

Regular

RA

T-14079

Name City of HarrisburgAddress 120 Smith Street (PO Box 378)  
Harrisburg, OR 97446  
meldridge@ci.harrisburg.or.usChange in APDADate Filed 8-24-2022Initial notice date 9-13-2022

DPD issued date

PD issued date 4/12/2024PD notice date 4/16/2024Date of FO 5/29/2024 Vol 131 Page 172-175Correction 6/7/2024 131 262

C-Date

COBU due date

COBU Received date

Certificate issued

## DESCRIPTION OF WATER RIGHT(s)

Name of Stream A WellTrib. of Willamette River BasinUse Municipal Uses County Linn

Quantity of water (CFS) No. of Acres

Name of ditch

App# G-3325 Per # G-3125 Cert # 90030 PR Date 12/17/1965

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

## FEES PAID

Date	Amount	Receipt #
8-24-2022	\$2,250.00	138985
8-24-2022	\$125.00	138981
9-29-2022	\$1,785.89	139220
3-28-2024	\$293.57	142620

## FEES REFUNDED

Date	Amount	Receipt #

Assignments:

Irrigation District

Agent ~~UB Engineering & Consulting LLC - brooke.ub@outlook.com~~~~JULIE ISLAND, BRANCH ENGINEERING, INC. - julie@branchengineering.com~~

CWRE

CC's list Linn County☐ - Oversized map - Location





# 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

June 7, 2024

City of Harrisburg  
PO Box 378  
120 Smith St.  
Harrisburg, OR 97446

Reference: T-14079 Superseding Correcting Final Order and Superseding Certificate

Enclosed is a correcting final order recorded in Special Order Vol. 131, Page 262, issued to correct a scrivener's error in the order recorded in Special Order Vol. 131, Page 172.

If you have any questions please contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov).

Sincerely,

Elyse Richman  
Water Right Support  
Transfers and Conservation Section

cc: Watermaster Dist. #2, Lanaya F. Blakely (*via email*)  
Julie Leland, Agent  
Linn County, Local Government

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Special Order Volume 131,     )  
Pages 172-175 approving T-14079, Linn     )  
County     )     CORRECTING ORDER

**Applicant**

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446

**Findings of Fact**

1. On May 29, 2024, the Department issued an order approving Transfer Application T-14079, involving Certificate 90030. The order was recorded at Special Order Volume 131, Pages 172-175.
2. The order contained a scrivener's error in the description of the proposed point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	4	NE SW	WELL 9 – 68 FEET NORTH AND 2563 FEET EAST FROM THE SW CORNER OF SECTION 4

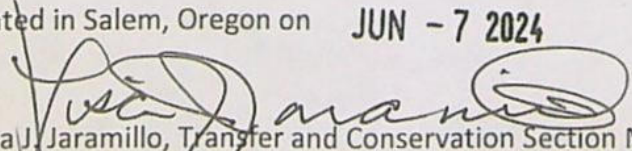
3. The correct description is:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	4	SW SE	WELL 9 – 1083 FEET NORTH AND 3162 FEET EAST FROM THE SW CORNER OF SECTION 4

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

1. The order approving T-14079, as recorded in Special Order Volume 131, Pages 172-175 is modified with the correct description of the proposed point of appropriation.
2. All other provisions of Special Order Volume 131, Pages 172-175 remain in effect.

Dated in Salem, Oregon on **JUN - 7 2024**

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

Mailing Date: **JUN 10 2024**



# WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14079

Transfer Specialist: *Scott*

Transfer Type: Regular Transfer

<b>Applicant:</b> CITY OF HARRISBURG PO BOX 378 HARRISBURG, OR 97446 Email: _____ Phone: _____		<b>Agent:</b> <input type="checkbox"/> N/A Julie Leland, P.E. Branch Engineering, Inc. 310 5th Street Springfield, OR 97477 <i>NEW AGENT</i>	
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____		<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Linn County Email: _____		<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____	
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____			

## Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-3325	G-3125	90030	<input type="checkbox"/> Yes <input checked="" 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: August 24, 2022	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 2250.00	WM District: 2	ODFW District:
Initial Public Notice: September 13, 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:	News \$ received: 3-28-24
Request to publish sent: 4/12/24	Affidavit of publication received: 4/25/24	Last day of publication: 4/25/24

*ALBANY DEMOCRAT-HERALD*

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 7/21/23 Initials: <i>Scott</i>	Date: 9/25/23 Initials: <i>Joan</i>	Date: _____ Initials: _____	Date: 12/13/23 Initials: <i>PKS</i>	Date: 12/26/23 Initials: <i>Scott</i>	<i>CW Sent</i> 1/26/24	N/A
PD	Date: 3/14/24 Initials: <i>Scott</i>	Date: 3/5/24 Initials: <i>Joan</i>	Date: <del>3/14/24</del> Initials: <del>Scott</del>	Date: 3/11/24 Initials: <i>SARAH</i>	Date: 3/15/24 Initials: <i>Scott</i>	Date: 3/28/24	Date: 4/12/24
FO	Date: 4/25/24 Initials: <i>Scott</i>	Date: 4/29/24 Initials: <i>Joan</i>	Date: _____ Initials: _____	Date: 4/20/24 Initials: <i>Cory</i>	Date: 5/28/24 Initials: <i>Scott</i>	Date: 5/28/24	Date: _____

Special Issues: *AFFIDAVIT & TIME UP* ~~5/28/24~~

Special Order Volume: Vol. 131 Pages 172-175

Correcting, Vol. 131  
order: pg. 262  
Transfer Cover Sheet

*Correcting*  
*Red* 6/4/24 / 6/5/24 *no changes*  
*Scott* / *Joan* / *Cory* / *Scott* / *Scott*  
 5/25/24 / 6/6/24 / 6/6/24 / 6/6/24





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 29, 2024

City of Harrisburg

PO Box 378

120 Smith St.

Harrisburg, OR 97446

REFERENCE: Transfer Application T-14079

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, Scott Grew, by telephone at (503) 986-0890 or by e-mail at [Scott.a.grew@water.oregon.gov](mailto:Scott.a.grew@water.oregon.gov).

Sincerely,

Elyse D. Richman

Water Rights Services Support

Transfers and Conservation Section

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)

Julie Leland, Agent

Linn County, Local Government

Enclosure



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING ADDITIONAL
T-14079, Linn County	)	POINTS OF APPROPRIATION

**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**

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446

**Findings of Fact**

1. On August 24, 2022, City of Harrisburg filed an application for additional points of appropriation under Certificate 90030. The Department assigned the application number T-14079.
2. Notice of the application for transfer was published on September 13, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 26, 2023, the Department sent a copy of the draft Preliminary Determination proposing to deny Transfer Application T-14079 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 25, 2024, for the applicant to respond.
4. On February 28, 2024, the applicant amended the transfer application map so the well location of Well 9 matches the location description in the application and requested that the Department proceed with the issuance of a Preliminary Determination.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



5. On April 12, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14079 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 April 16, 2024, and in the Albany Democrat-Herald newspaper on April 23 and 30, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

6. The right to be transferred is as follows:

**Certificate:** 90030 in the name of CITY OF HARRISBURG (perfected under Permit G-3125)  
**Use:** MUNICIPAL USE  
**Priority Date:** DECEMBER 17, 1965  
**Rate:** 0.74 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	16	NE NE	SOUTH 52 DEGREES WEST 1000 FEET FROM THE NE CORNER OF SECTION 16

**Source:** WELL NO. 5 in the WILLAMETTE RIVER BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	16	NW SE	SOUTH 24 DEGREES WEST 3438 FEET FROM THE NE CORNER OF SECTION 16

**Authorized Place of Use:**

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
15 S	4 W	WM	9	SE SE
15 S	4 W	WM	10	SW 1/4
15 S	4 W	WM	15	NW 1/4
15 S	4 W	WM	16	E 1/2 NE 1/4

7. Transfer Application T-14079 proposes additional points of appropriation with approximate distances as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from the Authorized Well in Miles (Mi.)
15 S	4 W	WM	4	NE SW	WELL 9 – 68 FEET NORTH AND 2563 FEET EAST FROM THE SW CORNER OF SECTION 4	1.2 mi
15 S	4 W	WM	9	NW NE	WELL 8 (LINN 57656) - 156 FEET SOUTH AND 2496 FEET WEST FROM THE NE CORNER OF SECTION 9	1.0 mi



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

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14079.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed point of appropriation develops groundwater, as conditioned, from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change, as conditioned, would not result in injury to other existing water right.
14. All other application requirements are met.

**Conclusions of Law**

The additional points of appropriation proposed in Transfer Application T-14079 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

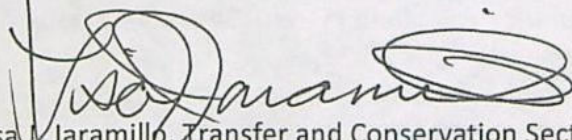
**Now, therefore, it is ORDERED:**

1. The additional points of appropriation proposed in Transfer Application T-14079 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 90030 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 points of appropriation.
4. Water right Certificate 90030 is cancelled.
5. The quantity of water diverted at the new additional points of appropriation (Wells 8 and 9), together with that diverted at the original point of appropriation (Well #5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #5).



6. To ensure production from the same aquifer source, the proposed well (Well 9) shall be constructed to produce only from similar depths as nearby LINN 57656, with a seal depth of 189 feet below land surface.
7. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
8. To avoid a significant increase in interference to nearby surface water, the construction of the proposed Well 9 shall include continuous casing and continuous seal to a depth no less than that within authorized POA well LINN 57656 (189 feet below land surface).
9. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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.
11. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAY 29 2024**

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

Mailing date: **MAY 30 2024**



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

RECEIPT # 142620

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

RECEIVED FROM: City of Harrisburg  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	T-14079

CASH: ☐ CHECK: # 41264 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 293.57

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 293.57

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) \_\_\_\_\_

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) \_\_\_\_\_

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$

RECEIPT: 142620

DATED: 3-28-24 BY: M-M-JB

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

CITY OF HARRISBURG Harrisburg, Oregon  
Vendor: 3178 Oregon Water Resource Depart.  
INVOICE #  
FOR T-14079  
INV DATE 03/19/2024  
DESCRIPTION Application Fee

Received  
MAR 28 2024  
OWRD

TOTAL AMOUNT

293.57

03/21/2024

Check No: 41264

INV AMOUNT

293.57

41264



\*\*\* Proof of Publication \*\*\*

State of Indiana  
ss )  
County of Lake

Notice of Preliminary Determination for  
Water Right Transfer T-14079

T-14079 filed by City of Harrisburg, 120 Smith Street, PO Box 378, Harrisburg, OR 97446, proposes an additional point of appropriation under Certificate 90030. The right allows the use of 0.74 cubic foot per second from WELL NO. 5 in Sec. 16, T15S, R4W, WM for municipal use in Sects. 9, 10, 15, and 16, T15S, R4W, WM. The applicant proposes an additional point of appropriation in Sects. 4 and 9, T15S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 04/25/2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. 4/18, 4/25 162900

Oregon Water Resources Dept.

725 Summer St. NE Suite A  
Salem, OR 97301

ORDER NUMBER 162900

I, Robin Nelson, being first duly sworn depose and say, that I am a Legal Clerk of the Albany Democrat-Herald & Corvallis Gazette-Times, newspapers of general circulation in Counties of Linn and Benton, as defined by section 193.010 O.R.S., published at 600 Lyon St. SW, Albany, OR, in the aforesaid county and state; that a copy is hereto Annexed, was published in the entire issue of said newspaper.

[Signature]  
Legal Clerk

Section: Public Notices

Category: 990 Public Notice

PUBLISHED ON: 04/18/2024, 04/25/2024

TOTAL AD COST: 244.64

FILED ON: 4/25/2024

Subscribed and sworn to before me on April 25, 2024

Christina Palma, Notary



Received  
MAY 06 2024  
OWRD



## GREW Scott A \* WRD

---

**From:** RICHMAN Elyse D \* WRD  
**Sent:** Friday, April 12, 2024 4:01 PM  
**To:** GREW Scott A \* WRD  
**Subject:** RE: T-14079 newspaper notice fees

Hi Scott,

The legal notice for this transfer is also being published on 4/18 and 4/25.

Cheers,

*Elyse D. Richman*

She/Her/Hers

Transfer and Conservation Section Support

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 971-701-5485



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

---

**From:** RICHMAN Elyse D \* WRD  
**Sent:** Tuesday, March 19, 2024 1:14 PM  
**To:** GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov>  
**Subject:** T-14079 newspaper notice fees

Hi again Scott,

The total amount needed from the applicant for T-14079 to publish the legal notice is \$293.57.

Cheers,

*Elyse D. Richman*

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 971-701-5485



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



7018 0680 0002 0041 8993

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

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

Postage

\$

Total Postage and Fees

\$

Sent To

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

City, State, ZIP+4®

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

See Reverse for Instructions

Postmark  
Here

City of Harrisburg  
 120 Smith St.  
 PO Box 378  
 Harrisburg, OR 97446



9590 9402 6816 1074 5411 33

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to: \_\_\_\_\_

2. Article Number (Transfer from service label)

7018 0680 0002 0041 8993

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

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Jamie Knox

4-18-24

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

Received

APR 22 2024

OWRD

3. Service Type

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

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

T-14079 ER/SG TACS

Domestic Return Receipt





# Oregon

Tina Kotek, Governor

## Water Resources Department

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

April 12, 2024

VIA CERTIFIED MAIL AND E-MAIL

### Applicant

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446

SUBJECT: Water Right Transfer Application T-14079

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14079. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please contact me at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*

Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-14079  
Lanaya F. Blakely, District 2 Watermaster (via e-mail)  
Julie Leland PE, Branch Engineering, Inc., Agent for the applicant (via e-mail)

encs



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14079, Linn County	)	PROPOSING TO APPROVE ADDITIONAL
	)	POINTS OF APPROPRIATION

**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**

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446

**Findings of Fact**

1. On August 24, 2022, City of Harrisburg filed an application for additional points of appropriation under Certificate 90030. The Department assigned the application number T-14079.
2. Notice of the application for transfer was published on September 13, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 26, 2023, the Department sent a copy of the draft Preliminary Determination proposing to deny Transfer Application T-14079 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 25, 2024, for the applicant to respond.
4. On February 28, 2024, the applicant amended the transfer application map so the well location of Well 9 matches the location description in the application and requested that the Department proceed with the issuance of a Preliminary Determination.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.



5. The right to be transferred is as follows:

**Certificate:** 90030 in the name of CITY OF HARRISBURG (perfected under Permit G-3125)  
**Use:** MUNICIPAL USE  
**Priority Date:** DECEMBER 17, 1965  
**Rate:** 0.74 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	16	NE NE	SOUTH 52 DEGREES WEST 1000 FEET FROM THE NE CORNER OF SECTION 16

**Source:** WELL NO. 5 in the WILLAMETTE RIVER BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	16	NW SE	SOUTH 24 DEGREES WEST 3438 FEET FROM THE NE CORNER OF SECTION 16

**Authorized Place of Use:**

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
15 S	4 W	WM	9	SE SE
15 S	4 W	WM	10	SW 1/4
15 S	4 W	WM	15	NW 1/4
15 S	4 W	WM	16	E 1/2 NE 1/4

6. Transfer Application T-14079 proposes additional points of appropriation with approximate distances as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from the Authorized Well in Miles (Mi.)
15 S	4 W	WM	4	NE SW	WELL 9 – 68 FEET NORTH AND 2563 FEET EAST FROM THE SW CORNER OF SECTION 4	1.2 mi
15 S	4 W	WM	9	NW NE	WELL 8 (LINN 57656) - 156 FEET SOUTH AND 2496 FEET WEST FROM THE NE CORNER OF SECTION 9	1.0 mi

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

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14079.



9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of appropriation develops groundwater, as conditioned, from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change, as conditioned, would not result in enlargement of the right.
12. The proposed change, as conditioned, would not result in injury to other existing water right.
13. All other application requirements are not met.

#### **Determination and Proposed Action**

The additional points of appropriation proposed in Transfer Application T-14079 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If Transfer Application T-14079 is approved the final order will include the following:*

1. *The additional points of appropriation proposed in Transfer Application T-14079 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 90030 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 point of appropriation.*
4. *Water right Certificate 90030 is cancelled.*
5. *The quantity of water diverted at the new additional points of appropriation (Wells 8 and 9), together with that diverted at the original point of appropriation (Well #5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #5).*
6. *To ensure production from the same aquifer source, the proposed well (Well 9) shall be constructed to produce only from similar depths as nearby LINN 57656, with a deal depth of 189 feet below land surface.*
7. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
8. *To avoid a significant increase in interference to nearby surface water, the construction of the proposed Well 9 shall include continuous casing and continuous seal to a depth no less than that within authorized POA well LINN 57656 (189 feet below land surface).*



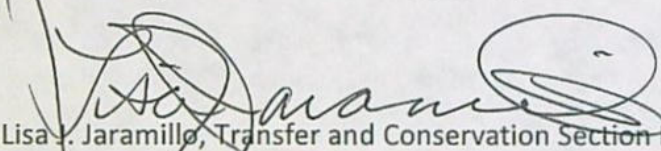
9. *Water use measurement conditions:*

- a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
- b. *The water user shall maintain the meters or measuring devices in good working order.*
- c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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.*

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

Dated in Salem, Oregon on **APR 12 2024**

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

This Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov) or 503-986-0890.

**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.





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503-986-0900

Fax 503 986-0904

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

March 19, 2024

### Applicant

CITY OF HARRISBURG

120 SMITH STREET

PO BOX 378

HARRISBURG, OR 97446

SUBJECT: Water Right Transfer Application T-14079

Your water right transfer will be ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

### Items needed before the next phase of processing...

At this time you need to:

1. submit a check in the amount of \$293.57 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write **"for T-14079" on the front of your check**, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than April 18, 2024.**

### What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Albany Democrat-Herald newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during 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.

**If we do not receive payment for newspaper notice by April 18, 2024, a Preliminary Determination may be issued denying the application as incomplete.**

Please contact me at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*

Transfer Specialist

Transfer and Conservation Section

X-----  
**Attached** is a check in the amount of \$293.57 (PCA #46118) for Newspaper Notice for Transfer T-14079 made out to Oregon Water Resources Department ( or WRD)

- **"for T-14079 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

Caseworker: Scott Grew



## GREW Scott A \* WRD

---

**From:** RICHMAN Elyse D \* WRD  
**Sent:** Tuesday, March 19, 2024 1:14 PM  
**To:** GREW Scott A \* WRD  
**Subject:** T-14079 newspaper notice fees

Hi again Scott,

The total amount needed from the applicant for T-14079 to publish the legal notice is \$293.57.

Cheers,

*Elyse D. Richman*

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 971-701-5485



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



## GREW Scott A \* WRD

---

**From:** GREW Scott A \* WRD  
**Sent:** Monday, January 8, 2024 9:30 AM  
**To:** Michele Eldridge; Julie Leland  
**Cc:** BLAKELY Lanaya F \* WRD; GREW Scott A \* WRD  
**Subject:** CORRECTED cover page for T-14079 - Issuance of Draft Preliminary Determination - Action Required!

January 8, 2023

VIA E-MAIL

### Applicant

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446

**SUBJECT: Water Right Transfer Application T-14079 CORRECTED**

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-14079. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the transfer because the location description of proposed Well #9 does not match the well location shown on the transfer application map. The issue that we have identified could be resolved by the following:

- Submitting a corrected map and application table 1 with the correct location descriptions of Well #9.

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

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

1. **Provide a written response by January 25, 2024**, that describes how you will overcome the issues identified above and submit modifications or additional information as needed, or that indicates you wish to protest a Preliminary Determination to deny the transfer.
2. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.



### What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point of appropriation the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below). As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

### Conditions of your water right...

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

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

1. Your written response modifying the application to resolve the issues that we have identified or requesting that we proceed with processing of the application.

If we do not receive your response to withdraw the application or the items listed above by January 25, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*

Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-14079  
Lanaya F. Blakely, District 2 Watermaster (via e-mail)  
Julie Leland PE, Branch Engineering, Inc., Agent for the applicant (via e-mail)

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**From:** GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov>  
**Sent:** Tuesday, December 26, 2023 4:59 PM  
**To:** Michele Eldridge <meldridge@ci.harrisburg.or.us>; Julie Leland <juliel@branchengineering.com>  
**Cc:** BLAKELY Lanaya F \* WRD <Lanaya.F.BLAKEY@water.oregon.gov>; GREW Scott A \* WRD <Scott.A.GREW@water.oregon.gov>  
**Subject:** T-14079 - Issuance of Draft Preliminary Determination - Action Required!

December 26, 2023

VIA E-MAIL

### Applicant

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446



## GREW Scott A \* WRD

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**From:** GREW Scott A \* WRD  
**Sent:** Tuesday, December 26, 2023 4:59 PM  
**To:** Michele Eldridge; Julie Leland  
**Cc:** BLAKELY Lanaya F \* WRD; GREW Scott A \* WRD  
**Subject:** T-14079 - Issuance of Draft Preliminary Determination - Action Required!  
**Attachments:** T-14079-dpd-deney.pdf

December 26, 2023

VIA E-MAIL

### **Applicant**

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446

**SUBJECT:** Water Right Transfer Application T-14079

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-14079. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be **DENIED**. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the transfer because the location description of proposed Well #9 does not match the well location shown on the transfer application map. The issue that we have identified could be resolved by the following:

- Submitting a corrected map and application table 1 with the correct location descriptions of Well #9.

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

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

1. **Provide a written response by January 25, 2024**, that describes how you will overcome the issues identified above and submit modifications or additional information as needed, or that indicates you wish to protest a Preliminary Determination to deny the transfer.
2. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
  - a) Must be prepared by a title company;
  - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;



c) Must:

- i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; OR
- ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; OR
- iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.  
*If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.*

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

- d) Must include a list of owners at the time the report was generated; AND
  - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (Consent By Deeded Landowner) is available at:  
[https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

**What happens next...**

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point of appropriation the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below). As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

**Conditions of your water right...**

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

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

1. Your written response modifying the application to resolve the issues that we have identified or requesting that we proceed with processing of the application; and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

**If we do not receive your response to withdraw the application or the items listed above by January 25, 2024, a Preliminary Determination may be issued denying the application as incomplete.**

Please contact me at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

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

December 26, 2023

VIA E-MAIL

### Applicant

CITY OF HARRISBURG

120 SMITH STREET

PO BOX 378

HARRISBURG, OR 97446

SUBJECT: Water Right Transfer Application T-14079

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-14079. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

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  - a) Must be prepared by a title company;



b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;

c) Must:

- i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
- ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
- iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

d) Must include a list of owners at the time the report was generated; **AND**

e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).

5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent\\_to\\_transfer\\_form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf)

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Please contact me at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov) or 503-986-0890 if I may be of assistance.

Sincerely,

*Scott Grew*

Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-14079  
Lanaya F. Blakely, District 2 Watermaster *(via e-mail)*  
Julie Leland PE, Branch Engineering, Inc., Agent for the applicant *(via e-mail)*

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BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application  
T-14079, Linn County

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D R A F T

PRELIMINARY DETERMINATION  
PROPOSING TO DENY ADDITIONAL  
POINTS OF APPROPRIATION

**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**

CITY OF HARRISBURG  
120 SMITH STREET  
PO BOX 378  
HARRISBURG, OR 97446

**Findings of Fact**

1. On August 24, 2022, City of Harrisburg filed an application for additional points of appropriation under Certificate 90030. The Department assigned the application number T-14079.
2. Notice of the application for transfer was published on September 13, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:

**Certificate:** 90030 in the name of CITY OF HARRISBURG (perfected under Permit G-3125)  
**Use:** MUNICIPAL USE  
**Priority Date:** DECEMBER 17, 1965  
**Rate:** 0.74 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	16	NE NE	SOUTH 52 DEGREES WEST 1000 FEET FROM THE NE CORNER OF SECTION 16

**Source:** WELL NO. 5 in the WILLAMETTE RIVER BASIN



**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	16	NW SE	SOUTH 24 DEGREES WEST 3438 FEET FROM THE NE CORNER OF SECTION 16

**Authorized Place of Use:**

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
15 S	4 W	WM	9	SE SE
15 S	4 W	WM	10	SW 1/4
15 S	4 W	WM	15	NW 1/4
15 S	4 W	WM	16	E 1/2 NE 1/4

4. Transfer Application T-14079 proposes additional points of appropriation with approximate distances as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from the Authorized Well in Miles (Mi.)
15 S	4 W	WM	4	NE SW	WELL #9 – 68 FEET NORTH AND 2563 FEET EAST FROM THE SW CORNER OF SECTION 4	1.2 mi
15 S	4 W	WM	9	NW NE	WELL 8 (LINN 57656) - 156 FEET SOUTH AND 2496 FEET WEST FROM THE NE CORNER OF SECTION 9	1.0 mi

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

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14079.
- The water right(s) are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- The proposed point of appropriation develops groundwater, as conditioned, from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
- The proposed change, as conditioned, would not result in enlargement of the right.
- The proposed change, as conditioned, would not result in injury to other existing water right.



11. All other application requirements are not met. The location description of proposed Well #9 does not match the well location shown on the transfer application map, therefore the transfer application does not meet the map requirements of OAR 690-380-3100.

#### **Determination and Proposed Action**

The additional points of appropriation proposed in Transfer Application T-14079 appear to not be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied.

*If the deficiency described above is corrected and Transfer Application T-14079 is approved the final order will include the following:*

1. *The additional points of appropriation proposed in Transfer Application T-14079 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 90030 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 point of appropriation.*
4. *Water right Certificate 90030 is cancelled.*
5. *The quantity of water diverted at the new additional points of appropriation (Wells #8 and #9), together with that diverted at the original point of appropriation (Well #5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #5).*
6. *To ensure production from the same aquifer source, the proposed well (Well #9) shall be constructed to produce only from similar depths as nearby LINN 57656, with a deal depth of 189 feet below land surface.*
7. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
8. *To avoid a significant increase in interference to nearby surface water, the construction of the proposed Well #9 shall include continuous casing and continuous seal to a depth no less than that within authorized POA well LINN 57656 (189 feet below land surface).*
9. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*



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

*10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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.*

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

Dated in Salem, Oregon on

**D R A F T**

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

This draft Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at [scott.a.grew@water.oregon.gov](mailto:scott.a.grew@water.oregon.gov) or 503-986-0890.



## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 14079



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



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



*at each new point of diversion/appropriation.*

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

Watermaster name: L. Blakely

District: 2

Address: 125 E. 8th Ave

City/State/Zip: Eugene, OR 97401

Phone: 541-682-3620

Email: Lanaya.F.Blakely@water.oregon.gov

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

\*\*\*\*\*

**Approval of an Alternate Measurement Device** T-  
*(to be filled out after consultation with the applicant, or after a site visit)*

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

\_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Watermaster signature

\_\_\_\_\_  
 District

\_\_\_\_\_  
 Date

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

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



## GREW Scott A \* WRD

---

**From:** Julie Leland <juliel@branchengineering.com>  
**Sent:** Thursday, September 21, 2023 4:52 PM  
**To:** GREW Scott A \* WRD  
**Cc:** Michele Eldridge; BLAKELY Lanaya F \* WRD; Damien G; 'Chuck Scholz'  
**Subject:** FW: T-14078 and T-14079 Evidence of Use corrections  
**Attachments:** T-14078 EOU correction.pdf; T-14079 EOU correction.pdf

You don't often get email from juliel@branchengineering.com. [Learn why this is important](#)

Hello Scott,

4B Engineering will no longer be the point of contact for these applications. Please remove them and put me:

Julie Leland, P.E.  
310 5<sup>th</sup> Street  
Springfield, OR 97477  
Office: 541.746.0637, ext. 126 cell: 541.337.5339

And please let me know if you have any questions or comments for me at this time.

Thanks,

---

**JULIE LELAND, P.E.**  
Principal

**BRANCH ENGINEERING, INC.**  
p: 541.746.0637, ext. 126 c: 541.337.5339 (text or call)  
[www.branchengineering.com](http://www.branchengineering.com)

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**From:** GREW Scott A \* WRD <[Scott.A.GREW@water.oregon.gov](mailto:Scott.A.GREW@water.oregon.gov)>  
**Sent:** Wednesday, September 20, 2023 9:43 AM  
**To:** Michele Eldridge <[meldridge@ci.harrisburg.or.us](mailto:meldridge@ci.harrisburg.or.us)>; [brooke.4b@outlook.com](mailto:brooke.4b@outlook.com)  
**Cc:** GREW Scott A \* WRD <[Scott.A.GREW@water.oregon.gov](mailto:Scott.A.GREW@water.oregon.gov)>; BLAKELY Lanaya F \* WRD <[Lanaya.F.BLAKEY@water.oregon.gov](mailto:Lanaya.F.BLAKEY@water.oregon.gov)>  
**Subject:** T-14078 and T-14079 Evidence of Use corrections

Dear Melissa Eldridge,

I am currently working on the City of Harrisburg's applications to add addition point of appropriation to certificates 86309 (Application T-14078) and 90030 (Application T-14079).

To expedite the processing I have corrected and initialed the Evidence of Use affidavits that checked the incorrect box for the Municipal Use.

The correct box for Municipal Use should be:



## Groundwater Transfer Review Summary Form

Transfer/PA # T- 14079

GW Reviewer Phillip I. Marcy Date Review Completed: 05/22/2023

### Summary of Same Source Review:

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

### Summary of Injury Review:

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

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

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

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





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

## Ground Water Review Form:

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

Application: T-14079

Applicant Name: City of Harrisburg

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

Reviewer(s): Phillip I. Marcy

Date of Review: 05/22/2023

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 8/3/23

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

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

1. Basic description of the changes proposed in this transfer: The applicant proposes to add additional POA (APOA) wells (Well #8, Well #9) to existing authorized POA Well #5 under Certificate 90030. Well #8 is existing well LINN 57656, authorized under Certificate 86309. Well #9 has yet to be constructed.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
☒ Yes ☐ No Comments: The applicant's proposed well, yet to be constructed, is similar depth as the existing nearby Well #8 and is anticipated to encounter similar lithologies downhole. The proposed seal depth is much less than existing wells under Certificates 90030 and 86309, however, and in order to ensure production from the same aquifer source, proposed well construction shall be amended to produce only from similar depths as nearby LINN 57656, with a seal depth of 189' below land surface.
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
☐ Yes ☒ No All wells produce from alluvium.  
b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?  
☐ Yes ☒ No Comments: The proposed APOA is not significantly closer to any other water right.



b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☐ No If yes, explain: NA

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: The sustained use of the proposed APOA wells in addition to the use previously authorized under Certificate 86309 has the potential to induce additional drawdown from overlying water-bearing lithologies in more efficient hydraulic connection with the Willamette River.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Willamette River

☒ Minimal ☐ Significant

Stream: \_\_\_\_\_

☐ Minimal ☐ Significant

Provide context for minimal/significant impact: The proposed APOA wells, if both pumped for sustained periods during the dry season are anticipated to exacerbate drawdown in the target aquifer. However, the hydraulic connection to the Willamette River from this water-bearing zone is diffuse and inefficient according to the conceptual model, with production of POA wells beneath thick successions of low-permeability materials that are laterally continuous in the vicinity of the production wells.

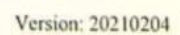
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: NA

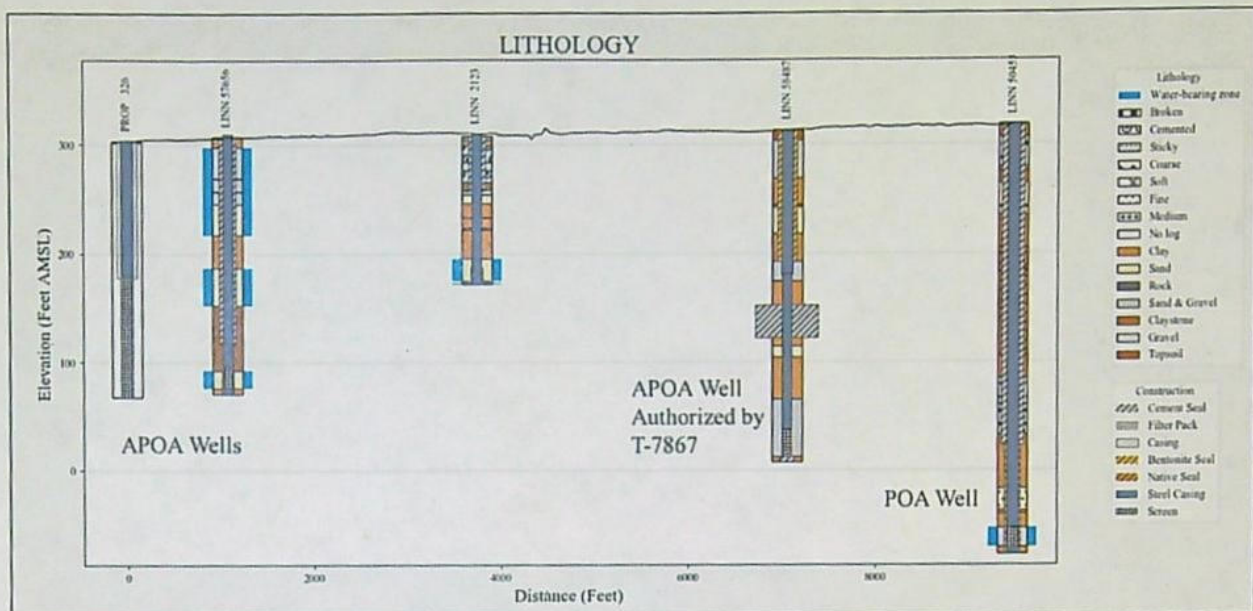
7. What conditions or other changes in the application are necessary to address any potential issues identified above: In order to avoid a significant increase in interference to nearby surface water, the construction of the proposed APOA "Well #9" shall include continuous casing and continuous seal to a depth no less than that within authorized POA well LINN 57656 (189' below land surface).

8. Any additional comments: This review references application review G-16950. Transfer T-8767 authorized the use of nearby LINN 58487 (Well #1), which itself is an alteration log (no original log found), resulting in the current Certificate (90030). This alteration included the placement of a seal between 160-190' below land surface, which is similar to the maximum seal depth within existing APOA well LINN 57656 and recommended seal depth of the proposed well PROP 326. Considering this, the proposed APOA wells on this application shall also be considered same source as authorized POA wells LINN 50455 and LINN 58487, as there is no evidence of a separate and distinct aquifer at these sites.









The proposed APOA wells (LINN 57656 and yet to be constructed) are both shallower than the authorized POA well on Certificate 90030. LINN 58487 was approved as an APOA to LINN 50455 via T-7867, which resulted in Certificate 90030, by sealing the zone between 160' and 190' below land surface. This well was later abandoned, but was constructed to produce from similar elevation(s) as the proposed APOA wells.



## Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14079

Review Due Date: 10/13/2022

Applicant Name: City of Harrisburg

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

Reviewer(s): L. Blakely

Date of Review: 10/13/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?  
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:



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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:



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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

- i. "Injury" will occur to other water rights that share the same source? ☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur? ☐ Yes ☐ No If "Yes", explain:



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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐  
☐  
☐

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

☐  
☐

Submerged Orifice  
Flow Restrictor



## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 14079



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



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



at each new point of diversion/appropriation.

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

Watermaster name: L. Blakely

District: 2

Address: 125 E. 8th Ave

City/State/Zip: Eugene, OR 97401

Phone: 541-682-3620

Email: Lanaya.F.Blakely@water.oregon.gov

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

\*\*\*\*\*

## Approval of an Alternate Measurement Device

T-

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

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

---

---

---

Watermaster signature

---

District

---

Date

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

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



## GREW Scott A \* WRD

---

**From:** GREW Scott A \* WRD  
**Sent:** Wednesday, September 20, 2023 9:43 AM  
**To:** meldridge@ci.harrisburg.or.us; brooke.4b@outlook.ocm  
**Cc:** GREW Scott A \* WRD; BLAKELY Lanaya F \* WRD  
**Subject:** T-14078 and T-14079 Evidence of Use corrections  
**Attachments:** T-14078 EOU correction.pdf; T-14079 EOU correction.pdf

Dear Melissa Eldridge,

I am currently working on the City of Harrisburg's applications to add addition point of appropriation to certificates 86309 (Application T-14078) and 90030 (Application T-14079).

To expedite the processing I have corrected and initialed the Evidence of Use affidavits that checked the incorrect box for the Municipal Use.

The correct box for Municipal Use should be:

- ☐ "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."

Attached are scans of the correction.

Thank you,

Scott Grew  
Transfer Specialist  
Oregon Water Resources Department  
503-986-0890



## STATE OF OREGON

## WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # 139220

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

RECEIVED FROM: City of Harrisburg

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

APPLICATION  
PERMIT  
TRANSFER T-14079CASH: ☐ CHECK: # 39893 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 1,785.89

## 1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11393-23 \$  
0412 OTHER: (IDENTIFY) Reimbursement Authority \$ 1,785.89

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

## 4270 WRD OPERATING ACCT

## MISCELLANEOUS

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

## WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$  
0203 GROUND WATER \$ 0204 \$  
0205 TRANSFER \$  
WELL CONSTRUCTION EXAM FEE LICENSE FEE  
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$  
LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY) \_\_\_\_\_

## 0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) \_\_\_\_\_

## 0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

## TREASURY OTHER / RDX

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$

RECEIPT: 139220

DATED: 9/29/22 BY: Maxell Kay

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

CITY OF HARRISBURG Harrisburg, Oregon

9/23/2022

Check No: 39893

39893

VENDOR: 3178 OREGON WATER RESOURCE DEPART.  
INVOICE #  
INV DATE  
DESCRIPTION

T-14079

9/23/2022

Application Fee

RECEIVED

SEP 29 2022

OWRD

TOTAL AMOUNT

1,785.89

INV AMOUNT

1,785.89



SEP 29 2022

Salem, OR

**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-392-23**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and City of Harrisburg, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: City of Harrisburg	Name: 4B Engineering & Consulting, LLC
Title: Transfer Advisor	Contact:	Contact:
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 120 Smith Street PO Box 378 Harrisburg, OR 97446	Address: 4454 71 <sup>st</sup> Ave. SE Salem, OR 97317
Phone: 503 979-3511	Phone: (541) 995-6655	Phone: (503) 580-8152
Fax: 503 986-0901	Fax:	Fax:
Email: <a href="mailto:patrick.k.starnes@water.oregon.gov">patrick.k.starnes@water.oregon.gov</a>	Email:	Email: <a href="mailto:brooke.4b@outlook.com">brooke.4b@outlook.com</a>

**Purpose** The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14079)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,785.89. Applicant agrees to pay the full amount of \$1,785.89 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.



7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately 120 days** once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

Michelle G. Davis CITY ADMINISTRATOR 9-22-22  
Name/Title: Date

For OWRD:

Dwight French  
Dwight French – Administrator 10-3-2022  
Date

Mail signed Agreement to:

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

Received by OWRD

SEP 29 2022

Salem, OR





# Oregon

Kate Brown, Governor

RECEIVED

SEP 29 2022

OWRD

## Water Resources Department

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

September 16, 2022

City of Harrisburg  
120 Smith Street  
PO Box 378  
Harrisburg, OR 97446

RE: Transfer Application T-14079

Dear City of Harrisburg,

Enclosed is the Reimbursement Authority Applicant Agreement for **Transfer T-14079**. In order to commence work, the Agreement must be signed and accompanied with the full payment of the estimated maximum cost. A copy will be mailed via USPS to the Applicant.

Current average processing time for applications in RA is up to EIGHT months.

Please read the Agreement thoroughly and follow the instructions to proceed with the expedited transfer process. To complete the requested service, please mail the signed contract and check to:

Oregon Water Resources Department  
Attention: Stacy Phillips  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266

**IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.

If you have any questions, please contact me at (503) 986-0898 or via email: [stacy.h.phillips@water.oregon.gov](mailto:stacy.h.phillips@water.oregon.gov).

Sincerely,

Stacy H. Phillips  
Natural Resource Specialist  
Transfer and Conservation Section

cc: 4B Engineering & Consulting, LLC, via email  
enclosure





RECEIVED  
SEP 29 2022

CITY OF HARRISBURG R11-392-23 T-14079						
Review Step	Est. Time	Hourly Multiplier	Total Est. Hours	Individual	Hourly Rate	Est. Cost
Front Desk Staff receipts received AA funds						
Transfer Support process Application						
Administrator signs AA						
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet						
NRS 2 completes initial review of file for deficiencies						
NRS 2 consults with Kelly and/or Lisa						
NRS 2 writes and sends deficiency ltr (email and hard copy)						
NRS 2 addresses correspondence from app/agent regarding deficiencies						
Watermaster completes review						
Groundwater completes review						
NRS 2 completes DPD, PN, and RR						
Transfer staff peer reviews DPD, PN, RR						
Transfer Analyst completes policy check at DPD stage						
NRS 2 sends DPD to app/agent by email and/or mail						
NRS 2 drafts and sends revised DPD						
NRS 2 completes PD						
Transfer Staff peer reviews PD						
Transfer Analyst peer reviews PD						
Data Center reviews PD AND RR: (RR where applicable)						
Transfer Analyst completes peer review of PN review for newspaper noticing						
Transfer Support requests newspaper quote for PN publishing						
NRS 2 sends publishing fee request to applicant						
Transfer Support processes fee and newspaper publishing						
Transfer Support processes public notice (dept notice)						
Administrator signs PD						
Transfer Support issues PD, updates WRIS, copy to file, and mails hard copy to applicant						
NRS 2 completes FO						
Transfer Analyst peer reviews FO						
Administrator signs FO						
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy						
NRS 1 closes out RA Contract						
<b>TOTAL ESTIMATE HOURS</b>			<b>28.36</b>			
					<b>TOTAL</b>	<b>\$1,785.89</b>



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **138981**

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

RECEIVED FROM: City of Harrisburg  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	T-14079

CASH: ☐ CHECK: # 39797 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47124 R11392-23 \$  
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 125.00  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$

RECEIPT: **138981**

DATED: 8.24.2022 BY: [Signature]





OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION



RECEIVED

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

AUG 24 2022

OWRD

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-14079</u> For Cert <u>90030</u>

	Applicant Information	Applicant's Representative/Contact
Name:	City of Harrisburg	4B Engineering & Consulting, LLC
Address:	120 Smith Street (PO Box 378) Harrisburg, Oregon 97446	4454 71 <sup>st</sup> Ave SE Salem, Oregon 97317
Phone:	541-995-6655	503-580-8152
Fax:		
E-Mail Address:		Brooke.4b@outlook.com

I understand the following:

- That upon receipt of my non-refundable application fee of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department  
Transfer Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

I certify that I am the (check one):

☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

8-22-22 Michele Eldridge

OWRD USE ONLY: Reimbursement Authority Number: R11-392 -23





**Oregon**  
Kate Brown, Governor

**Water Resources Department**

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

September 9, 2022

CITY OF HARRISBURG  
PO BOX 378  
HARRISBURG, OR 97446

Reference: Application T-14079

On August 24, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2250.00. Our receipt number 138985 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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

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

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

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

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

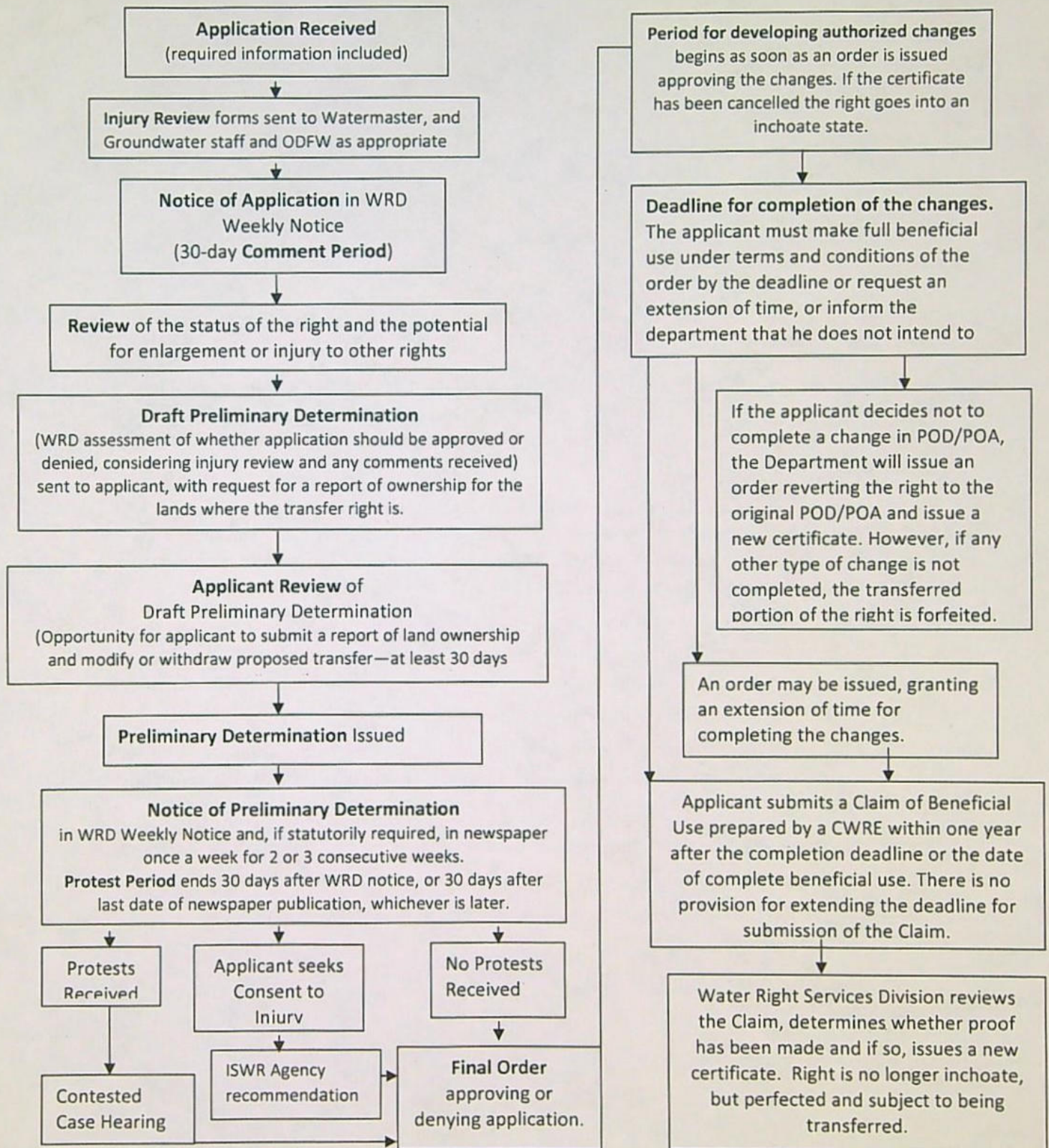
Cc: Watermaster Dist. #2, Lanaya F. Blakely (*via email*)  
4b Engineering & Consulting, LLC, Agent  
Linn County

Enclosure



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

OAR 690 Division 380





**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

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

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

RECEIPT # **138985**

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

RECEIVED FROM: City of Harrisburg

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

APPLICATION	
PERMIT	
TRANSFER	T-14079

CASH: ☐ CHECK: # 39798 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$2,250.00

**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 EXAM FEE \$ 0202 RECORD FEE \$  
0203 GROUND WATER \$ 0204 \$

0205 TRANSFER \$2,250.00

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \$

RECEIPT: **138985**

DATE: 8.24.2012 BY: [Signature]



# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist



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

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

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

RECEIVED

AUG 24 2022

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

OWRD

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ 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 90030  
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 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):

- ☐ Application fee not enclosed/insufficient
- ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Evidence of Use Form not enclosed or incomplete
- ☐ Additional signature(s) required
- ☐ Part \_\_\_\_\_ is incomplete

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

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



AUG 24 2022

## Part 2 of 5 – Transfer Application Map

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

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

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



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 checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »	2	0
	Number of water rights included in transfer <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) <i>If only one water right this will be 0</i> 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 type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed <u>\$480</u> (4a)  Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$410</u> (4b) Add line 4a to line 4b and enter »	4	890.00
	Do you propose to change the place of use or character of use? <input checked="" 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 below*): <u>      </u> (5a) Subtract 1.0 from the number in 5a above: <u>      </u> (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: <u>      </u> (5c) and multiply 5c by \$410, then enter on line 5 »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$2250
	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 » <b>Transfer Fee:</b>	8	\$2250

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,  $1.25 \text{ cfs} \div 100 \text{ ac}$ ); then multiply by the number of acres to be transferred to get the transfer cfs ( $\times 45 \text{ ac} = 0.56 \text{ cfs}$ ).
  - 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,  $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$ )
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 » » » » » » <b>Fee for Substitution:</b>	3	



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME City of Harrisburg		PHONE NO. 541-995-6655	ADDITIONAL CONTACT NO.
ADDRESS 120 Smith Street (P.O. Box 378)		FAX NO.	
CITY Harrisburg	STATE OR	ZIP 97446	E-MAIL meldgridge@ci.harrisburg.or.us
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.			

RECEIVED

AUG 24 2022

OWRD

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

AGENT/BUSINESS NAME 4B Engineering & Consulting LLC		PHONE NO. 503-580-8152	ADDITIONAL CONTACT NO.
ADDRESS 4454 71st Ave SE		FAX NO.	
CITY Salem	STATE OR	ZIP 97317	E-MAIL brooke.4b@outlook.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:

Modification of existing water right to add APOA Wells #8 and #9 to existing POA Well #5.

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: Albany Democrat-Herald
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

Check the following boxes that apply:

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

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

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

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

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

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



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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Linn County, Oregon	ADDRESS 300 SW 4th Av	
CITY Albany	STATE OR	ZIP 97321

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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## INSTRUCTIONS for editing the Application Form

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

### Microsoft Word 2003

Unlock the document by one of the following:

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

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

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

### Microsoft Word 2007

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

### Microsoft Word 2010

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

### Other Alternatives:

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

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Once the application has been unlocked, you may:

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

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



## 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 # 90030

### Description of Water Delivery System

System capacity: 0.74 cubic feet per second (cfs) OR  
                     gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.                      Water is conveyed and distributed using Municipal waterlines, reservoirs, booster pumps, and well pumps.

**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	1/4	1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN 50455	15	S	4	W	16	NW SE	1,800'-6" N, 1,155'-2" W of SE corner of T15S, R4W, Section 16
Well 8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 57656	15	S	4	W	9	NW NE	155'-6" S, 2,495'-6" W of NE corner of T15S, R4W, Section 9
Well 9	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	15	S	4	W	4	SW SE	1,083'-0" N, 3,162'-6" E of SW corner of T15S, R4W, Section 4
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

**SUPERSEDING**



## 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 # 90030

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### Description of Water Delivery System

System capacity: 0.74 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 conveyed and distributed using Municipal waterlines, reservoirs, booster pumps, and well pumps.

**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 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN 50455	15 S	4 W	16	NW SE		1,800'-0" N, 1,100'-2" E of SE Corner of T15S, R4W, Section 16
Well 8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 57656	15 S	4 W	9	NW NE		150'-0" S, 2,405'-0" W of NE corner of T15S, R4W, Section 9
Well 9	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	15 S	4 W	4	NE SW		60'-0" N, 2,563'-3" E of SW corner of T15S, R4W, Section 4
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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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 # 90030

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15	NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1	NW NW	500	1	10.0	POD #5	1901	
												2	S	9	E 2	SW NW	500		5.0	POD #6	1901	
15	S	4	W 1	NE SE				Muni	Well 5	1965	APOA	15	S	4	W 9	NW NE			Muni	Well 8	1965	
											APOA	15	S	4	W 4	NE SW			Muni	Well 9	1965	
TOTAL ACRES:											TOTAL ACRES:											

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



**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: Certificate 86309

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

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

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

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

**AND/OR**

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

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

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Existing Well 5	Yes	LINN 50455	395'	12"	+1'-370' 390'-395'	0'-295'	370'-390-	22'	Sand & Gravel	475 GPM
New APOA Well 5	Yes	LINN 57656	236'	8"	+3'-211' 231'-236'	0'-236'	211'-231'	18'	Sand	400 GPM
New APOA Proposed Well 9	No	N/A	235'	12"	+1.5-123.5'	0-125'	130'-155' 210-230'	Unknown	Unknown	Unknown



# 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 LINN ) ss

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I, MICHELE ELDRIDGE, in my capacity as CITY ADMINISTRATOR FOR CITY OF HARRISBURG,  
mailing address 120 SMITH STREET (PO BOX 378) HARRISBURG, OREGON 97446  
telephone number (541)995-6655, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for  
Certificate # 90030; **OR**

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

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

OR

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

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

5/8  
9/20/23 ☒ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for  
non-use would be rebutted under ORS 540.610(2) is attached.

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

(continues on reverse side)



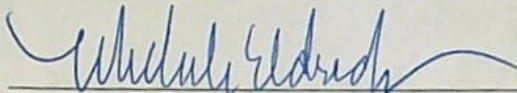
3. The water right was used for: (e.g., crops, pasture, etc.): MUNICIPAL WATER USE

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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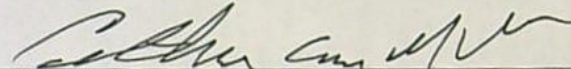
OWRD

  
Signature of Affiant

8-22-22  
Date

Signed and sworn to (or affirmed) before me this 22 day of August, 2022.



  
Notary Public for Oregon

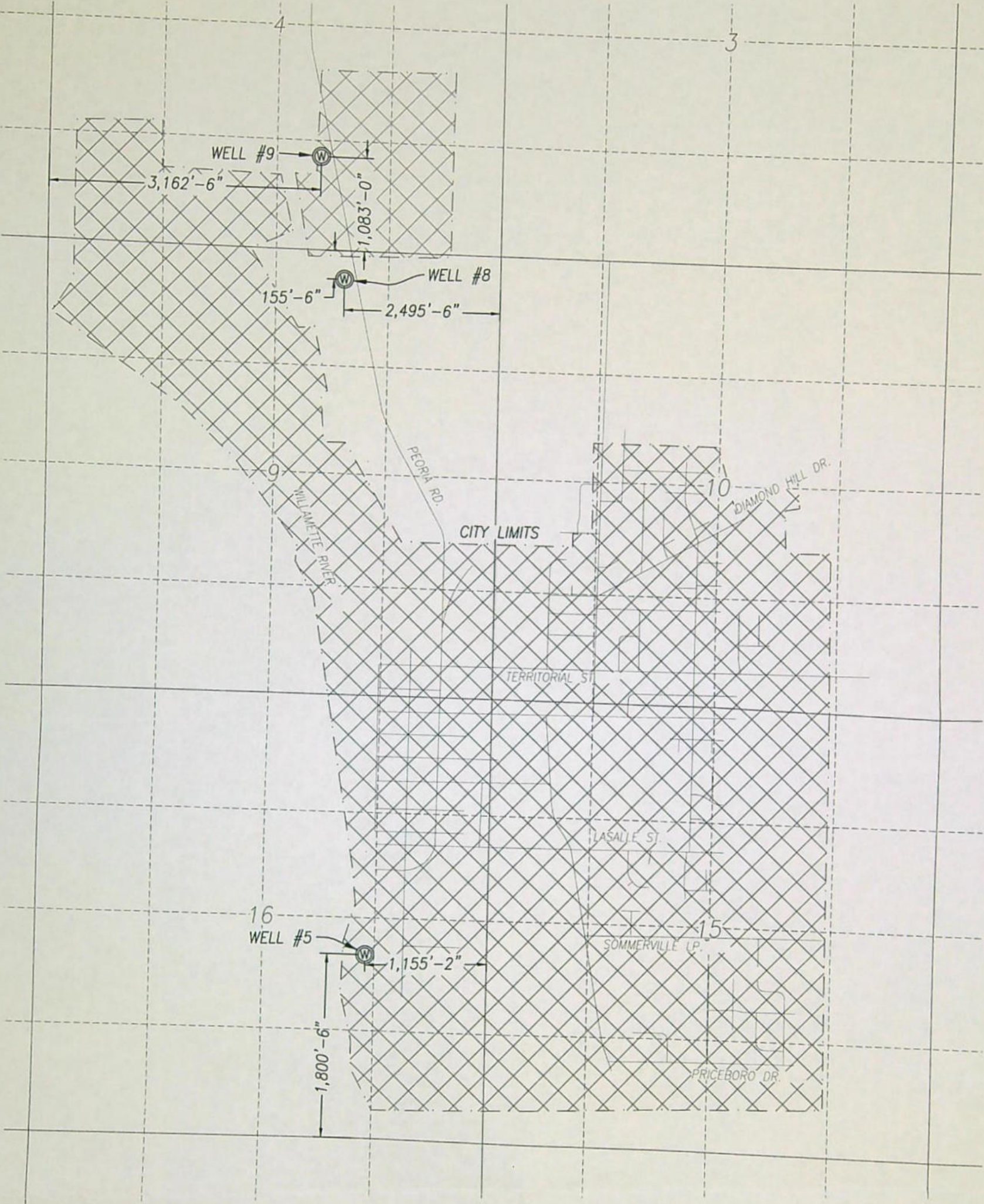
My Commission Expires: 5/20/2023

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



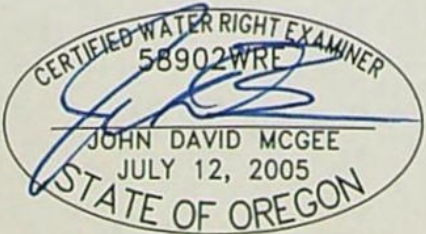
CITY OF HARRISBURG WATER RIGHTS MAPPING  
SECTIONS 4, 9, 10, 15, 16, T15S, R04W, WM

APPLICATION: G-3325 PERMIT: G-3125 CERTIFICATE: 90030



NOTE:  
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 LOCATIONS OF PROPERTY OWNERSHIP LINES

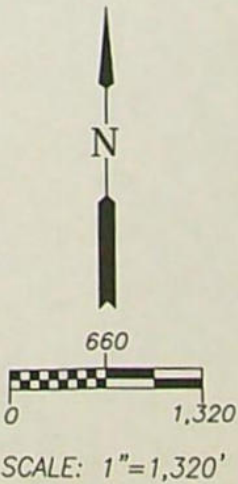
Received by OWRD  
FEB 28 2024  
Salem, OR



RENEWS: 12/31/2024

- WELL
- WATER USE AREA
- SECTION LINES
- Q-Q SECTION LINES
- ROADS

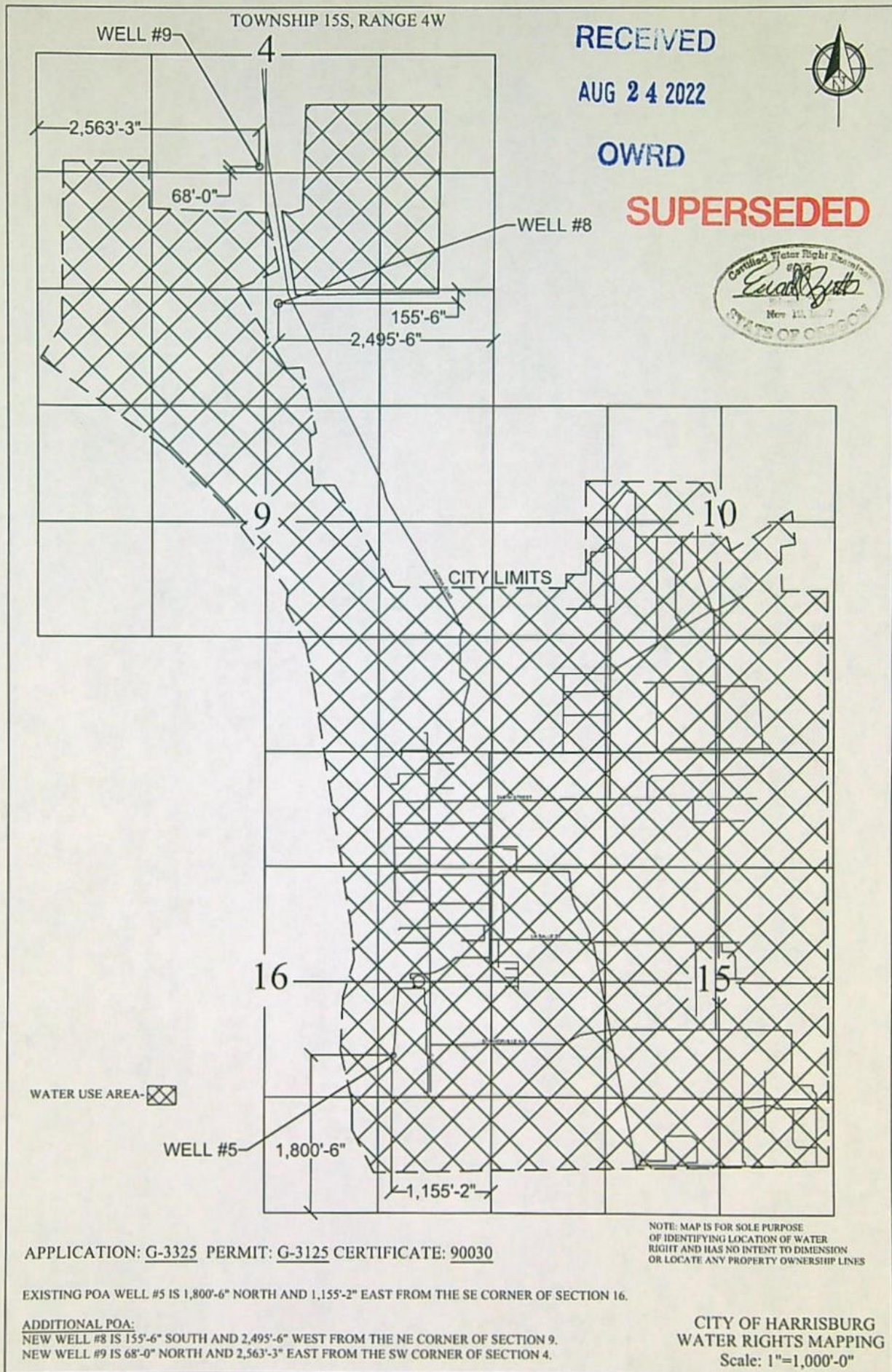
**SUPERSEDING**



EXISTING POA WELL #5 IS 1,800'-6" NORTH AND 1,155'-2" WEST FROM THE SE CORNER OF SECTION 16.

ADDITIONAL POA:  
NEW WELL #8 IS 155'-6" SOUTH AND 2,495'-6" WEST FROM THE NE CORNER OF SECTION 9.  
NEW WELL #9 IS 1,083'-0" NORTH AND 3,162'-6" EAST FROM THE SW CORNER OF SECTION 4.







# Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14079

Checked by: <u>Cula</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	POU	POD	APOD
Date: <u>8/30/22</u>		Gov Action	Surface to Ground	USE	POA	<u>APOA</u>
Fee Received: <u>2250</u>		How many rights to be Transferred?				
Calculated Fee: <u>2250</u>		Certificate #				
Additional Observations: <u>man/1</u>		<u>90030</u>				

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

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

OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **CANNOT** be accepted.  
It should be returned and the deficiencies listed in the "staff" section at the bottom of  
Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: \_\_\_\_\_ Date: \_\_\_\_\_



## Permanent Transfer Application Intake Completion Checklist

[illegible]