

T-14092

Regular

T-14092

Name Harper Farms, Inc.
Attn: Warren Harper
 Address 29850 Harper Rd.
Junction City, OR 97448

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A WellTrib. of Willamette River BasinUse AG; IR; ISCounty Lane

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G-7204Per # G-16131Cert # 48157PR Date 1/5/1976

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

Change in APOA
 Date Filed 9-19-2022
 Initial notice date 9-27-2022
 DPD issued date
 PD issued date 12/10/2024
 PD notice date 12/17/2024
 Date of FO 3/11/2025 Vol 134 Page 61-64

C-Date
 COBU due date
 COBU Received date
 Certificate issued

Assignments:

Irrigation District _____

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

CWRE _____

CC's list Lane County
☐ - Oversized map - Location _____

FEES PAID

Date	Amount	Receipt #
9-19-2022	\$1,840.00	139158

FEES REFUNDED

Date	Amount	Receipt #
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WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14092

Transfer Specialist:

Transfer Type: Regular Transfer

Dante Luongo

Applicant: HARPER FARMS INC ATTN WARREN HARPER 29850 HARPER RD JUNCTION CITY, OR 97448 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A ZACH PIKE-URLACHER 1600 SW WESTERN AVENUE, SUITE 240 CORVALLIS, OR 97333 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Lane County Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-7204	G6631	48157	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: September 19, 2022	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	WM District: 2	ODFW District:
Initial Public Notice: September 27, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>2-2-24</u> Initials: <u>AL</u>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <u>8-13-24</u> Initials: <u>CC</u>	Date: <u>8-14-24</u> Initials: <u>AL</u>	CW Sent:	N/A
PD	Date: <u>11-17-24</u> Initials: <u>AL</u>	Date: <u>11-18-24</u> Initials: <u>JS</u>	Date: <u>11-21-24</u> Initials: <u>AL</u>	Date: <u>11-22-24</u> Initials: <u>CC</u>	Date: <u>11-24-24</u> Initials: <u>AL</u>	Date: <u>12-2-24</u>	Date: <u>12/10/24</u>
FO	Date: <u>1-5-25</u> Initials: <u>AL</u>	Date: <u>1-6-25</u> Initials: <u>JS</u>	Date: _____ Initials: _____	Date: <u>1-15-25</u> Initials: <u>SH</u>	Date: <u>1-16-25</u> Initials: <u>AL</u>	Date: <u>2-28-25</u>	Date: <u>3/11/2025</u>

Special Issues: _____

Special Order Volume: Vol. 134 Pages 61-64



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

March 11, 2025

Harper Farms Inc.
Attn: Warren Harper
29850 Harper Rd
Junction City, OR 97448

REFERENCE: Transfer Application T-14092

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at Dante.J.Luongo@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)
Zach Pike-urlacher, Agent
Lane County Planning and Zoning, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-14092, Lane County)	ADDITIONAL POINT 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

HARPER FARMS, INC.
ATTN: WARREN HARPER
29850 HARPER RD
JUNCTION CITY, OR 97448

Findings of Fact

1. On September 19, 2022, Harper Farms, Inc. ATTN: Warren Harper filed an application for an additional point of appropriation under Certificate 48157. The Department assigned the application number T-14092.
2. Notice of the application for transfer was published on September 27, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 29, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14092 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 28, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On December 10, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14092 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on December 17, 2024, and in the Eugene Register-Guard newspaper on January 13 and 20, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

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

Certificate: 48157 in the name of THOMAS J. & WARREN T. HARPER (perfected under Permit G-6631)

Use: IRRIGATION OF 120.0 ACRES and SUPPLEMENTAL IRRIGATION OF 36.57 ACRES

Priority Date: JANUARY 5, 1976

Rate: 1.96 CUBIC FEET PER SECOND (CFS), being 1.96 CFS from Wells numbered 1, 2, 3, 6, and 7

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

Source: FIVE WELLS No. 1, 2, 3, 6 and 7, a tributary of WILLAMETTE RIVER

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Glott	DLC	Measured Distances
16 S	4 W	WM	9	NW SE	4		WELL NO. 1 - 96 FEET SOUTH AND 174 FEET WEST FROM THE NW CORNER OF BRICE DLC 50
16 S	4 W	WM	9	SW SE		50	WELL NO. 2 - 716 FEET SOUTH AND 90 FEET EAST FROM THE NW CORNER OF BRICE DLC 50
16 S	4 W	WM	9	SW SE		50	WELL NO. 3 - 1369 FEET SOUTH AND 31 FEET EAST FROM THE NW CORNER OF BRICE DLC 50
16 S	4 W	WM	9	SE SW			WELL NO. 6 - 528 FEET NORTH AND 2579 FEET EAST FROM THE SW CORNER OF SECTION 9
16 S	4 W	WM	9	SE SW			WELL NO. 7 - 528 FEET NORTH AND 2591 FEET EAST FROM THE SW CORNER OF SECTION 9

Authorized Place of Use:

PRIMARY IRRIGATION – WELL NOS. 1, 2, 3, 6, AND 7					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	4 W	WM	9	NE SW	40.0
16 S	4 W	WM	9	NW SW	40.0
16 S	4 W	WM	9	SW SW	40.0
TOTAL					120.0

SUPPLEMENTAL IRRIGATION – WELL NOS. 1, 2, 3, 6, AND 7					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	4 W	WM	9	SE SW	36.57

6. Transfer Application T-14092 proposes an additional point of appropriation located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized points of appropriation
16 S	4 W	WM	9	SW SW	WELL NO. 8 - 1370 FEET NORTH AND 870 FEET EAST FROM THE SW CORNER OF SECTION 9	WELL NO. 1- 1800 FEET WEST WELL NO. 2- 1985 FEET WEST WELL NO. 3- 2050 FEET WEST WELL NO. 6- 1820 FEET NORTHWEST WELL NO. 7- 1810 FEET NORTHWEST

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 prior to the submittal of Transfer Application T-14092 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-14092.
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 from the same aquifer as the authorized points 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 rights.
13. All other application requirements are met.

Conclusions of Law

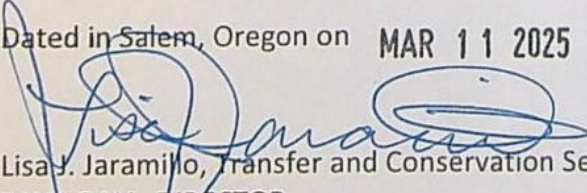
The additional point of appropriation proposed in Transfer Application T-14092 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-14092 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 48157 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 48157 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The quantity of water diverted at the new additional point of appropriation (Well No. 8), together with that diverted at the original points of appropriation (Well Nos. 1, 2, 3, 6, and 7), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well Nos. 1, 2, 3, 6, and 7).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. 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.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAR 11 2025**


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

Mailing Date: **MAR 12 2025**

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS J. AND WARREN T. HARPER
29850 HARPER RD
JUNCTION CITY, OR 97448

confirms the right to use the waters of TWO WELLS No. 4 and No. 5, a tributary of WILLAMETTE RIVER for IRRIGATION of 17.15 ACRES and OPERATION of PEPPERMINT DISTILLERY.

This right was perfected under Permit G-6631. The date of priority is JANUARY 5, 1976. The amount of water to which this right is entitled is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.41 CUBIC FOOT PER SECOND (CFS), being 0.21 cfs from Well No. 5 for irrigation and 0.20 cfs from Well No. 4 for distillery, or its equivalent in case of rotation, measured at the point of diversion from the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
16 S	4 W	WM	9	SW SE	50	WELL NO. 4 - 1660 FEET SOUTH AND 905 FEET EAST FROM THE NW CORNER OF BRICE DLC 50
16 S	4 W	WM	9	SE SE	50	WELL NO. 5 - 1961 FEET SOUTH AND 1188 FEET EAST FROM THE NW CORNER OF BRICE DLC 50

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

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

IRRIGATION - WELL NO. 5						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
16 S	4 W	WM	9	SW SE	50	3.41
16 S	4 W	WM	9	SE SE	50	0.34
16 S	4 W	WM	16	NE NE		0.91
16 S	4 W	WM	16	NW NE		12.49
TOTAL						17.15

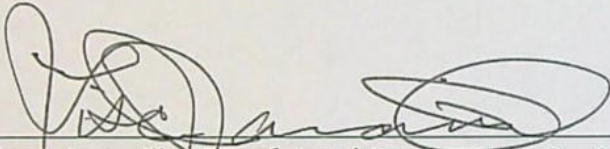
DISTILLERY – WELL NO. 4					
Twp	Rng	Mer	Sec	Q-Q	DLC
16 S	4 W	WM	9	SW SE	50

This certificate describes that portion of water right Certificate 48157, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 11 2025, approving Transfer Application T-14092.

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

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

WITNESS the signature of the Water Resources Director, affixed MAR 11 2025.



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

**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 # **144170**

INVOICE # _____

RECEIVED FROM: Harper Farms, Inc.
BY: _____

APPLICATION

PERMIT

TRANSFER

T-14092

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

☒

1815

☐

TOTAL REC'D

\$124.94

1083 TREASURY 4170 WRD MISC CASH ACCT

0407

COPIES

46118

\$

0207

OTHER:

(IDENTIFY)

Newspaper Notice

\$124.94

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

TC162

DEPOSIT LIAB. (IDENTIFY)

\$

0240

EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201

SURFACE WATER

\$

0202

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER

(IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211

WELL CONST START FEE

\$

CARD#

0210

MONITORING WELLS

\$

CARD#

OTHER

(IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT: **144170**

DATED: 11-12-24

BY: Bz

Attached is a check in the amount of \$124.94 (PCA #46118) for Newspaper Notice for Transfer T-14092 made out to Oregon Water Resources Department (or WRD)

- "for T- 14092 NOTICE" written on front of check

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

Caseworker: Dante Luongo

LOCALiQ

The Register-Guard

PO Box 631824 Cincinnati, OH 45263-1824

AFFIDAVIT OF PUBLICATION

ElyseD Richmond
TACS-PN
Oregon Depart. of Water Resources
725 Summer ST NE # A
Salem OR 97301-1266

STATE OF WISCONSIN, COUNTY OF BROWN

The Register-Guard, a newspaper of general circulation as defined in ORS 193.010 and 193.020; published at Eugene in the State of Oregon, County of Lane; that the printed copy of which is hereto annexed, is publishing in the entire issue of said newspaper in the issues dated:

01/13/2025, 01/20/2025

Sworn to and subscribed before on 01/20/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$104.12

Tax Amount: \$0.00

Payment Cost: \$104.12

Order No: 10939005

Customer No: 816170

PO #:

of Copies:
1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

Notice of Preliminary Determination for Water Right Transfer T-14092

T-14092 filed by Harper Farms, Inc., Attn: Warren Harper, 29850 Harper Rd., Junction City, OR 97448, proposes an additional point of appropriation under Certificate 48157. The right allows the use of 1.96 cubic foot per second from five wells in Sec. 9, T16S, R4W, WM for irrigation and supplemental irrigation in Sec. 9, T16S, R4W, WM. The applicant proposes an additional point of appropriation in Sec. 9, T16S, 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, 01/20/25. 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.

Received

JAN 29 2025

OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

December 10, 2024

VIA CERTIFIED MAIL AND E-MAIL

HARPER FARMS, INC.

ATTN: WARREN HARPER

29850 HARPER RD

JUNCTION CITY, OR 97448

SUBJECT: Water Right Transfer Application T-14092

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14092. 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 Eugene Register-Guard newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

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

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

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

Sincerely,

Dante Luongo

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-14092
Lanaya F. Blakely, District 2 Watermaster (*via e-mail*)
Zach Pike-urlacher, Agent for the applicant (*via e-mail*)

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14092, Lane County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT 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

HARPER FARMS, INC.
ATTN: WARREN HARPER
29850 HARPER RD
JUNCTION CITY, OR 97448

Findings of Fact

1. On September 19, 2022, Harper Farms, Inc. ATTN: Warren Harper filed an application for an additional point of appropriation under Certificate 48157. The Department assigned the application number T-14092.
2. Notice of the application for transfer was published on September 27, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 29, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14092 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 28, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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.

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

Certificate: 48157 in the name of THOMAS J. & WARREN T. HARPER (perfected under Permit G-6631)

Use: IRRIGATION OF 120.0 ACRES and SUPPLEMENTAL IRRIGATION OF 36.57 ACRES

Priority Date: JANUARY 5, 1976

Rate: 1.96 CUBIC FEET PER SECOND (CFS), being 1.96 CFS from Wells numbered 1, 2, 3, 6, and 7

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

Source: FIVE WELLS No. 1, 2, 3, 6 and 7, a tributary of WILLAMETTE RIVER

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
16 S	4 W	WM	9	NW SE	4		WELL NO. 1 - 96 FEET SOUTH AND 174 FEET WEST FROM THE NW CORNER OF BRICE DLC 50
16 S	4 W	WM	9	SW SE		50	WELL NO. 2 - 716 FEET SOUTH AND 90 FEET EAST FROM THE NW CORNER OF BRICE DLC 50
16 S	4 W	WM	9	SW SE		50	WELL NO. 3 - 1369 FEET SOUTH AND 31 FEET EAST FROM THE NW CORNER OF BRICE DLC 50
16 S	4 W	WM	9	SE SW			WELL NO. 6 - 528 FEET NORTH AND 2579 FEET EAST FROM THE SW CORNER OF SECTION 9
16 S	4 W	WM	9	SE SW			WELL NO. 7 - 528 FEET NORTH AND 2591 FEET EAST FROM THE SW CORNER OF SECTION 9

Authorized Place of Use:

PRIMARY IRRIGATION – WELL NOS. 1, 2, 3, 6, AND 7					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	4 W	WM	9	NE SW	40.0
16 S	4 W	WM	9	NW SW	40.0
16 S	4 W	WM	9	SW SW	40.0
TOTAL					120.0

SUPPLEMENTAL IRRIGATION – WELL NOS. 1, 2, 3, 6, AND 7					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	4 W	WM	9	SE SW	36.57

5. Transfer Application T-14092 proposes an additional point of appropriation located:

TwP	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized points of appropriation
16 S	4 W	WM	9	SW SW	WELL NO. 8 - 1370 FEET NORTH AND 870 FEET EAST FROM THE SW CORNER OF SECTION 9	WELL NO. 1- 1800 FEET WEST WELL NO. 2- 1985 FEET WEST WELL NO. 3- 2050 FEET WEST WELL NO. 6- 1820 FEET NORTHWEST WELL NO. 7- 1810 FEET NORTHWEST

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

6. Water has been used within the last five years prior to the submittal of Transfer Application T-14092 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14092.
8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
10. The proposed change, as conditioned, would not result in enlargement of the right.
11. The proposed change, as conditioned, would not result in injury to other existing water rights.
12. All other application requirements are met.

Determination and Proposed Action

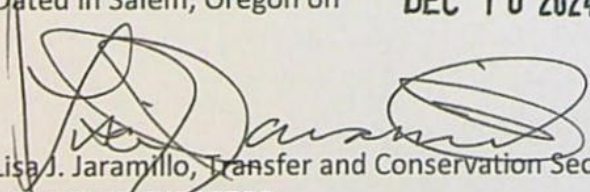
The additional point of appropriation proposed in Transfer Application T-14092 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14092 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-14092 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 48157 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 48157 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The quantity of water diverted at the new additional point of appropriation (Well No. 8), together with that diverted at the original points of appropriation (Well Nos. 1, 2, 3, 6, and 7), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well Nos. 1, 2, 3, 6, and 7).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. 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.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **DEC 10 2024**


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

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

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition or 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.

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

Transfer Application: T-14092

Review Due Date:

Applicant Name: Harper Family LLC

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- 14092



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- 14092

(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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14092

GW Reviewer Mitra Khadka Date Review Completed: 11/30/2023

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-14092

Applicant Name: Harper Farms

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

Reviewer(s): Mitra Khadka

Date of Review: 11/30/2023

Date Returned to WRSD: 11/30/2023

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: Applicant proposes to add an APOA, Well 8 (LANE 2125) under Certificate 48157 (Priority Date: 01/05/1976). Certificate 48157 currently authorizes irrigation of 137.15 acres, supplemental irrigation of 36.57 acres and operation of peppermint distillery from seven POAs, namely Well 1 (LANE 7845), Well 2 (LANE 7845), Well 3 (LANE 748), Well 4 (LANE 7875), Well 5 (LANE 70681), Well 6 (LANE 7844) and Well 7 (LANE 8479). Permitted maximum withdrawal rate is 2.37 cfs, being 1.96 cfs from Wells 1, 2, 3, 6 and 7, 0.21 cfs from Well 5 for irrigation, and 0.2 cfs from Well 4 for distillery. This application proposes to add an APOA (Well 8) to a 1.96 cfs portion of Certificate 48157 associated with Wells 1, 2, 3, 6 and 7.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Current authorized POAs and proposed APOA produce groundwater from the same Willamette Aquifer, which is composed of unconsolidated sands and gravels of Holocene floodplain deposits in the area (Gannett and Caldwell, 1998; Conlon et al., 2005). Locally, the aquifer is unconfined, highly permeable, about 40-60 ft thick, and is underlain by ~260 ft of mostly fine-grained, low permeable alluvial sediments (Gannett and Caldwell, 1998).
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____
- 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.): _____

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: Claim: GR 1163 (Priority Date: 12/31/1943) is the nearest groundwater right holder, located ~1,830 ft west of the proposed APOA (LANE 2125). LANE 7839 appears to be an authorized POA under Claim: GR 1163. LANE 7839 is ~3,500 ft west of the authorized POAs. A decrease in intervening distance will likely result in an increase in interference with the neighboring well LANE 7839.

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: LANE 7839 is completed to a depth of 12 ft bls and does not fully penetrate the Willamette Aquifer. Therefore, it is assumed that the proposed APOA will not cause any injury to the neighboring groundwater right.

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 nearest surface water source to the authorized POAs and the proposed APOA is the Willamette River. The proposed APOA is farther (~6,300 ft to the southwest) than the authorized POAs (~4,700 ft to the southwest) from the Willamette River. An increase in distance will likely result in a decrease in interference with this surface water source.

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

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

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: _____

7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____

8. Any additional comments: _____

References:

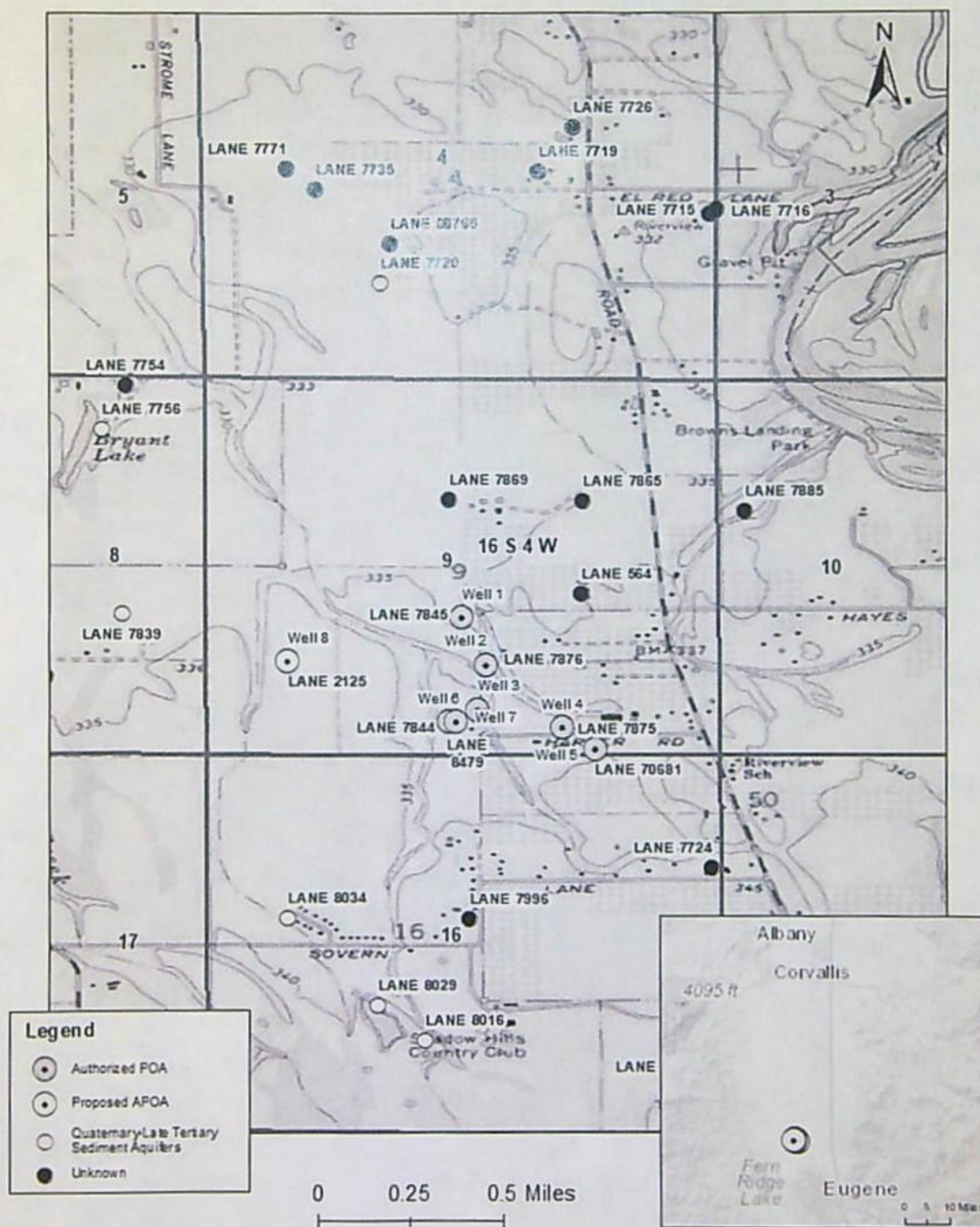
Application File: T-14092

Conlon T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-Water Hydrology of the Willamette Basin, Oregon: U.S. Geological Survey Scientific Investigations Report 2005-5168, 83 p.

Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington, Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.

Location Map

T-14092



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 27, 2022

HARPER FARMS INC
ATTN WARREN HARPER
29850 HARPER RD
JUNCTION CITY, OR 97448

Reference: Application T-14092

On September 19, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Our receipt number 139158 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 or as the original POD.

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.

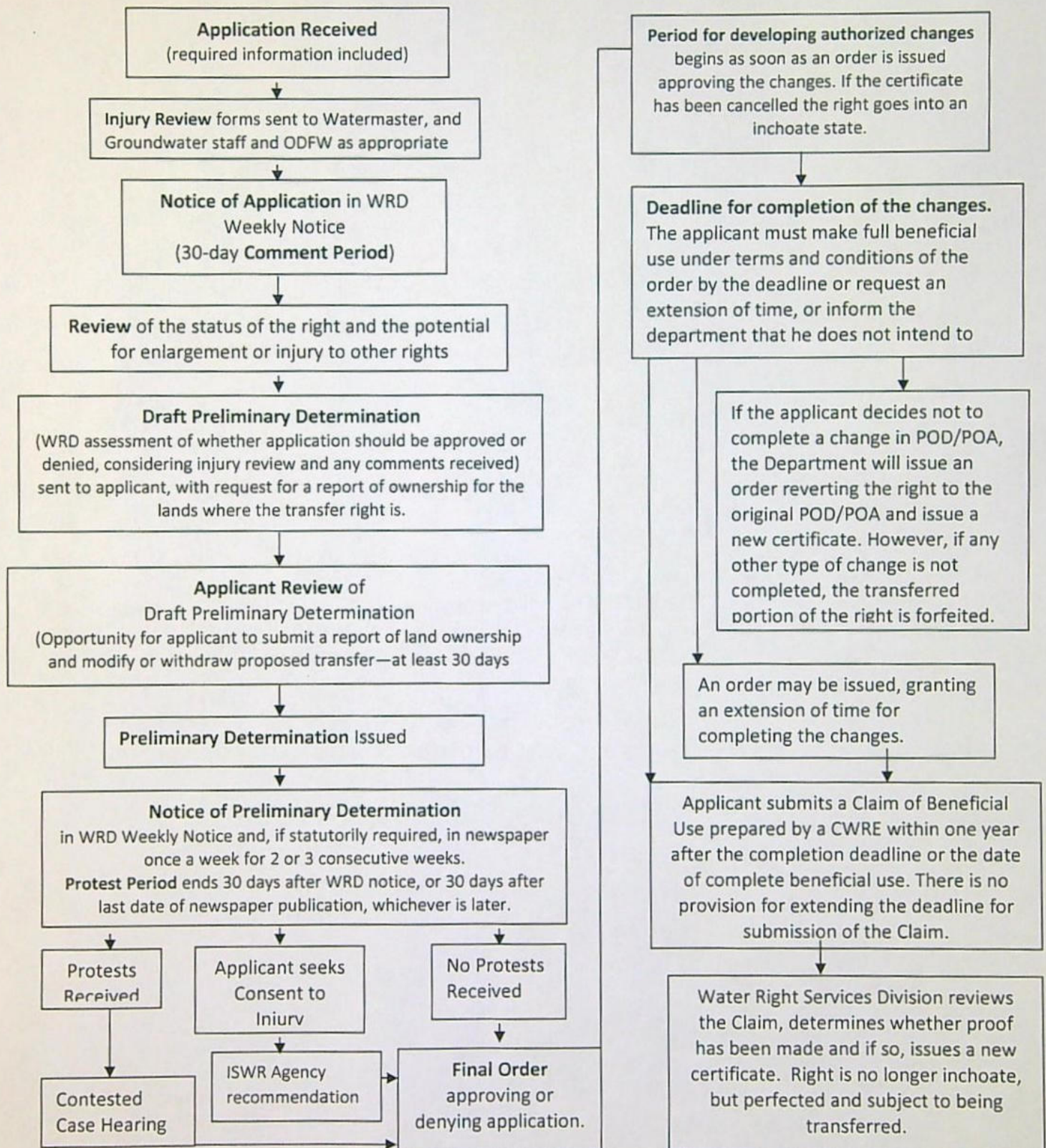
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #2, Lanaya F. Blakely (*via email*)
Lane County Planning Department
Zach Pike-urlacher, Agent

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 # **139158**

INVOICE # _____

RECEIVED FROM: 651 Water Solutions

BY: Inc.

CASH: ☐ CHECK: # 25198 OTHER: (IDENTIFY) ☐

APPLICATION _____
 PERMIT _____
 TRANSFER T. 14092

TOTAL REC'D \$ 1,840.00

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 RECORD FEE \$ _____

0203 GROUND WATER EXAM FEE RECORD FEE \$ _____

0205 TRANSFER EXAM FEE RECORD FEE \$ 1,840.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE LICENSE FEE \$ _____

LANDOWNER'S PERMIT

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: **139158**

DATED: 9-19-2022 BY: [Signature]

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

GSI WATER SOLUTIONS INC		Check Date: 8/17/2022		025198	
Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay
OWRD Fee 969.001	8/15/2022	0020550	1,840.00		
Oregon Water Resources Department					
Beneficial Checking	6	00245	1,840.00		
		TOTAL	1,840.00		
					1,840.00

RECEIVED
SEP 19 2022
OWRD

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

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

SEP 19 2022

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. **Fee enclosed in amount of \$1,840**
- ☒ 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 48157 – Attachment A**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

OWRD

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

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Part 2 of 5 – Transfer Application Map

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$*); 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.*)

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Harper Farms, Inc. ATTN: Warren Harper			PHONE NO. (541) 998-2762	ADDITIONAL CONTACT NO.
ADDRESS 29850 Harper Rd				FAX NO.
CITY Junction City	STATE OR	ZIP 97448	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME GSI Water Solutions, ATTN: Zach Pike-Urlacher			PHONE NO. (541) 753-0933	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Boulevard, Suite 240				FAX NO.
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL zpikeurlacher@gsiws.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:

The Applicant is proposing to add an additional point of appropriation (Well 8) to a 1.96 cfs portion of Certificate 48157 associated with 120 acres of primary irrigation and 36.57 acres of supplemental irrigation.

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

Check One Box

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

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By my signature below, I confirm that I understand:

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

Warren Harper, Owner

Print Name (and Title if applicable)

Date

08/15/2022

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

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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME N/A			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.) **N/A**

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. **N/A**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Lane County Planning	ADDRESS 3050 N. Delta Hwy	
CITY Eugene	STATE OR	ZIP 97408

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 48157

Description of Water Delivery System

System capacity: 2.37 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from Wells 4 and 5 using 10hp 3 inch centrifugal pumps. Water is pumped from Wells 1, 2, 3, 6, and 7 using 20hp 3 inch centrifugal pumps. Water is conveyed to the place of use through approximately 1,400 feet of hard-hose irrigation, and applied using hard-hose irrigators.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 7845	16	S	4	W	9	NW	SE	1002	96 feet South and 174 feet West from NW corner, Brice DLC 50
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 7876	16	S	4	W	9	SW	SE	Brice DLC 50	716 feet South and 90 feet East from NW corner, Brice DLC 50
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 748	16	S	4	W	9	SW	SE		1369 feet South and 31 feet East from NW corner, Brice DLC 50
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 7875	16	S	4	W	9	SW	SE		1660 feet South and 905 feet East from NW corner, Brice DLC 50
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 70681	16	S	4	W	9	SE	SE		1961 feet South and 1188 feet East from NW corner, Brice DLC 50
Well 6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 7844	16	S	4	W	9	SE	SW	1002	528 feet North and 2579 feet East from SW corner, Section 9
Well 7	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 8479	16	S	4	W	9	SE	SW	1002	528 feet North and 2591 feet East from SW corner, Section 9
Well 8	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LANE 2125	16	S	4	W	9	SW	SW	1002	1370 feet North and 870 feet East from SW corner, Section 9

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 # 48157

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s) / POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
16	S	4	W	9	NE	SW	1002	-	40.0	Irrigation	Wells 1, 2, 3, 6 & 7	01/05/1976	APOA	16	S	4	W	9	NE	SW	1002	-	40.0	Irrigation	Wells 1, 2, 3, 6, 7, & 8	01/05/1976
					NW	SW	1002	-	40.0										NW	SW	1002	-	40.0			
					SW	SW	1002	-	40.0										SW	SW	1002	-	40.0			
					SE	SW	1002	-	36.57	Supplemental Irrigation									SE	SW	1002	-	36.57	Supplemental Irrigation		
TOTAL ACRES:									156.57		TOTAL ACRES:									156.57						

Additional remarks: The Applicant is proposing to add an additional point of appropriation (Well 8) to a 1.96 cfs portion of Certificate 48157, which is associated with 120 acres of irrigation and 36.57 acres of supplemental irrigation.


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For Place of Use or Character of Use Changes N/A

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

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

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

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

N/A

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 N/A

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. **Attachment E**

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

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

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

STATE OF OREGON

COUNTY OF

LANE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That THOMAS J. & WARREN T. HARPER

of 29850 Harper Rd., Junction City, State of Oregon, 97448, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Seven Wells No. 1 - 7

a tributary of Willamette River for the purpose of irrigation of 137.15 acres, supplemental irrigation of 36.57 acres and operation of peppermint distillery under Permit No. G-6631 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 5, 1976

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.37 cubic feet per second, being 1.96 c.f.s. from Wells numbered 1, 2, 3, 6, & 7; 0.21 c.f.s. from Well No. 5 for irrigation, 0.2 c.f.s. from Well No. 4 for distillery

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the Lot 4 (NW $\frac{1}{4}$ SE $\frac{1}{4}$), SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, both as projected within Brice DLC 50, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, T. 16 S., R. 4 W., W. M., Well No. 1-96 feet South and 174 feet West; Well No. 2-716 feet South and 90 feet East; Well No. 3-1369 feet South and 31 feet East; Well No. 4-1660 feet South and 905 feet East; Well No. 5-1961 feet South and 1188 feet East, all from the NW *

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

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

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

SEE NEXT PAGE

* Corner, Brice DLC 50; Well No. 6-528 feet North and 2579 feet East; Well No. 7-528 feet North and 2591 feet East, both from the SW Corner, Section 9.

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Well Nos. 1, 2, 3, 6 & 7

Primary

40.00 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

40.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 9

Well No. 4

Distillery SW $\frac{1}{4}$ SE $\frac{1}{4}$

As projected within Brice DLC 50

Well No. 5

3.41 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

0.34 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$

Both as projected within Brice DLC 50

Section 9

Well No. 5

0.91 acre NE $\frac{1}{4}$ NE $\frac{1}{4}$

12.49 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 16

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

Well Nos. 1, 2, 3, 6 & 7

Supplemental

36.57 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 9

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

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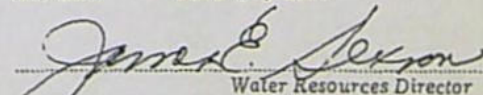
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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. June 14, 1979


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41, page 48157

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of LANE

I, WARREN HARPER, in my capacity as OWNER,

mailing address 29850 HARPER ROAD, JUNCTION CITY, OR, 97448

telephone number (541)285-4262, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the entire place of use for
Certificate # 48157; OR

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
48157	16	S	4	W	WM	9	NE	SW	—	40.0
							NW	SW	—	40.0
							SW	SW	—	40.0
							SE	SW	—	36.57

OR

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

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION OF CROPS

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.

Joseph Paul Escalera
Signature of Affiant

08/15/2022
Date

Signed and sworn to (or affirmed) before me this 15th day of August, 2022



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Joseph Paul Escalera
Notary Public for Oregon

My Commission Expires: August 09, 2025

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



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TIGER CREEK

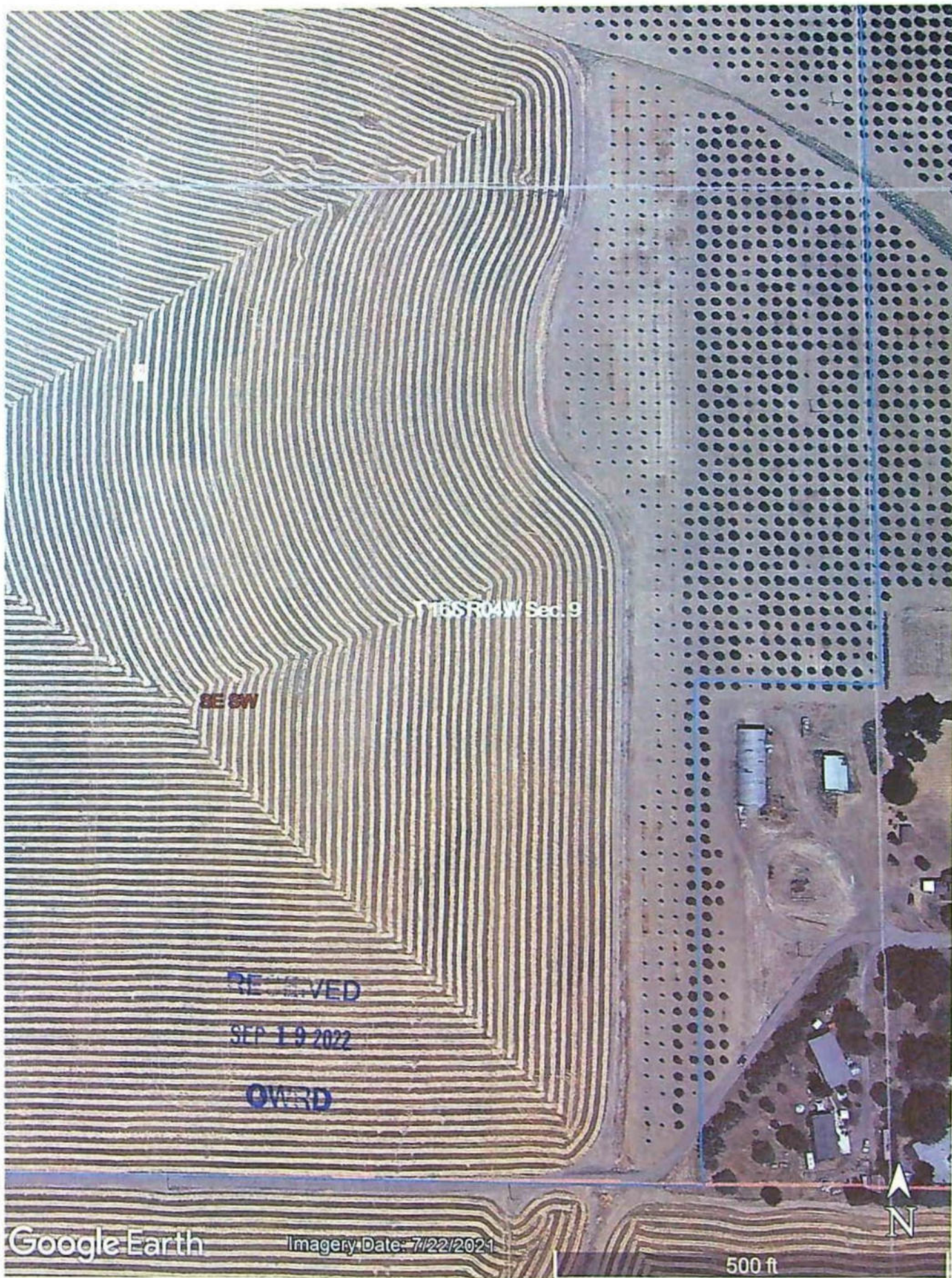
NE 1/4

Google Earth

Imagery Date: 7/22/2021

700 ft





T16SR04W Sec. 9

SE SW

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SEP 19 2022

OWARD

Google Earth

Imagery Date: 7/22/2021

500 ft

N

14092 -



LAND MANAGEMENT DIVISION

Date Received:
RECEIVED AUG 18 2022

TYPE I APPLICATION

Zoning Determination Application

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

For Office Use Only: FILE # **509-PA22-05540** FEE: **\$164.56 - PAID**

Applicant (print name): Harper Farms, Inc. ATTN: Warren Harper

RECEIVED

Mailing address: 29850 Harper Rd. Junction City, OR, 97448

SEP 19 2022

Phone: 541-998-2762

Email: warrenharper50@gmail.com

Applicant Signature: *Warren Harper*

OWRD

PROPERTY LOCATION

Township 16 South, Range 4 West, Section 9, Southwest Quarter Section, Tax Lot 1002

16-04-17-00-00601

Assessor's Map and Tax Lot

29425 Sovern Ln, Junction City, OR, 97448

Site address

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

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

Harper Farms, Inc. is applying for a water right transfer to use groundwater from an existing well. As part of the transfer application process, Harper Farms must submit the enclosed land use information form completed by the County. The form needs to indicate whether the use of groundwater on the property is consistent with land use. Please complete and sign the form and return to Molly Monroe at GSI Water Solutions, Inc.

Version 08/2019

14092 -

Land Use Information Form

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

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Applicant(s): Warren Harper Mailing

Address: 29850 Harper Road City:

OWRD

Junction City

State: OR

Zip Code: 97448

Daytime Phone: 541-285-4262

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>16 S</u>	<u>4 W</u>	<u>9</u>	<u>SW SW</u>	<u>1002</u>	Exclusive Farm Use 20+ (EFU20)	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Primary and Supplemental Irrigation</u>

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

Lane County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.98 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

The Applicant is proposing to add an existing well to a portion of water right Certificate 48157.

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

See bottom of Page 3. →

14092 -

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **LC 16.212 (3)-1.1 Farm Use**
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SEP 19 2022	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

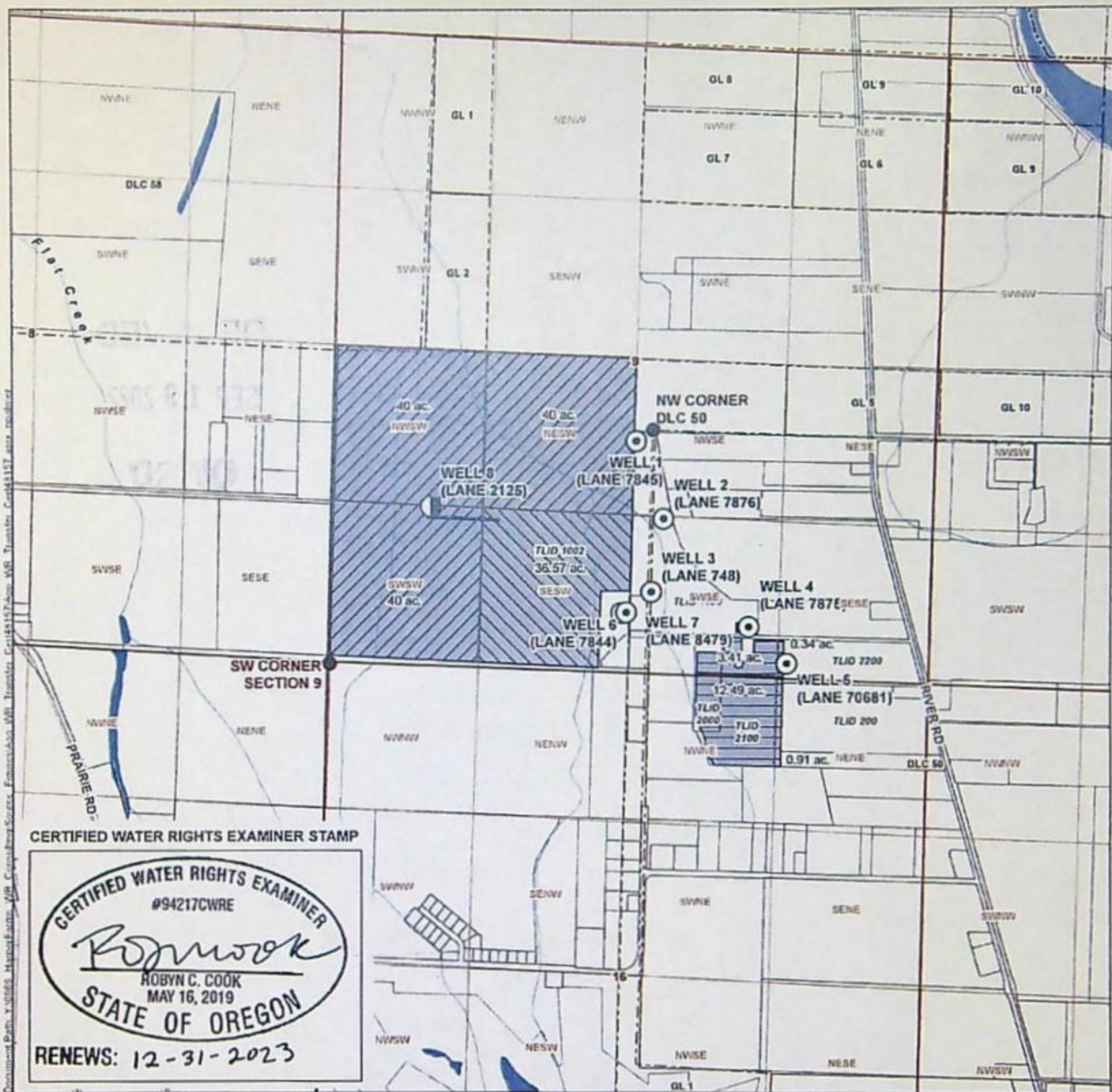
Water use/irrigation permitted outright in EFU zone
(LC 16.212)

Name: Julia Dobberstein Title: Planner
 Signature: Julia Dobberstein Phone: 541-682-3958 Date: 9/15/22
 Government Entity: Lane County

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

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____



LEGEND

- Proposed Point of Appropriation (POA)
- ⊙ Authorized Point of Appropriation (POA)
- Conveyance
- Peppermint Distillery
- Place of Use (POU), to be Transferred
 - ▨ Authorized POU, Irrigation
 - ▩ Authorized POU, Supplemental Irrigation
- Place of Use (POU), to Remain
 - ▨ Authorized POU, Irrigation
- ⬢ Tax Lot
- ⬢ Government Lot (GL)
- ⬢ Donation Land Claim (DLC)
- Railroad
- ~ Watercourse
- ⬢ Waterbody

**Application for a
Permanent Water Right Transfer
for Certificate 48157 Harper Farms, Inc.
Taylor Place Property**

Place of Use/Point of Appropriation Map
Township 16 South, Range 4 West (W.M.)

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DISCLAIMER

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

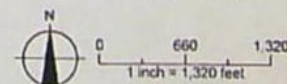
Date: July 21, 2022

Data Sources: BLM, ESRI, OWRD, USGS

LOCATION DESCRIPTIONS

Well 1 (LANE 7845) Located 96 feet South and 174 feet West from NW corner, Bice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 2 (LANE 7876) Located 718 feet South and 90 feet East from NW corner, Bice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 3 (LANE 748) Located 1269 feet South and 31 feet East from NW corner, Bice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 4 (LANE 7876) Located 1660 feet South and 965 feet East from NW corner, Bice DLC 50, Township 16 South, Range 4 West (W.M.)

Well 5 (LANE 70681) Located 1951 feet South and 1188 feet East from NW corner, Bice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 6 (LANE 7844) Located 528 feet North and 2579 feet East from SW corner, Section 9, Township 16 South, Range 4 West (W.M.)
Well 7 (LANE 8479) Located 528 feet North and 2591 feet East from SW corner, Section 9, Township 16 South, Range 4 West (W.M.)
Well 8 (LANE 2125) Located 1370 feet North and 870 feet East from SW corner, Section 9, Township 16 South, Range 4 West (W.M.)



14092 -



TRANSMITTAL

To: Lane County Public Works Dept
Address: 3050 N Delta Hwy
From: Molly Monroe, GSI Water Solutions, Inc.
Attachments: See below
Date: August 16, 2022

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Date	Number of Copies	Description
8/16/2022	1	Zoning Determination Application
	1	Land Use Information Form
Please call Molly at 541-230-0578 for payment when ready. Thank you~		

STATE ENGINEER
Salem, Oregon

LANE
7875

Well Record

GR- 1262

STATE WELL NO. 16/4W-90
COUNTY Lane
APPLICATION NO. GR- 1305

OWNER: Tom Harper

MAILING
ADDRESS:

LOCATION OF WELL: Owner's No. #3

CITY AND

STATE: Junction City, Oregon

SW 1/4 SE 1/4 Sec. 9 T. 16 S. R. 4 W., W.M.

Bearing and distance from section or subdivision

corner S68°42'E. 1661' to SE cor. Sec. 9.

Altitude at well 337 ft.

TYPE OF WELL: Drilled Date Constructed 1945

Depth drilled 24 ft. Depth cased 24 ft.

CASING RECORD:

2- 4 inch



Section 9

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FINISH:

OWRD

AQUIFERS:

WATER LEVEL:

12 ft.

PUMPING EQUIPMENT: Type Cornell 2 1/2 x 3 1/2 in. Cent. H.P. 10
Capacity 250 G.P.M.

WELL TESTS:

Drawdown 5 ft. after 300 hours G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F. 19

SOURCE OF INFORMATION G. R. Record

DRILLER or DIGGER Walt Nelson

ADDITIONAL DATA:

Log N.A. Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

Irrigation of 18 .8 acres.

STATE OF OREGON
WATER SUPPLY WELL REPORT

(ORS 537.765 & OAR 690-205-0210)

LANE 70681

WELL LABEL # L 102025
START CARD # 204575
ORIGINAL LOG #

Instructions for completing this report are on the last page of this form.

(1) LANDOWNER Owner Well I.D. 2781
First Name Ray Last Name Harper
Company
Address 92684 River Rd
City Junction City State OR Zip 97448

(2) TYPE OF WORK ☒ New ☐ Conversion ☐ Deepening
☐ Alteration (complete Sections 2a & 10) ☐ Abandonment (complete Section 5a)

(2a) PRE-ALTERATION: Well Depth ft.

Seal Material

Casing Type: ☐ Steel ☐ Plastic ☐ Other

Casing Gauge Casing Diameter

(3) DRILL METHOD ☒ Rotary Air ☐ Rotary Mud ☐ Auger

☐ Cable ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Community

☐ Industrial/Commercial ☒ Livestock ☐ Dewatering ☐ Injection

☐ Thermal ☐ Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 39' ft. Special Standard: ☐ Yes (attach copy)

BORE HOLE			SEAL			Amount	Scks/lbs
Dia	From	To	Material	From	To		
10"	0'	19'	Bentonite	0'	19'	8	scks
6"	19'	39'					

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☒ Other Bentonite Placed @ 1 sck per 5 min rate

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

(5a) ABANDONMENT USING UNHYDRATED BENTONITE:

Calculated Amount Proposed to be Used: sacks/lbs

Actual Amount Used: sacks/lbs

(6) CASING/LINER

Casing	Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X		6"		1'	39'	.250	X		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) None

Temporary casing ☐ Yes Diameter From To

(7) PERFORATIONS/SCREENS

Perforations Method Air Perforator

Screens Type Material

Perf	Scrn	Casing	Linr	Screen	From	To	Screen/	Slot	# of	Tele/
				Dia			slot	length	slots	pipe
							width			size
X	X				31'	35'	2"	1"	120	

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

25 gpm 39' 1 hr

Temperature 57°F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS ppm

From	To	Description	Amount	Units
------	----	-------------	--------	-------

(9) LOCATION OF WELL (legal description)

County Lane Twp 16S N of S Range 04W E of W.M.

Sec 9 SE 1/4 of the SE 1/4 Tax Lot 2200

Tax Map Number Lot

Lat " or DMS or DD

Long " or DMS or DD

Street Address of Well (or nearest address) 30020 Harper Rd

Junction City, OR 97448

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Pre-Alteration				
Completed Well	8-9-10			12'

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 25'

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
8-9-10	25'	39'	25 gpm			12'

(11) WELL LOG

Material	From	To
Topsoil	0	2
Brown Sandy loam	2	13
Brown clay w/ gravel	13	19
Gravel & sand	19	39

Date Started 8-9-10 Completed 8-9-10

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 751 Date 8-9-10

Signed Donnell J. Foving

Contact Info. (optional)

Mid Valley Drilling Inc
See having 541-847-5470

ORIGINAL - WATER RESOURCES DEPARTMENT ONE COPY FOR CONSTRUCTOR ONE COPY FOR CUSTOMER
SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

01/02/2009

14092 -



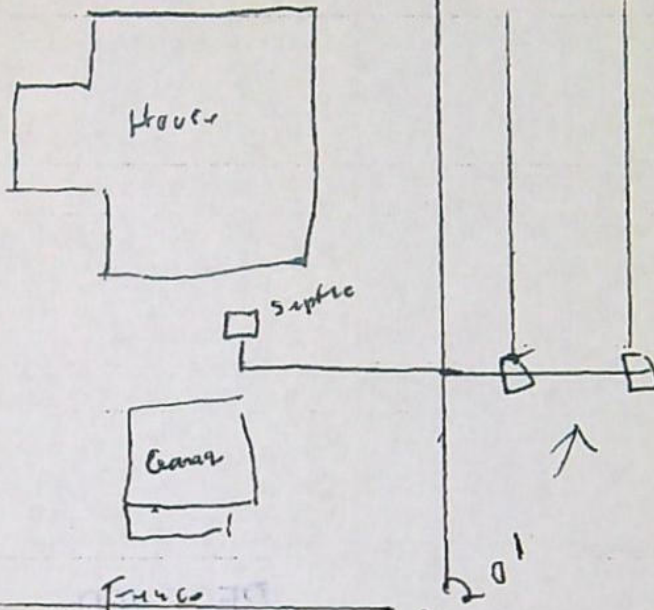
70681
 Ray W & Geraldine Harper
 92684 River Rd
 Junction City, OR 97448-9409

INV# Receipt#
 1501040

SC# 204575

92950 River Road

Harper Road



AUG 25 2010

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← 25' → Well
 To UTILITY LINE

Property class 551
 Tax Cd area 06928 9.72 acres
 Tax lot 16-04-09-00-02200

30020 Harper Rd
 Junction City 97449.

GPS Location of well

44-11-184
 123-10-196

LAND OWNER SUBMITTED MAP

LANE
7844

APR 5 1989

9892

Well Number:

WATER RESOURCES SECTION

(9) LOCATION OF WELL by legal description:

County Oregon Latitude _____ Longitude _____
Township 16 S Nor S, Range 04 W E or W, WM.
Section 09 SE $\frac{1}{4}$ SW $\frac{1}{4}$
Tax Lot 01002 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 29789 Harper Rd

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

☐ Rotary Air ☐ Rotary Mud ☒ Cable

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 39 ft

Explosives used Yes ☐ No ☒ Type _____ Amount _____

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12"	±1	39	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 39 St

☒ Perforations Method Trench Cut
☐ Screens Type _____ Material _____

[illegible]

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
5000		39	1 hr.

Temperature of water _____ Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

8 ft. below land surface. Date 3/27/89
Artesian pressure _____ lb. per square inch. Date _____

Depth at which water was first found 19 ft

From	To	Estimated Flow Rate	SWL
19 ft	38 ft	400 l	8

Ground elevation

[illegible]

Date started 3/29/89 Completed 3/29/89

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed Kurt D. Minter WWC Number 1411
Date 3/22/89

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

belief. Donald / Harris WWC Number 75
Signed Donald / Harris Date 3/29/85

14092 -

STATE ENGINEER
Salem, Oregon.

LANE

8479

Well Record

STATE WELL NO. 16/5N-9
COUNTY Lane
APPLICATION NO. GR-2947

OWNER: E. S. Taylor Jr.

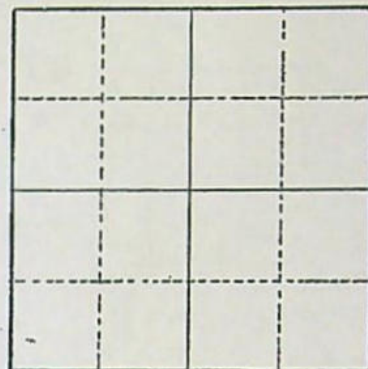
MAILING ADDRESS: Junction City, Oregon

LOCATION OF WELL: Owner's No.

CITY AND STATE:

SW 1/4 1/4 Sec. 9 T. 16 N. S. R. 5 W., W.M.

Bearing and distance from section or subdivision corner 2579' E. and 528' N.



Section

Altitude at well

TYPE OF WELL: driven Date Constructed 1946

Depth drilled 25 Depth cased 25

CASING RECORD:

6-inch

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FINISH:

4--6" x 3/16" from 21' to 25'

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AQUIFERS:

WATER LEVEL: 13-feet

PUMPING EQUIPMENT: Type Denver Gardner Centrifugal H.P. 40
Capacity 500 G.P.M.

WELL TESTS:

Drawdown 8 ft. after hours Pumping 500 G.P.M.
Drawdown 6 ft. after hours Pumping 600 G.P.M.

USE OF WATER Irrigation Temp. °F. 19

SOURCE OF INFORMATION GR-2768

DRILLER or DIGGER Owner

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

(START CARD) # 29512

(1) OWNER:

Name Harper Farming Inc
Address 29850 Harper Rd
City Junction City State OR Zip 97448

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 99 ft.
Explosives used Yes ☐ No ☒ Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
16"	0' 19'	Cement	0' 19'	16 Sacks	
12"	19' 109'				

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E
☐ Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	0'	99'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of sheets: 99 ft.

(7) PERFORATIONS/SCREENS:

☒ Perforations Method Air Perforation
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
30'	37'	5x2	170			<input checked="" type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☐ Flowing ☐ Artesian

Yield gal/min	Drawdown	Drill stem at	Time
350+		99'	1 hr.

Temperature of water 53° Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Lane Latitude _____ Longitude _____
Township 16S N or S Range 4W E or W WM.
Section 9 SW 1/4 SW 1/4
Tax Lot 01002 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) Same

(10) STATIC WATER LEVEL:

19 ft. below land surface. Date 6/12/91
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
30'	37'	100+ GPM	19'
99'	105'	250+ GPM	19'

(12) WELL LOG:

Material	From	To	SWL
Topsoil	0	3	0
Sandy loam	3	15	0
Cemented Gravel	15	20	0
Sand	20	23	0
Sand & Gravel	23	37	19
Cemented Gravel	37	40	19
Blue Clay	40	98	19
Sand & Gravel	98	105	19
Dark Blue Sand	105	115	19

RECEIVED

RECEIVED

SEP 19 2022

JUN 28 1991

OWRD

WATER RESOURCES DEPT.
SALEM, OREGON

Date started 6/8/91 Completed 6/12/91

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed R. D. Mink WWC Number 1411
Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Donald J. Faring WWC Number 751
Date 6/20/91



September 16, 2022

Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RECEIVED

SEP 19 2022

OWRD

RE: Transfer Application for Certificate 48157 in the name of Harper Farms, Inc.

Dear Kelly:

Harper Farms, Inc. is the holder of water right Certificate 48157. Harper Farms, Inc. is filing the enclosed transfer application to add an additional point of appropriation (Well 8) to a 1.96 cfs portion of Certificate 48157 associated with 120 acres of primary irrigation and 36.57 acres of supplemental irrigation.

Also enclosed is a check for the required processing fee of \$1,840.

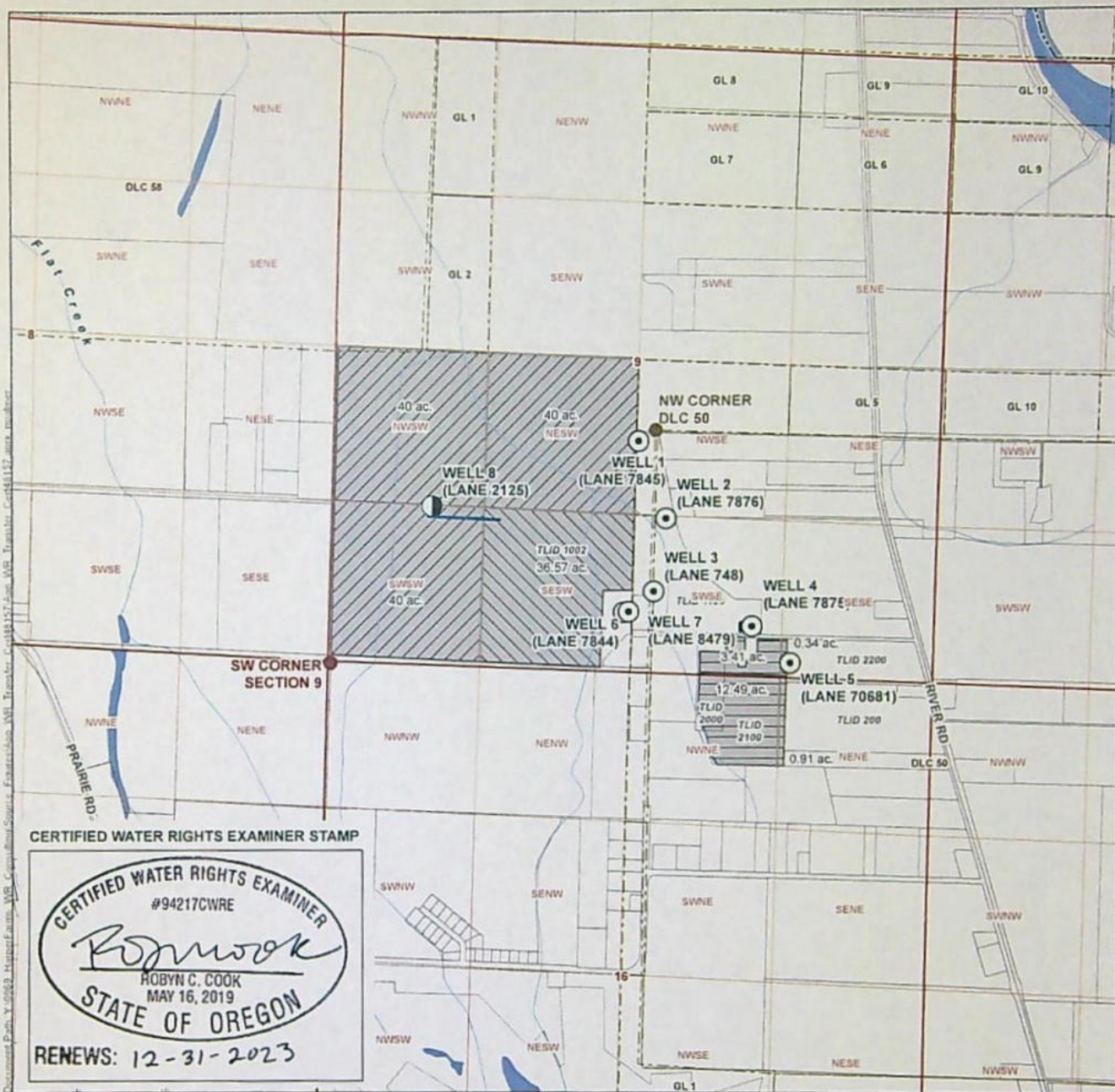
Please contact me if you have any questions or concerns. My phone number is 541-753-0933.

Sincerely,

A handwritten signature in blue ink that reads "Zach Pike-Urlacher". The signature is fluid and cursive, with the last name being more prominent.

Zach Pike-Urlacher
Water Resources Analyst

Enclosures: Water Right Transfer Application
Check for application fee in the amount of \$1,840



LEGEND

- Proposed Point of Appropriation (POA)
- ⊙ Authorized Point of Appropriation (POA)
- Conveyance
- Peppermint Distillery
- Place of Use (POU), to be Transferred
 - ▨ Authorized POU, Irrigation
 - ▩ Authorized POU, Supplemental Irrigation
- Place of Use (POU), to Remain
 - ▨ Authorized POU, Irrigation
- ⊞ Tax Lot
- ⊞ Government Lot (GL)
- ⊞ Donation Land Claim (DLC)
- Railroad
- ~ Watercourse
- Waterbody

LOCATION DESCRIPTIONS

Well 1 (LANE 7845) Located 95 feet South and 174 feet West from NW corner, Brice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 2 (LANE 7876) Located 716 feet South and 90 feet East from NW corner, Brice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 3 (LANE 748) Located 1369 feet South and 31 feet East from NW corner, Brice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 4 (LANE 7875) Located 1660 feet South and 805 feet East from NW corner, Brice DLC 50, Township 16 South, Range 4 West (W.M.)

Well 5 (LANE 70681) Located 1961 feet South and 1185 feet East from NW corner, Brice DLC 50, Township 16 South, Range 4 West (W.M.)
Well 6 (LANE 7844) Located 528 feet North and 2579 feet East from SW corner, Section 9, Township 16 South, Range 4 West (W.M.)
Well 7 (LANE 8479) Located 528 feet North and 2591 feet East from SW corner, Section 9, Township 16 South, Range 4 West (W.M.)
Well 8 (LANE 2125) Located 1370 feet North and 870 feet East from SW corner, Section 9, Township 16 South, Range 4 West (W.M.)

Application for a Permanent Water Right Transfer for Certificate 48157 Harper Farms, Inc. Taylor Place Property

Place of Use/Point of Appropriation Map
Township 16 South, Range 4 West (W.M.)

RECEIVED

SEP 19 2022

OWRD

DISCLAIMER

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

Date: July 21, 2022
Data Sources: BLM, ESRI, OWRD, USGS



0 660 1,320
1 inch = 1,320 feet



14092 -

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-T-14092

Checked by: <u>Scott</u> Date: <u>9/21/22</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution Gov Action	Supplemental to Primary Surface to Ground	POU USE	POD POA	APOD <u>APOA</u>
Fee Received: <u>1840</u>						
Calculated Fee: <u>1840</u>			How many rights to be Transferred? <u>1</u> Certificate # <u>48157</u>			
Additional Observations: _____						

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

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

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

Actions taken: _____ Date: _____

14092 -