

T-14205

Permanent

T-14205

RA

Name City of Aurora
Attn: Mark Gunter
Address 21420 Main St
Aurora, OR 97002
PWS@ci.aurora.or.us

DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellTrib. of Pudding River, Mill CreekUse Municipal UsesCounty Marion

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G-3732Per # G-3526Cert # 87381PR Date 11/25/1966App# G-10722Per # G-9890Cert # 87380PR Date 5/19/1982

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

FEES PAID

Date	Amount	Receipt #
<u>3/21/23</u>	<u>3,210.⁰⁰</u>	<u>140399</u>
<u>4-10-2023</u>	<u>\$125.⁰⁰</u>	<u>140468</u>
<u>4-20-2023</u>	<u>\$1865.⁸⁰</u>	<u>140535</u>

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------

Change in APOADate Filed 3-29-2023Initial notice date 4-4-2023

DPD issued date

PD issued date 12/27/2023PD notice date 1/2/2024Date of FO 3/4/2024 Vol 129 Page 856-861

C-Date

COBU due date

COBU Received date

Certificate issued

Assignments:

Irrigation District

Agent GSI Water Solutions inc attn: Owen McMurtrey - OMcMurtrey@gsiws.comCWRE Marion County, City of Aurora

CC's list

☐ - Oversized map - Location



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

March 4, 2024

City of Aurora
C/O Mark Gunter
21420 Main St
Aurora, OR 97002

REFERENCE: Transfer Application T-14205

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

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

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

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

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

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Owen McMurtrey, Agent
Marion County Planning Department, Local Government

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-14205, Marion County)	APPROVING ADDITIONAL POINTS OF
)	APPROPRIATION

Authority

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

Applicant

CITY OF AURORA
ATTN: MARK GUNTER
21420 MAIN ST
AURORA, OR 97002

Findings of Fact

1. On March 29, 2023, The City of Aurora, Attn: Mark Gunter, filed an application for additional points of appropriation under Certificates 87380 and 87381. The Department assigned the application number T-14205.
2. Notice of the application for transfer was published on April 4, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On October 2, 2023, the applicant's agent was notified that the location of the proposed wells under Certificates 87380 and 87381 described in Table 1 of the application, did not match the location of proposed wells on the application map.
4. On October 2, 2023, the applicant's agent submitted revised transfer application pages, correcting the location descriptions of the proposed wells for Certificates 87380 and 87381. On October 10, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13831 to the applicant. The

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.

draft Preliminary Determination cover letter set forth a deadline of November 9, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

6. On December 27, 2023, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14205 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 January 2, 2024, and published in the Wilsonville Spokesman on December 28, 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 87380 in the name of CITY OF AURORA (perfected under Permit G-9890)
Use: MUNICIPAL USE
Priority Date: MAY 19, 1982
Rate: 0.56 CUBIC FOOT PER SECOND
Source: THREE WELLS in the WILLAMETTE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 W	WM	13	SE NW	WELL 4 - 1840 FEET SOUTH AND 2515 FEET EAST FROM THE NW CORNER OF SECTION 13
4 S	1 W	WM	13	SE NW	WELL 3 - 810 FEET NORTH AND 430 FEET WEST FROM THE CENTER OF SECTION 13
4 S	1 W	WM	13	NE SW	WELL 5 - 966 FEET SOUTH AND 410 FEET WEST FROM THE CENTER OF SECTION 13

Authorized Place of Use:

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	12	NE SW
4 S	1 W	WM	12	NW SW
4 S	1 W	WM	12	SW SW
4 S	1 W	WM	12	SE SW
4 S	1 W	WM	12	NW SE
4 S	1 W	WM	12	SW SE
4 S	1 W	WM	13	NW NE
4 S	1 W	WM	13	SW NE
4 S	1 W	WM	13	NE NW
4 S	1 W	WM	13	NW NW
4 S	1 W	WM	13	SW NW
4 S	1 W	WM	13	SE NW
4 S	1 W	WM	13	NE SW
4 S	1 W	WM	13	NW SW
4 S	1 W	WM	13	NW SE
4 S	1 W	WM	14	NE SE

8. Transfer Application T-14205 proposes additional points of appropriation located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized points of appropriation		
						Well 3	Well 4	Well 5
4 S	1 W	WM	11	NE SE	WELL 6A- 1945 FEET NORTH AND 55 FEET WEST FROM THE NW CORNER OF SECTION 13	4,250 FEET	4,650 FEET	5,700 FEET
4 S	1 W	WM	12	NW SW	WELL 6B- 2065 FEET NORTH AND 80 FEET EAST FROM THE NW CORNER OF SECTION 13	4,350 FEET	4,750 FEET	5,800 FEET
4 S	1 W	WM	13	SE NW	WELL 3R- 1935 FEET SOUTH AND 2210 FEET EAST FROM THE NW CORNER OF SECTION 13	100 FEET	200 FEET	1,800 FEET

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

Certificate: 87381 in the name of CITY OF AURORA (perfected under Permit G-3526)
Use: MUNICIPAL USE
Priority Date: NOVEMBER 25, 1966
Rate: 0.5 CUBIC FOOT PER SECOND
Source: THREE WELLS, TRIBUTARIES OF PUDDING RIVER

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 W	WM	13	SE NW	WELL 4 - 1840 FEET SOUTH AND 2515 FEET EAST FROM THE NW CORNER OF SECTION 13
4 S	1 W	WM	13	NE SW	WELL 5 - 966 FEET SOUTH AND 410 FEET WEST FROM THE CENTER OF SECTION 13
4 S	1 W	WM	13	SE NW	WELL 3 - 810 FEET NORTH AND 430 FEET WEST FROM THE CENTER OF SECTION 13

Authorized Place of Use:

MUNICIPAL USE				
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4 S	1 W	WM	12	NW SW
4 S	1 W	WM	12	SW SW
4 S	1 W	WM	12	SE SW
4 S	1 W	WM	12	NW SE
4 S	1 W	WM	12	SW SE
4 S	1 W	WM	13	NW NE
4 S	1 W	WM	13	SW NE
4 S	1 W	WM	13	NE NW
4 S	1 W	WM	13	NW NW
4 S	1 W	WM	13	SW NW
4 S	1 W	WM	13	SE NW

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	13	NE SW
4 S	1 W	WM	13	NW SW
4 S	1 W	WM	13	NW SE
4 S	1 W	WM	14	NE SE

10. Transfer Application T-14205 proposes additional points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized points of appropriation		
						Well 3	Well 4	Well 5
4 S	1 W	WM	11	NE SE	WELL 6A- 1945 FEET NORTH AND 55 FEET WEST FROM THE NW CORNER OF SECTION 13	4,250 FEET	4,650 FEET	5,700 FEET
4 S	1 W	WM	12	NW SW	WELL 6B- 2065 FEET NORTH AND 80 FEET EAST FROM THE NW CORNER OF SECTION 13	4,350 FEET	4,750 FEET	5,800 FEET
4 S	1 W	WM	13	SE NW	WELL 3R- 1935 FEET SOUTH AND 2210 FEET EAST FROM THE NW CORNER OF SECTION 13	100 FEET	200 FEET	1,800 FEET

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

11. Water has been used within the last 5 years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14205.
13. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
14. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
15. The proposed change, as conditioned, would not result in enlargement of the rights.
16. The proposed change, as conditioned, would not result in injury to other existing water rights.
17. All other application requirements are met.

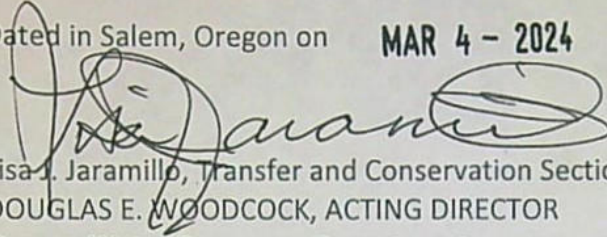
Conclusions of Law:

The additional points of appropriation proposed in Transfer Application T-14205 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of appropriation proposed in Transfer Application T-14205 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 87380, 87381 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
4. Water right Certificates 87380 and 87381 are cancelled.
5. The quantity of water diverted at the new additional points of appropriation (Well 3R, Well 6A, and Well 6B), together with that diverted at the original points of appropriation (Well 3, Well 4, and Well 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 3, Well 4, and Well 5).
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, 2045**. 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 rights transferred will be issued.

Dated in Salem, Oregon on **MAR 4 - 2024**



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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14205

Transfer Specialist: *Don'te Luong*

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: CITY OF AURORA ATTN: MARK GUNTER 21420 MAIN ST AURORA, OR 97002	Agent: OWEN MCMURTREY 1600 SW WESTERN BLVD SUITE 240 CORVALLIS, OR 97333	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: County Of Marion planning Department	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-3732	G-3526	87381	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G-10722	G-9890	87380	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: March 29, 2023	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 3270.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice:	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: MARION
WM District: 16 Gregory J. Wacker	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>10-3</u> Initials: <u>AL</u>	Date: <u>10-4</u> Initials: <u>RS</u>	Date: <u>10-9</u> Initials: <u>RS</u>	Date: <u>10-10</u> Initials: <u>AL</u>	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <u>11-6</u> Initials: <u>AL</u>	Date: <u>11-6</u> Initials: <u>RS</u>	Date: _____ Initials: _____	Date: <u>11-6</u> Initials: <u>AL</u> Data Review Date: <u>11-8</u>	Date: <u>11-30</u>	Date: <u>12/27/23</u>
FO	Date: <u>1-30-24</u> Initials: <u>AL</u>	Date: <u>1-30-24</u> Initials: <u>RS</u>	Date: _____ Initials: _____	Date: <u>2-1-24</u> Initials: <u>AL</u>	Date: <u>2-14-24</u> No. of docs for sig: <u>1</u>	Date: <u>3/4/24</u>

Special Issues: _____

Special Order Volume: Vol. 129 Pages 856-861

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 142000 INVOICE #
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: GSI Water Solutions, Inc. APPLICATION
BY: 26426 PERMIT
CASH: ☒ CHECK # 26426 OTHER: (IDENTIFY) T-14205
TOTAL REC'D \$ 85.06

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 85.06

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: 142000 DATED: 11-27-2023 BY: Bur

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

GSI WATER SOLUTIONS INC

Check Date: 11/21/2023

026426

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
T-14205	11/17/2023	0022995	85.06			85.06
Oregon Water Resources Department						
Beneficial Checking 2		00275	85.06			85.06
		TOTAL	85.06			

RECEIVED
NOV 27 2023
OWRD



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

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Clackamas, ss I,
Kristine Humphries, being first duly sworn,
depose and say that I am the Principal Clerk
of the Wilsonville Spokesman, a newspaper
of general circulation, published in Clack-
amas County, Oregon, as defined by ORS
193.010 and 193.020, that

Ad#: 308251

Owner: Oregon Water Resources Dept

**Description: Notice of Preliminary Determi-
nation for**

Water Right Transfer T-14205

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

01/04/2024, 01/11/2024

Kristine Humphries (Principal Clerk)

Subscribed and sworn to before me this
01/11/2024.

NOTARY PUBLIC FOR OREGON

Acct #: 140748

Attn: JULIE BAUSTIAN

OREGON WATER RESOURCE DEPARTMENT
725 SUMMER STREET NE, STE A
SALEM, OR 97301

SEE EXHIBIT A



RECEIVED

JAN 24 2024

OWRD

EXHIBIT A

Notice of Preliminary Determination for Water Right Transfer T-14205

T-14205 filed by The City of Aurora, Attn: Mark Gunter, 21420 Main St, Aurora, OR proposes additional points of appropriation under Certificates 87380 and 87381. Certificate 87380 allows the use of 0.56 cubic foot per second from three wells in Sec. 13, T4S, R1W, WM for municipal use in Sects. 12, 13, and 14, T4S, R1W, WM. The applicant proposes additional points of appropriation in Sects. 11, 12, and 13, T4S, R1W, WM. Certificate 87381 allows the use of 0.5 cubic foot per second from three wells in Sec. 13, T4S, R1W, WM for municipal use in Sects. 12, 13, and 14, T4S, R1W, WM. The applicant proposes additional points of appropriation in Sects. 11, 12, and 13, T4S, R1W, 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, January 11, 2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Published Jan. 4 & 11, 2024.

WS308251

RECEIVED

JAN 24 2024

OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

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

November 30, 2023

VIA CERTIFIED MAIL AND E-MAIL

Applicant

CITY OF AURORA
ATTN: MARK GUNTER
21420 MAIN ST
AURORA, OR 97002

SUBJECT: Water Right Transfer Application T-14205

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14205. 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 Wilsonville Spokesman 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,

DJ Luongo

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: T-14205
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)
Owen McMurtrey, 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-14205, Marion County)	PROPOSING APPROVAL OF ADDITIONAL
)	POINTS OF APPROPRIATION

Authority

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

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3. On October 2, 2023, the applicant's agent was notified that the location of the proposed wells under Certificates 87380 and 87381 described in Table 1 of the application, did not match the location of proposed wells on the application map.
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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.

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.

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Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 W	WM	13	SE NW	WELL 4 - 1840 FEET SOUTH AND 2515 FEET EAST FROM THE NW CORNER OF SECTION 13
4 S	1 W	WM	13	SE NW	WELL 3 - 810 FEET NORTH AND 430 FEET WEST FROM THE CENTER OF SECTION 13
4 S	1 W	WM	13	NE SW	WELL 5 - 966 FEET SOUTH AND 410 FEET WEST FROM THE CENTER OF SECTION 13

Authorized Place of Use:

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	12	NE SW
4 S	1 W	WM	12	NW SW
4 S	1 W	WM	12	SW SW
4 S	1 W	WM	12	SE SW
4 S	1 W	WM	12	NW SE
4 S	1 W	WM	12	SW SE
4 S	1 W	WM	13	NW NE
4 S	1 W	WM	13	SW NE
4 S	1 W	WM	13	NE NW
4 S	1 W	WM	13	NW NW
4 S	1 W	WM	13	SW NW
4 S	1 W	WM	13	SE NW
4 S	1 W	WM	13	NE SW
4 S	1 W	WM	13	NW SW
4 S	1 W	WM	13	NW SE
4 S	1 W	WM	14	NE SE

7. Transfer Application T-14205 proposes additional points of appropriation located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized points of appropriation		
						Well 3	Well 4	Well 5
4 S	1 W	WM	11	NE SE	WELL 6A- 1945 FEET NORTH AND 55 FEET	4,250 FEET	4,650 FEET	5,700 FEET

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized points of appropriation		
						Well 3	Well 4	Well 5
					WEST FROM THE NW CORNER OF SECTION 13			
4 S	1 W	WM	12	NW SW	WELL 6B- 2065 FEET NORTH AND 80 FEET EAST FROM THE NW CORNER OF SECTION 13	4,350 FEET	4,750 FEET	5,800 FEET
4 S	1 W	WM	13	SE NW	WELL 3R- 1935 FEET SOUTH AND 2210 FEET EAST FROM THE NW CORNER OF SECTION 13	100 FEET	200 FEET	1,800 FEET

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

Certificate: 87381 in the name of CITY OF AURORA (perfected under Permit G-3526)
Use: MUNICIPAL USE
Priority Date: NOVEMBER 25, 1966
Rate: 0.5 CUBIC FOOT PER SECOND
Source: THREE WELLS, TRIBUTARIES OF PUDDING RIVER

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 W	WM	13	SE NW	WELL 4 - 1840 FEET SOUTH AND 2515 FEET EAST FROM THE NW CORNER OF SECTION 13
4 S	1 W	WM	13	NE SW	WELL 5 - 966 FEET SOUTH AND 410 FEET WEST FROM THE CENTER OF SECTION 13
4 S	1 W	WM	13	SE NW	WELL 3 - 810 FEET NORTH AND 430 FEET WEST FROM THE CENTER OF SECTION 13

Authorized Place of Use:

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	12	NE SW
4 S	1 W	WM	12	NW SW
4 S	1 W	WM	12	SW SW
4 S	1 W	WM	12	SE SW
4 S	1 W	WM	12	NW SE
4 S	1 W	WM	12	SW SE
4 S	1 W	WM	13	NW NE
4 S	1 W	WM	13	SW NE
4 S	1 W	WM	13	NE NW
4 S	1 W	WM	13	NW NW
4 S	1 W	WM	13	SW NW
4 S	1 W	WM	13	SE NW
4 S	1 W	WM	13	NE SW
4 S	1 W	WM	13	NW SW
4 S	1 W	WM	13	NW SE
4 S	1 W	WM	14	NE SE

9. Transfer Application T-14205 proposes additional points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized points of appropriation		
						Well 3	Well 4	Well 5
4 S	1 W	WM	11	NE SE	WELL 6A- 1945 FEET NORTH AND 55 FEET WEST FROM THE NW CORNER OF SECTION 13	4,250 FEET	4,650 FEET	5,700 FEET
4 S	1 W	WM	12	NW SW	WELL 6B- 2065 FEET NORTH AND 80 FEET EAST FROM THE NW CORNER OF SECTION 13	4,350 FEET	4,750 FEET	5,800 FEET
4 S	1 W	WM	13	SE NW	WELL 3R- 1935 FEET SOUTH AND 2210 FEET EAST FROM THE NW CORNER OF SECTION 13	100 FEET	200 FEET	1,800 FEET

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

10. Water has been used within the last 5 years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14205.
12. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
14. The proposed change, as conditioned, would not result in enlargement of the rights.
15. The proposed change, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

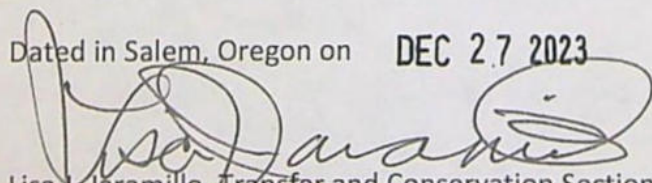
Determination and Proposed Action

The additional points of appropriation proposed in Transfer Application T-14205 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14205 is approved, the final order will include the following:

1. *The additional points of appropriation proposed in Transfer Application T-14205 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 87380, 87381 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.*
4. *Water right Certificates 87380 and 87381 are cancelled.*
5. *The quantity of water diverted at the new additional points of appropriation (Well 3R, Well 6A, and Well 6B), together with that diverted at the original points of appropriation (Well 3, Well 4, and Well 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 3, Well 4, and Well 5).*
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, 2045**. 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 rights transferred will be issued.*

Dated in Salem, Oregon on **DEC 27 2023**


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

This draft Preliminary Determination was prepared by Dante J. 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.

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

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

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

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

LUONGO Dante J * WRD

From: Owen McMurtrey <OMcMurtrey@gsiws.com>
Sent: Friday, November 3, 2023 5:32 PM
To: LUONGO Dante J * WRD
Subject: RE: GE Review for T-14205

Follow Up Flag: Follow up
Flag Status: Completed

Thanks Dante,

A few questions:

- 1) Would you forward me the previous email you sent? Or was it the OWRD auto-mailer? I can't find it in my spam filter which means it probably got caught in our firewall so I want to forward it to our IT folks so we can get that fixed. It leads to a lot of confusion when we're automatically blocking OWRD emails, so I want to make sure they see it.
- 2) I reviewed the DPD and cover letter. Just about everything looks good in the DPD except I'd like to request additional time to complete the transfer. Can we extend the C-date to 20 years? I believe we asked for that in the past for Municipal use permits, but maybe that's only new permits. Just given the timelines for materials and well drilling these days, I'd be comfortable with more time if possible. While at the outset of this process we weren't sure about drilling well 3R or Well 6, it's possible the City will do both, so going with 20 years might give them that opportunity.
- 3) A minor thing in the location descriptions for authorized Wells 3 and 5: The FOF identifies the location as the C1/4 Corner (Center quarter corner), whereas the certificate actually identifies the Center of the section. I have only recently learned that these actually might not technically be the same point for imperfectly shaped sections (which this one is). I assume this probably doesn't matter, but probably best to keep the language the same for when any certificate is issued in the future.
- 4) The DPD cover letter mentions a report of ownership, but my understanding is that the City does not have to provide one, per the criteria mentioned in 380-4010(5).
- 5) Just let us know what we'll need to provide for the newspaper fees.

Let me know if that all looks good.

Thanks!

Owen

Owen McMurtrey

Water Resources Consultant

direct: 541.257.9005 | mobile: 541.740.5619

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

GSI Water Solutions, Inc. | www.gsiws.com

From: LUONGO Dante J * WRD <dante.j.luongo@water.oregon.gov>
Sent: Friday, November 3, 2023 1:34 PM
To: Owen McMurtrey <OMcMurtrey@gsiws.com>
Subject: RE: GE Review for T-14205

Hey Owen,

If you didn't receive this, I can grant an extension of 2 weeks for the dead line to get back to me.

Best Regards,

Dante Luongo

From: Owen McMurtrey <OMcMurtrey@gsiws.com>

Sent: Friday, November 3, 2023 1:27 PM

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

Subject: RE: GE Review for T-14205

Hi Dante,

I did not see an email about the DPD. If you would send that over as well that would be great. I can take a look and get back to you ASAP if I have any questions on it.

Thanks,

Owen

Owen McMurtrey

Water Resources Consultant

direct: 541.257.9005 | mobile: 541.740.5619

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

GSI Water Solutions, Inc. | www.gsiws.com

From: LUONGO Dante J * WRD <dante.j.luongo@water.oregon.gov>

Sent: Friday, November 3, 2023 1:22 PM

To: Owen McMurtrey <OMcMurtrey@gsiws.com>

Subject: RE: GE Review for T-14205

Hey Owen,

Sorry I didn't get that to you right away. Please see attached. Everything looks good on the review. Did I end up sending the DPD to you? It looks like it was sent out on 10-10.

Best,

Dante

From: Owen McMurtrey <OMcMurtrey@gsiws.com>

Sent: Friday, November 3, 2023 12:42 PM

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

Cc: Mikaela Clarke <mclarke@gsiws.com>

Subject: GE Review for T-14205

Hi Dante,

We spoke last month about T-14205 and you mentioned you might be able to send me the GW review. Would you be able to send that over? I just wanted to confirm the details related to the new well location.

Thanks,

Owen

Owen McMurtrey

Water Resources Consultant

direct: 541.257.9005 | mobile: 541.740.5619

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-14205

Review Due Date: 05/03/2023

Applicant Name: City of Aurora Attn: Mark Gunter

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

Reviewer(s): G. Wacker

Date of Review: 04/06/2023

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- 14205



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: Greg Wacker

District: 16

Address: 725 Summer St NE Ste A

City/State/Zip: Salem, OR 97301-1266

Phone: 971-719-6262

Email: gregory.j.wacker@water.oregon.gov

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 140535

INVOICE # _____

RECEIVED FROM: City of Aurora

BY: _____

CASH: ☐ CHECK: # 18919 OTHER: (IDENTIFY) ☐APPLICATION 4
PERMIT
TRANSFER T-14205TOTAL REC'D \$ 1,865.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11-432-23 \$0412 OTHER: (IDENTIFY) Trans for Reimbursement \$ 1,865.80

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 \$

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:

140535

DATED: 4/20/23BY: Lisa D-miller

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

Vendor: Oregon Water Resources Dept
Vendor No: ORWaterR
Invoice Number: T-14205
Date: 4/17/2023Vendor Account No:
Description: Reimbursement Authority Contract R11-432-23 feeCheck Date:
Check Amount:04/18/2023
1,865.80
Invoice Amount: 1,865.80RECEIVED
APR 20 2023

OWRD

APR 20 2023

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-432-23**

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

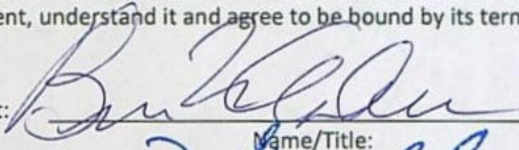
OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: City of Aurora	Name: GSI Water Solutions, Inc.
Title: Transfer Advisor	Contact: Mark Gunter	Contact: Owen McMurtrey
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 21420 Main Street Aurora, OR 97002	Address: 1600 SW Western Blvd., Suite 240 Corvallis, OR 97333
Phone: 503 979-3511	Phone: (971) 930-3597	Phone: (541) 740-5619
Fax: 503 986-0901	Fax:	Fax:
Email: patrick.k.starnes@water.oregon.gov	Email: PWS@ci.aurora.or.us	Email: omcmurtrey@gsiws.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14205)

- 1. Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- 2. Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- 3. Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- 4. Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,865.80. Applicant agrees to pay the full amount of \$1,865.80 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- 5. Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

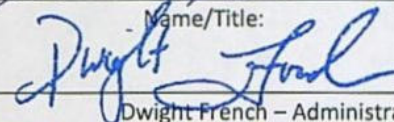
7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will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

For Applicant:


Name/Title:

4/17/2023
Date

For OWRD:


Dwight French - Administrator

4-26-2023
Date

Mail signed Agreement to:

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

Received by OWRD

APR 20 2023

Salem, OR

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140468

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

INVOICE # _____

RECEIVED FROM:

BY:

City of Aurora

APPLICATION

PERMIT

TRANSFER

T-14205

CASH:

CHECK #

OTHER: (IDENTIFY)

☐☒*18967*☐

TOTAL REC'D

\$ *125.00*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

47124

\$

0412

OTHER:

(IDENTIFY)

*Transfer R 11432-23
Reimbursement Authority*\$ *125.00*

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

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:

140468

DATED:

4-10-23

BY:

[Signature]

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

Vendor: Oregon Water Resources Dept
Vendor No: ORWaterR
Invoice Number: T-14205
Date: 4/6/2023
Description: Transfer Reimbursement Authority Program Estimate App feeCheck Date:
Check Amount:04/06/2023
125.00
Invoice Amount
125.00RECEIVED
APR 10 2023

OWRD



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

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

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

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-14205</u>

	Applicant Information	Applicant's Representative/Contact
Name:	City of Aurora, Attn: Mark Gunter	GSI Water Solutions, Inc. Attn: Owen McMurtrey
Address:	21420 Main Street	1600 SW Western Blvd, Suite 240
	Aurora OR 97002	Corvallis OR 97333
Phone:	(971) 930-3597	(541) 740-5619
Fax:		
E-Mail Address:	PWS@ci.aurora.or.us	OMcMurtrey@gsiws.com

I understand the following:

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

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

RECEIVED

APR 10 2023

OWRD

I certify that I am the (check one):

☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: **Mark Gunter, Public Works Director**

Signature: _____

OWRD USE ONLY: Reimbursement Authority Number: R11-432 -23



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904

April 3, 2023

CITY OF AURORA
ATTN: MARK GUNTER
21420 MAIN ST
AURORA, OR 97002
Reference: Application T-14205

On March 29, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$3270.00. Receipt number 140399 is enclosed.

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

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

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

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

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

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

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

Enclosure

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 # 140399

INVOICE # _____

RECEIVED FROM: City of Aurora

BY: _____

CASH: ☐ CHECK: # 18925 OTHER: (IDENTIFY) ☐APPLICATION
PERMIT
TRANSFER T-14245TOTAL REC'D \$3,270.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$

OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) \$

TC162 DEPOSIT LIAB. (IDENTIFY) \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ 0202 RECORD FEE \$

0203 GROUND WATER \$ 0204 \$

0205 TRANSFER \$ 3,270.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ 0219 LICENSE FEE \$

LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#

0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$

0231 HYDRO LICENSE FEE (FW/WRD) \$

HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT:

140399

DATED: 3-29-23BY: Libby D. Miller

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

Vendor: Oregon Water Resources Dept
Vendor No: ORWaterR
Invoice Number
Certs 87380/1
Date
3/16/2023Vendor Account No:
Description
Transfer application for Certificates 87380, 87381Check Date:
Check Amount:03/21/2023
3,270.00
Invoice Amount
3,270.00RECEIVED
MAR 29 2023
OWRD

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

RECEIVED

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

MAR 29 2023

OWRD

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. **Fee in amount of \$3,270 enclosed**
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 87381 and 87380 (Attachment A)**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ Completed Transfer Application Map. **See Attachment B**
- ☒ Completed Evidence of Use Affidavit and supporting documentation. **See 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 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. **See Attachment D**
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **See 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: ____/____/____

14205

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°).

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MAR 29 2023
QWRD

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

- For irrigation calculate cfs for each water right involved as follows:
 - 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 (*$\times 45 \text{ ac} = 0.56 \text{ cfs}$*).
 - 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$*)
- 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*).

14205

MAR 29 2023

Applicant Information

OWRD

APPLICANT/BUSINESS NAME City of Aurora, Attn: Mark Gunter			PHONE NO. (971)930-3597	ADDITIONAL CONTACT NO.
ADDRESS 21420 Main Street			FAX NO.	
CITY Aurora	STATE OR	ZIP 97002	E-MAIL PWS@ci.aurora.or.us	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME GSI Water Solutions, Inc. Attn: Owen McMurtrey			PHONE NO. (541)740-5619	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Blvd, Suite 240			FAX NO.	
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL OMcMurtrey@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 three additional points of appropriation, Well 3R, Well 6A, and Well 6B, to its Certificates 87381 and 87380. The place and character of use will not change.

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

Check One Box

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

By my signature below, I confirm that I understand:

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

Mark Gunter, Public Works Supervisor
 Print Name (and Title if applicable)

3/15/23
 Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Check the following boxes that apply:

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

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

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

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

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

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

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MAR 29 2023

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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.) 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 Marion County Planning Division	ADDRESS 5155 Silverton Rd NE	
CITY Salem	STATE OR	ZIP 97305

ENTITY NAME City of Aurora (Planning Review by MWVCOG)	ADDRESS 100 High Street, Suite 200	
CITY Salem	STATE OR	ZIP 97302

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MAR 29 2023
OWRD

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 87381

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Description of Water Delivery System

MAR 29 2023

System capacity: 0.5 cubic feet per second (cfs) OR

OWRD

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The distribution system consists of an estimated 8.2 miles of pipelines, ranging from 2-inch to 10 inches in diameter. Well 3 is 244 ft deep and is equipped with a 20 HP pump with a capacity of 140 gpm and a static water level of 97 ft BGS. Well 4 is 266 ft deep and is equipped with a 20 HP pump with a capacity of 140 gpm and a static water level of 105.5 ft BGS. Well 3 and 4 have submersible pumps. Well 5 is 273 ft deep and has a pumping capacity of 170 gpm and a static water level of 73 ft BGS. Water is appropriated from all three wells, then is treated and conveyed through the distribution system for municipal use.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-_____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 492	4 S	1 W	13	SE NW	5700	810 feet North and 430 feet West from Center of Section 13
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1301	4 S	1 W	13	SE NW	5700	1840 feet South and 2515 feet East from NW Corner of Section 13
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 59058	4 S	1 W	13	NE SW	17800	966 feet South and 410 feet West from Center of Section 13
Well 3R	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	1 W	13	SE NW	5700	1935 feet South and 2210 feet East from NW Corner of Section 13
Well 6A	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	1 W	11	NE SE	100	1945 feet North and 55 feet West from SE Corner of Section 13
Well 6B	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	1 W	12	NW SW	1400	2065 feet North and 80 feet East from SW Corner of Section 13

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 # 87381

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													APOA	See Map (Attachment B) for place of use								Well 3, Well 4, Well 5, Well 3R, Well 6A, Well 6B	11/25/1966			
TOTAL ACRES:												TOTAL ACRES:						N/A								


Additional remarks: The Applicant is proposing to add three additional points of appropriation, Well 3R, Well 6A, and Well 6B to Certificates 87381 and 87380. Well 6A and Well 6B represent two possible locations for an additional well to be drilled, but the City plans to only drill one Well.

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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 N/A

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

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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

RECEIVED**MAR 29 2023****OWRD****For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A**

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 3R	No	N/A	260 ft	16 in	+1-260	0-140	205-250	80-120	Alluvial supply in Willamette Basin	200-300 gpm
Well 6A and 6B	No	N/A	250 ft	16 in	+1-250	0-130	180-190; 200-220	70		

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 # **87380**

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Description of Water Delivery System

System capacity: **0.56** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The distribution system consists of an estimated 8.2 miles of pipelines, ranging from 2-inch to 10 inches in diameter. Well 3 is 244 ft deep and has a pumping capacity of 140 gpm and a static water level of 97 ft BGS. Well 4 is 266 ft deep and has a pumping capacity of 140 gpm and a static water level of 105.5 ft BGS. Well 3 and 4 have submersible pumps. Well 5 is 273 ft deep and has a pumping capacity of 170 gpm and a static water level of 73 ft BGS. Water is appropriated from all three wells, then is treated and conveyed through the distribution system for municipal use.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 492	4 S	1 W	13	SE	NW	5700	810 feet North and 430 feet West from Center of Section 13
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1301	4 S	1 W	13	SE	NW	5700	1840 feet South and 2515 feet East from NW Corner of Section 13
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 59058	4 S	1 W	13	NE	SW	17800	966 feet South and 410 feet West from Center of Section 13
Well 3R	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	1 W	13	SE	NW	5700	1935 feet South and 2210 feet East from NW Corner of Section 13
Well 6A	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	1 W	11	NE	SE	100	1945 feet North and 55 feet West from SE Corner of Section 13
Well 6B	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	1 W	12	NW	SW	1400	2065 feet North and 80 feet East from SW Corner of Section 13

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 # 87380

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
													APOA	See Map (Attachment B) for place of use								Well 3, Well 4, Well 5, Well 3R, Well 6A, Well 6B		11/25/1966		
TOTAL ACRES:											TOTAL ACRES:										N/A					

Additional remarks: The Applicant is proposing to add three additional points of appropriation, Well 3R, Well 6A, and Well 6B to Certificates 87381 and 87380. Well 6A and Well 6B represent two possible locations for an additional well to be drilled, but the City plans to only drill one Well.


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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 N/A

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

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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

RECEIVED**MAR 29 2023****For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A**

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

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

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

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
Well 3R	No	N/A	260 ft	16 in	+1-260	0-140	205-250	80-120	Alluvial supply in Willamette Basin	200-300 gpm
Well 3R	No	N/A	260 ft	16 in	+1-260	0-140	205-250	80-120	Alluvial supply in Willamette Basin	200-300 gpm

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF AURORA
21420 MAIN STREET NE
AURORA OR 97002

confirms the right to use the waters of THREE WELLS, in the WILLAMETTE BASIN for MUNICIPAL USE.

This right was perfected under Permit G-9890. The date of priority is MAY 19, 1982. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.56 CUBIC FOOT PER SECOND, in any combination from the wells or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 W	WM	13	SE NW	WELL 4 - 1840 FEET SOUTH & 2515 FEET EAST FROM NW CORNER OF SECTION 13
4 S	1 W	WM	13	SE NW	WELL 3 - 810 FEET NORTH & 430 FEET WEST FROM CENTER OF SECTION 13
4 S	1 W	WM	13	NE SW	WELL 5 - 966 FEET SOUTH & 410 FEET WEST FROM CENTER OF SECTION 13

A description of the place of use is as follows:

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	12	NE SW
4 S	1 W	WM	12	NW SW
4 S	1 W	WM	12	SW SW
4 S	1 W	WM	12	SE SW
4 S	1 W	WM	12	NW SE
4 S	1 W	WM	12	SW SE
4 S	1 W	WM	13	NW NE
4 S	1 W	WM	13	SW NE
4 S	1 W	WM	13	NE NW
4 S	1 W	WM	13	NW NW
4 S	1 W	WM	13	SW NW
4 S	1 W	WM	13	SE NW
4 S	1 W	WM	13	NE SW

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NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	13	NW SW
4 S	1 W	WM	13	NW SE
4 S	1 W	WM	14	NE SE

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

Water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

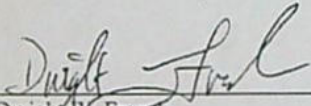
The quantity of water diverted at the additional two points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

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

This certificate is issued to confirm additional points of appropriation and change in place of use approved by an order of the Water Resources Director entered January 3, 2006, at Special Order Volume 68, Page 7, approving Transfer Application 9944, and supersedes Certificate 81591, State record of Water Right Certificates.

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

Issued JAN 24 2012


Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director

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STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF AURORA
21420 MAIN STREET NE
AURORA OR 97002

confirms the right to use the waters of THREE WELLS, TRIBUTARIES OF PUDDING RIVER for MUNICIPAL USE.

This right was perfected under Permit G-3526. The date of priority is NOVEMBER 25, 1966. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.5 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 W	WM	13	SE NW	WELL 3 - 810 FEET NORTH & 430 FEET WEST FROM CENTER, OF SECTION 13
4 S	1 W	WM	13	SE NW	WELL 4 - 1840 FEET SOUTH & 2515 FEET EAST FROM NW CORNER, OF SECTION 13
4 S	1 W	WM	13	NE SW	WELL 5 - 966 FEET SOUTH & 410 FEET WEST FROM CENTER, OF SECTION 13

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

A description of the place of use is as follows:

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	12	NE SW
4 S	1 W	WM	12	NW SW
4 S	1 W	WM	12	SW SW
4 S	1 W	WM	12	SE SW
4 S	1 W	WM	12	NW SE
4 S	1 W	WM	12	SW SE
4 S	1 W	WM	13	NW NE
4 S	1 W	WM	13	SW NE
4 S	1 W	WM	13	NE NW
4 S	1 W	WM	13	NW NW
4 S	1 W	WM	13	SW NW

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NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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

MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 S	1 W	WM	13	SE NW
4 S	1 W	WM	13	NE SW
4 S	1 W	WM	13	NW SW
4 S	1 W	WM	13	NW SE
4 S	1 W	WM	14	NE SE

The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

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

Water may be applied to lands which are not specifically described above, provided the holder of the right complies with ORS 540.510(3).

This certificate is issued to confirm additional points of appropriation and change in place of use approved by an order of the Water Resources Director entered September 21, 2005, at Special Order Volume 67, Page 173, approving Transfer Application 9927, and supersedes Certificate 36316, State record of Water Right Certificates.

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

Issued JAN 24 2012.


Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of MARION) ss

I, MARK GUNTER, in my capacity as PUBLIC WORKS SUPERVISOR,

mailing address 21420 MAIN STREET, AURORA, OR 97002

telephone number (971)930-3597, being first duly sworn depose and say:

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

☐ Personal observation ☒ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificates # 87381 AND 87380; OR

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

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

OR

- ☐ Confirming Certificate # _____ 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)

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

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.

(continues on reverse side)

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Mark Adams
Signature of Affiant

March 16, 2023
Date

Signed and sworn to (or affirmed) before me this 16th day of March, 2023.



Stuart Alexander Rodgers
Notary Public for Oregon
My Commission Expires: July 5, 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 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
<input checked="" type="checkbox"/> 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.	This is a municipal water right and a presumption of forfeiture would be rebutted under ORS 540.610(2)(a) and (b). See water right Certificate 94816 (Attachment A).

Land Use Information Form



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

Applicant(s): City of Aurora, Attn: Mark Gunter

Mailing Address: 21420 Main Street

City: Aurora

State: OR

Zip Code: 97002

Daytime Phone: 971-930-3597

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>4S</u>	<u>1W</u>	<u>13</u>	<u>SE NW</u>	<u>5700</u>	<u>City Parks</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Municipal</u>

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

City of Aurora

Marion 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: 1.06 ☒ 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 three additional points of appropriation, Well 3R, Well 6a, and Well 6b, to Certificates 87381 and 87380. The location of Well 3R is listed in the above table and shown on the attached map. Wells 6a and 6b are not within the City's UGB, and are included on a separate land use form for the county.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information


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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	MAR 29 2023	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Section 6 of the 2009 Water System Master Plan Update includes extensive analysis and documentation supporting the Plan's recommendation to maintain and incrementally increase the City's well supply in order to meet projected water demands. The new POA is consistent with the City's applicable long range plans and policies.

Name: Curt Fisher, AICP Title: City Planner

Signature: Curt Fisher  Phone: 503-588-1616 Date: 3/22/2023

Government Entity: City of Aurora

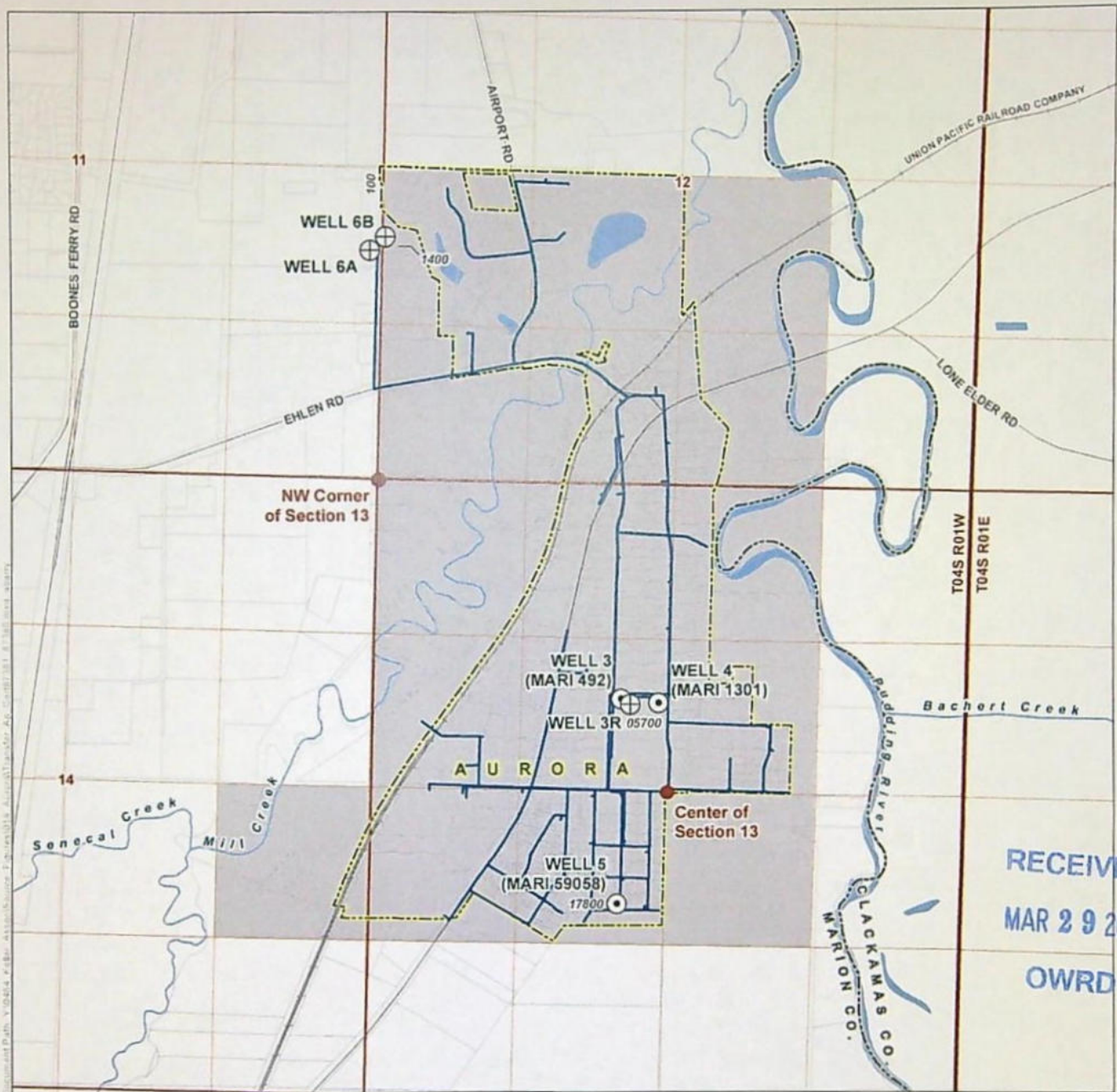
Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

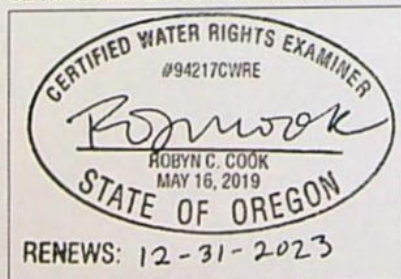


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LEGEND

- Authorized POA
- Proposed Additional POA
- Conveyance Line
- Authorized Place of Use
- Tax Lot
- City Boundary
- County Boundary
- Major Road
- Railroad
- Watercourse
- Waterbody

CERTIFIED WATER RIGHTS EXAMINER STAMP



Transfer Application for Certificates 87381 and 87380 in the Name of City of Aurora Authorized and Proposed Additional Points of Appropriation, Authorized Place of Use Map Township 4 South, Range 1 West (W.M.)

LOCATION DESCRIPTION

Authorized Point of Appropriation (POA)

Well 3: Located 810 feet North and 430 feet West from Center of Section 13, Township 4 South, Range 1 West (W.M.)

Well 4: Located 1840 feet South and 2515 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 5: Located 966 feet South and 410 feet West from Center of Section 13, Township 4 South, Range 1 West (W.M.)

Well 3R: Located 1905 feet South and 2210 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Proposed Additional POA

Well 6A: Located 1945 feet North and 55 feet West from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

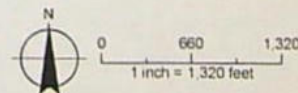
Well 6B: Located 2095 feet North and 80 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

DISCLAIMER

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

Date: March 24, 2023

Data Sources: BLM, ESRI, OWRD, USGS, Marion Co



Land Use Information Form



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

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Applicant(s): City of Aurora, Attn: Mark Gunter

Mailing Address: 21420 Main Street

City: Aurora

State: OR

Zip Code: 97002

Daytime Phone: 971-930-3597

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>4S</u>	<u>1W</u>	<u>11</u>	<u>NE SE</u>	<u>100</u>	<u>Exclusive Farm Use (EFU)</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Municipal</u>
		<u>12</u>	<u>NW SW</u>	<u>1400</u>		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Marion County

City of Aurora

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: 1.06 ☒ 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 three additional points of appropriation, Well 3R, Well 6A, and Well 6B to Certificates 87381 and 87380. The locations of Wells 6A and 6B is listed in the above table and shown on the attached map. Well 6A and Well 6B represent two possible locations for an additional well to be drilled. Well 3R is located in the City of Aurora and is included in a separate land use form for the City.

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. →

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): Only for tax lot 04-1W-12CB-01400 zoned UT-20.
MCC 16.13.010 (H)
- ☒ 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:	
Administrative Review for tax lots zoned 04-1W-11D-00100, 04-1W-12CB-01500	EFU: MCC 17.136.040(I)	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Municipal water supply is allowed outright in the UT-20 zone (taxlot 04-1W-12CB-01400).
Such use requires and Administrative Review in the EFU zone (taxlots 04-1W-12CB-01500 and 04-1W-11D-00100).

Name: Nicole Inman Title: Associate Planner

Signature: Nicole Inman Phone: 503-588-5038 Date: 3/22/2023

Government Entity: Marion County Planning

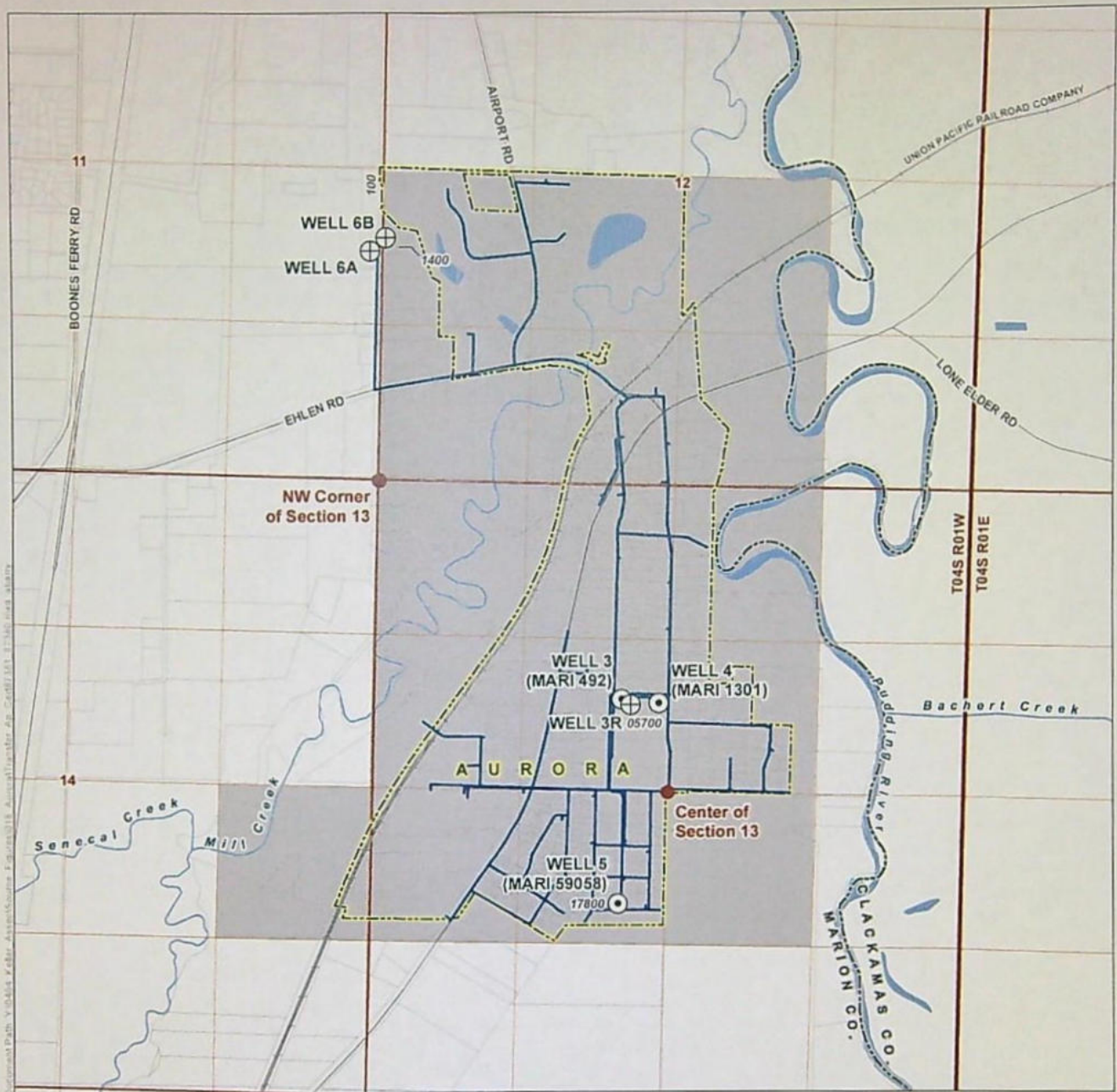
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Receipt for Request for Land Use Information

Applicant name: _____

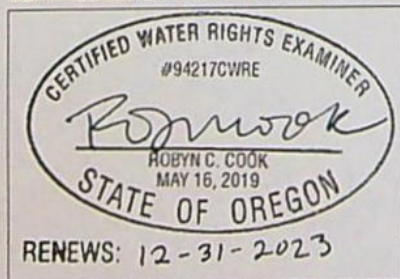
City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



- LEGEND**
- Authorized POA
 - ⊕ Proposed Additional POA
 - Conveyance Line
 - Authorized Place of Use
 - Tax Lot
 - ▭ City Boundary
 - ▭ County Boundary
 - Major Road
 - Railroad
 - Watercourse
 - Waterbody

CERTIFIED WATER RIGHTS EXAMINER STAMP



Transfer Application for Certificates 87381 and 87380
in the Name of City of Aurora
Authorized and Proposed Additional
Points of Appropriation, Authorized Place of Use Map
Township 4 South, Range 1 West (W.M.)

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LOCATION DESCRIPTION

Authorized Point of Appropriation (POA)

Well 3: Located 810 feet North and 430 feet West from Center of Section 13, Township 4 South, Range 1 West (W.M.)

Well 4: Located 1840 feet South and 2515 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 5: Located 966 feet South and 410 feet West from Center of Section 13, Township 4 South, Range 1 West (W.M.)

Well 3R: Located 1935 feet South and 2210 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 6A: Located 1945 feet North and 55 feet West from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 6B: Located 2055 feet North and 80 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Proposed Additional POA

Well 3R: Located 1935 feet South and 2210 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 6A: Located 1945 feet North and 55 feet West from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

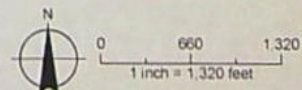
Well 6B: Located 2055 feet North and 80 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

DISCLAIMER

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

Date: March 24, 2023

Data Sources: BLM, ESRI, OWRD, USGS, Marion Co.



NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON 97301
within 30 days from the date
of well completion.

RECEIVED

NOV 18 1966 WATER WELL REPORT

STATE ENGINEER, SALEM, OREGON
(Please type or print)

G-3732

State Well No. 4/1w-13 F

State Permit No.

(1) OWNER:

Name City of Aurora

Address Aurora, Oregon

(2) LOCATION OF WELL:

County Marian Driller's well number

1/4 1/4 Section 13 T. 4S R. 1W W.M.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☒ Rotary ☐ Driven ☐
Irrigation ☐ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(5) TYPE OF WELL:

(6) CASING INSTALLED:

Threaded ☐ Welded ☒
16" Diam. from 0 ft. to 226 ft. Gage 1/4"
12" Diam. from 184 ft. to 244 ft. Gage 1/4"
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Torch

Size of perforations 1/2 in. by 10 in.
216 perforations from 206 ft. to 242 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Model No.

Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Bentonite Mud

Depth of seal 35 ft. Was a packer used? no

Diameter of well bore to bottom of seal 20 in.

Were any loose strata cemented off? ☐ Yes ☒ No DepthWas a drive shoe used? ☐ Yes ☒ NoWas well gravel packed? ☒ Yes ☐ No Size of gravel: 1" minus

Gravel placed from 202 ft. to 244 ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 67 ft. below land surface Date 11/15/66

Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? driller

Yield: 275 gal./min. with 105 ft. drawdown after 12 hrs.

" 225 " 85 " 12 "

" 200 " 73 " 14 "

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well below casing

Depth drilled 244 ft. Depth of completed well 244 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Soil	0	4
Brown clay	4	50
Brown sandy clay	50	59
Brown sand	59	65
Brown sandy clay	65	90
Brown sand	90	95
Broken sand & gravel (brown)	95	114
Blue clay	114	125
Black sand	125	130
Blue sandy clay	130	204
Black sand (fine)	204	210
Blue sandy clay	210	216
Black sand	216	231
Blue clay	231	235
Black sand & gravel	235	242
Blue clay	242	244

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Work started October 11 1966 Completed November 15 1966

Date well drilling machine moved off of well November 15 1966

(13) PUMP:

Manufacturer's Name

Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME John Truman Miller (Person, firm or corporation) (Type or print)

Address P O Box 42 Hubbard, Oregon

Drilling Machine Operator's License No. 26

[Signed] John T. Miller (Water Well Contractor)

Contractor's License No. 277 Date November 16, 1966

(USE ADDITIONAL SHEETS IF NECESSARY)

14205

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OCT 20 1981

WATER RESOURCES DEPT
SALEM, OREGON

Marion 4s/w-13ba

LOG OF CITY OF AURORA 12" PRODUCTION
WELL OCTOBER 15, 1981

Top Soil.....	0' - 1'
Brown Clay	1 - 7
Sandy Brown Clay	7 - 45
Silty Brown Clay	45 - 56
Brown Clay with Layers	56 -
of Sand.....	- 63
Medium Brown Sand	63 - 83
Sand and Gravel	83 - 96
Brown Clay	96 - 100
Grey Clay	100 - 111
Grey Clay with	111 -
Brown Streaks	- 114
Sandy Brown Clay	114 - 123
Grey Clay with	123 -
Brown Streaks	- 126
Green Clay	126 - 129
Sandy Gray Clay	129 - 184
Black Sand with Clay	184 - 188
Grey Clay with Fine Sand	188 - 199
Black Sand with Small	199 -
Wood Chips	- 203
Sandy Grey Clay	203 - 207
Black Sand	207 - 226
Sand with Wood Chips	226 - 234
Brown Clay	234 - 241
Brown Claystone	241 - 250
Black Sand	250 - 261
Black Sandstone	261 - 277
Brown Clay	277 - 298
Sandy Blue Clay	298 - 303
Green Clay	303 - 307
Sandy Grey Clay	307 - 389

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MAR 29 2023

OWRD



Geo-Tech Explorations
A Division of Boart Longyear
19700 SW Teton Ave
Tualatin, OR 97062
503-692-6400
503-692-4759 (fax)

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MAR 29 2023

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JUL 08 2005

WATER RESOURCES DEPT
SALEM, OREGON

Start Card: 173486
Well Label: L73600
Boring #: Aurora #5

Casing/Liner

Casing	Liner	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16"	+2	165'	.375	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10"	149.5	167	.365 ss/304	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10"	187	226	.365 ss/304	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10"	248	255	.365	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10"	268	272.5	.365	<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"/>
<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"/>

Final Location of Shoe(s): _____

Soil Profile Continued from Log:

Material	From	To	SWL
Top soil	0	2	
Red clay	2	15	
Brown sand w/ clay	15	39	
Brown clay w/ coarse sand and small, rounded pea gravel	39	53	
Red & brown packed sand - coarse	53	62	
Sandy gravels - slightly cemented	62	80	
Brown sands & gravel w/ a lens of brown clay	80	83	
Gravel / sand - medium	83	88	
Brown clay w/ gravels	88	89	
Blue-green clay	89	119	
Coarse black sand	119	121	
Blue-green clay w/ silt	121	125	
Green / blue clay w/ layers of tan (sticky)	125	138	
Coarse black sand	138	140	
Blue green sand (sticky)	140	152	
Blue-gray sandy clay (coarse) w/ wood layers	152	162	
Blue-green clay	162	169	
Sand - med. coarse	169	178	
Clay - tan/brown	178	180	
Sand - med. coarse	180	187	
Clay - green	187	197	

[illegible]

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T- 14205

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>3/30/2023</u>		
Fee Received: \$3270	<input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input checked="" type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$3270		How many rights to be Transferred? 2
Deficiencies and Observations:		Certificate #(s) 87380 87381

If OK, check box; if not, fill in.

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (compare with OAR 690-380-3220-may need to return)
If no, which certificates are missing a separate Part 5, tables 1 & 2? _____
- ☒ 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included? ☐
- ☒ 6. If a change in point of appropriation, have the well logs been included? ☒ N/A.
- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? _____
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ 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 _____

Revised 12/2022.krf

14205

Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	



March 24, 2023

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

RE: Transfer Application for Certificates 87380 and 87381 in the name of The City of Aurora

Dear Kelly:

The City of Aurora is the holder of water right Certificate 87380, which authorizes the appropriation of 0.56 cubic feet per section (cfs) of groundwater for municipal use, and Certificate 87381, which authorizes the use of 0.5 cfs of groundwater for municipal use. The City is filing the enclosed transfer application to add three wells (Well 3R, Well 6A, and Well 6B) to the Certificates. Please note that the City intends to complete construction of either Well 6A or Well 6B, but not both. The City's application includes two proposed additional points of appropriation in order to reflect the possibility that the well will be completed on either tax lot 100 or 1400 (both of which are owned by the City) as reflected in the Land Use Information Form signed by Marion County. As noted in the Land Use Information Form provided by Marion County, the City has not yet submitted an application to Marion County planning for approval of the wells on the identified tax lots. The City plans to submit the necessary applications to Marion County in the future and will provide an updated Land Use Information Form reflecting that the City is pursuing approval or has received required approvals prior to the issuance of a Preliminary Determination.

Also enclosed is a check for the required processing fee of \$3,270.

Please contact me if you have any questions or concerns. My email address is OMcMurtrey@gsiws.com.

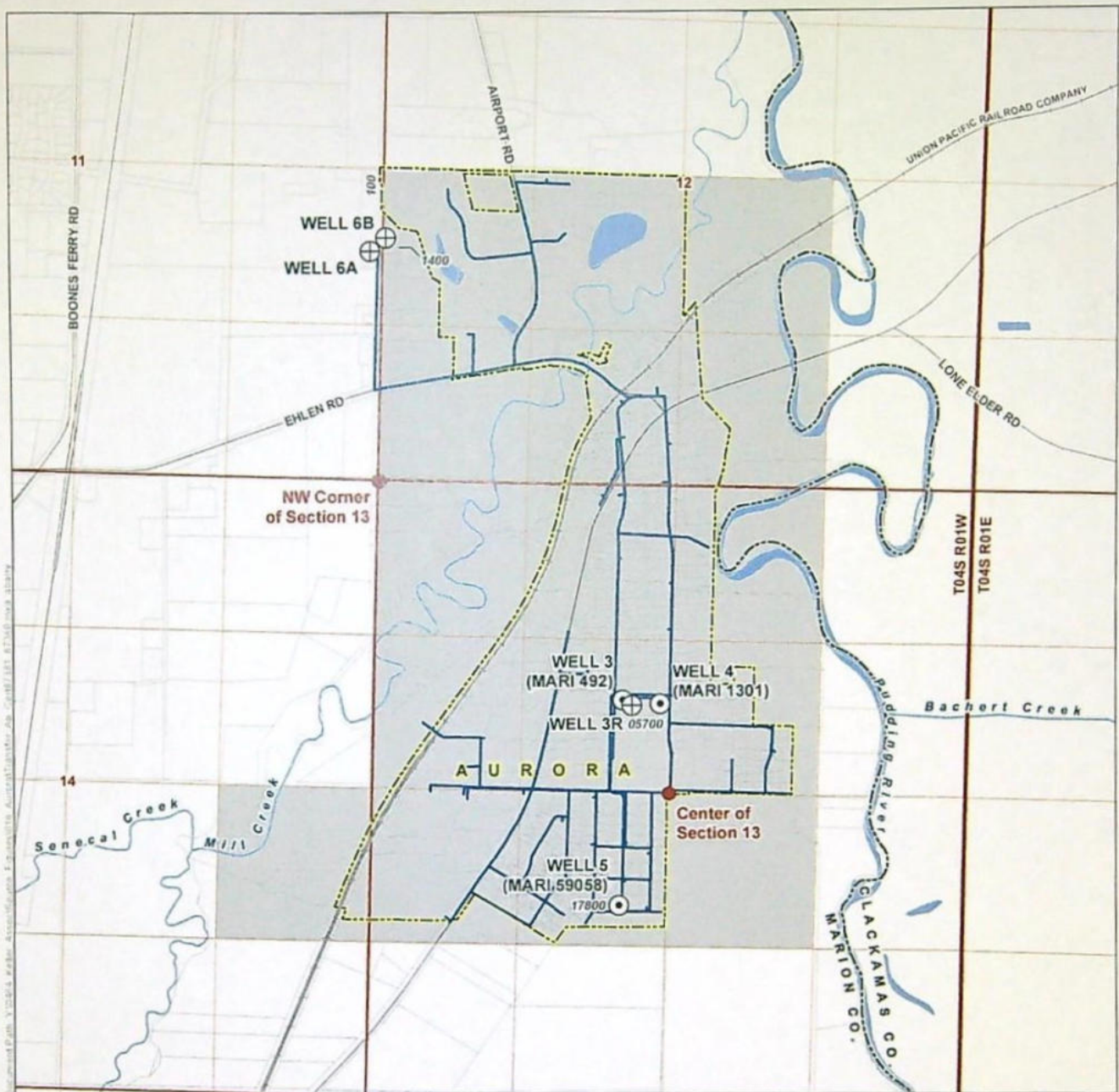
Sincerely,

A handwritten signature in black ink that reads "Owen McMurtrey". The signature is written in a cursive, flowing style.

Owen McMurtrey
Water Resources Consultant

Enclosures: Water Right Transfer Application
Check for application fee in the amount of \$3,270.

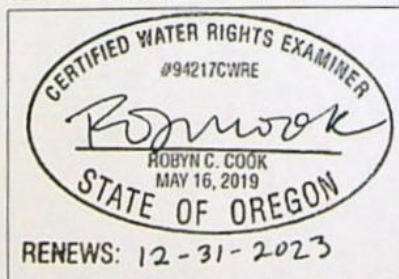
RECEIVED
MAR 29 2023
OWRD



LEGEND

- Authorized POA
- ⊕ Proposed Additional POA
- Conveyance Line
- Authorized Place of Use
- Tax Lot
- City Boundary
- County Boundary
- Major Road
- Railroad
- Watercourse
- Waterbody

CERTIFIED WATER RIGHTS EXAMINER STAMP



Transfer Application for Certificates 87381 and 87380 in the Name of City of Aurora

RECEIVED

MAR 29 2023

OWRD

Authorized and Proposed Additional
Points of Appropriation, Authorized Place of Use Map
Township 4 South, Range 1 West (W.M.)

LOCATION DESCRIPTION

Authorized Point of Appropriation (POA)

Well 3: Located 810 feet North and 430 feet West from Center of Section 13, Township 4 South, Range 1 West (W.M.)

Well 4: Located 1840 feet South and 2515 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 5: Located 966 feet South and 410 feet West from Center of Section 13, Township 4 South, Range 1 West (W.M.)

Well 3R: Located 1935 feet South and 2210 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 6A: Located 1945 feet North and 55 feet West from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 6B: Located 2095 feet North and 80 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 3R: Located 1935 feet South and 2210 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 6A: Located 1945 feet North and 55 feet West from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

Well 6B: Located 2095 feet North and 80 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

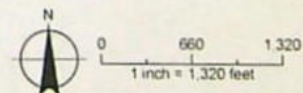
Well 3R: Located 1935 feet South and 2210 feet East from NW Corner of Section 13, Township 4 South, Range 1 West (W.M.)

DISCLAIMER

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

Date: March 24, 2023

Data Sources: BLM, ESRI, OWRD, USGS, Marion Co



14205