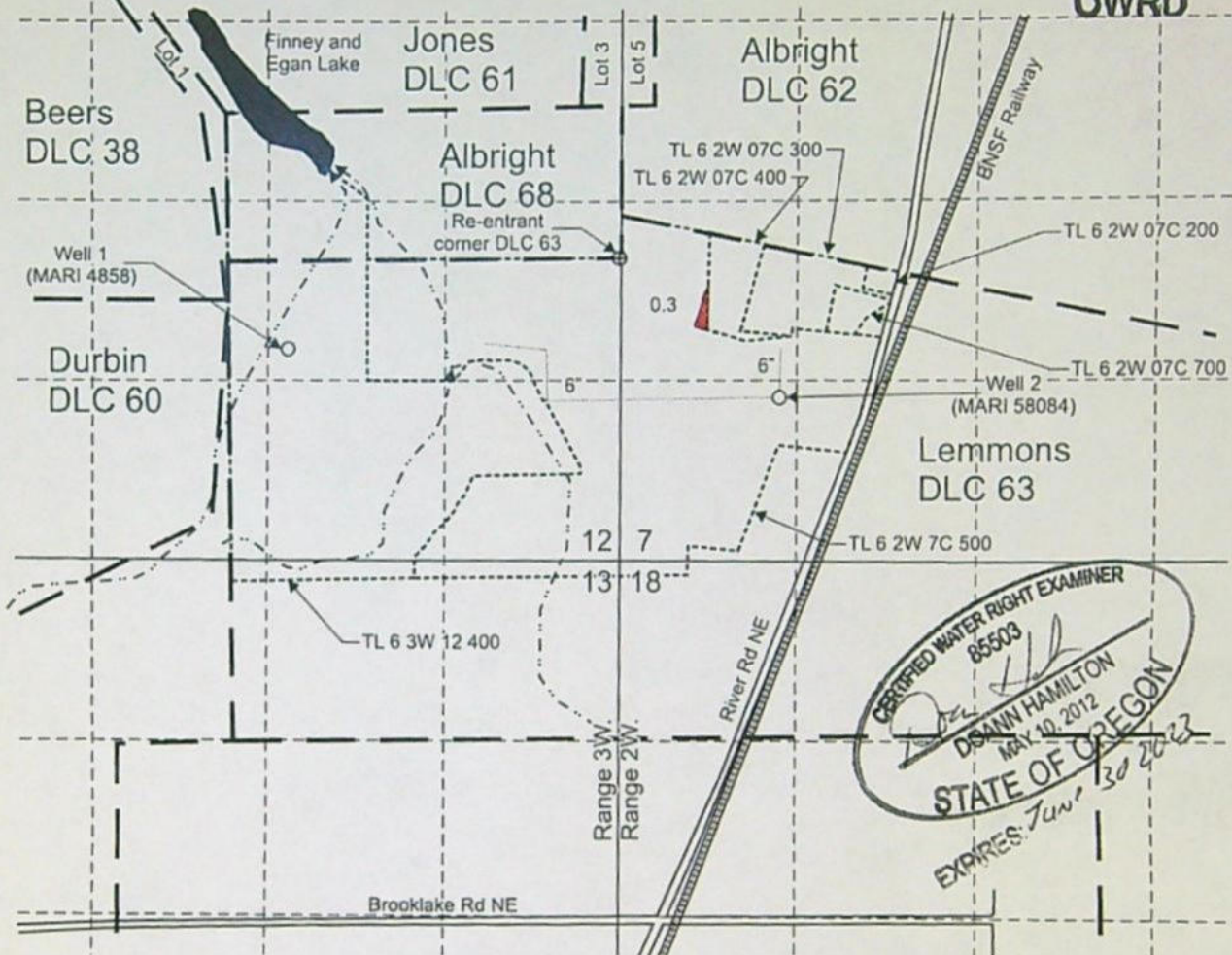
TO

RECEIVED

JUL 29 2022

T.6S. R.2W. Section 7, W.M.

QWRD



Well 1 (MARI 4858) is located 700 feet south and 2,470 feet west from the S re-entrant corner, DLC 68.

Well 2 (MARI 58084) is located 1,025 feet south and 1,205 feet east from the S re-entrant corner, DLC 68.

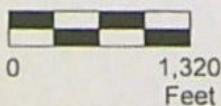
Area (0.3 Acres) to be irrigated, priority date: December 13, 1965.

----- Tax lot boundary

— • — Donation Land Claim boundary

..... Water main line

Scale: 1" = 1,320'



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

Transfer Application "To" Map
Certificate 95408

Chapin Investments, LLC,
T.6S. R.2W. Sec. 7 & 18,
T.6S. R.3W. Sec. 12 & 13, W.M.

Pacific Hydro-Geology Inc.

06/2022

COPY



Oregon
Kate Brown, Governor

COPY

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 8, 2022

CHAPIN INVESTMENTS LLC
9965 WHEATLAND RD N
SALEM, OR 97303

Reference: Application T-14058

On July 29, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Our receipt number 138788 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 in the new place of use until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

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

Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)
Doann Hamilton, Agent
Marion County

Enclosure

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

OAR 690 Division 380

