

Regular

RA

Name Bradley & Mary GilbertAddress PO Box 263
Molalla, OR 97038
brad.w.gilbert@gmail.comChange in APOA
Date Filed 1/26/2024
Initial notice date 2/6/2024
DPD issued date 2/6/2024
PD issued date 12/2/2024
PD notice date 12/3/2024
Date of FO 2/26/2025 Vol 133 Page 911-914C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____Assignments: _____

Irrigation District _____

Agent Doann Hamilton
phgdmh@gmail.comCWRE _____
CC's list Clackamas County Dept. of Transportation & Development, Planning Division

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A wellTrib. of Bear Creek BasinUse Nursery County Clackamas

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

Name of ditch _____

App# G-15561 Per # G-15254 Cert # 97364 PR Date 11-29-2001

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>1-26-24</u>	<u>2660.00</u>	<u>142303</u>
<u>3-1-24</u>	<u>\$125.00</u>	<u>142490</u>
<u>3/26/24</u>	<u>\$2690.10</u>	<u>142590</u>

FEES REFUNDED

Date	Amount	Receipt #

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14393

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☒

Handwritten signature

Applicant: Bradley & Mary Gilbert PO Box 263 Molalla, OR 97038	Agent:	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Clackamas County Department Of Transportation And Development	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.
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions (Support Staff)

Rec'd: January 26, 2024	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 2660.00	Acknowledgement Letter Sent ☒	Basin: 2 Willamette
Initial Public Notice: 2/6/2024	County sent cc: of Ack Letter ☐	County: CLACKAMAS
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: ☐	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>6-12-24</u> Initials: <u>AL</u>	Date: <u>6-13-24</u> Initials: <u>JS</u>	Date: <u>6-13-24</u> Initials: <u>LC</u>	Date: <u>6-14-24</u> Initials: <u>AL</u>	CW Sent: _____ WM Sheet ☐ ODFW Sheet: ☐	N/A
PD	Date: <u>7-23-24</u> Initials: <u>AL</u>	Date: <u>7-24-24</u> Initials: <u>ISF</u>	Date: <u>8-10-24</u> Initials: <u>SH</u>	Date: <u>8-11-24</u> Initials: <u>AL</u> Data Review Date: <u>11-13-24</u>	Date: <u>11-22-24</u>	Date: <u>12/2/24</u>
FO	Date: <u>1-6-25</u> Initials: <u>AL</u>	Date: <u>1-8-25</u> Initials: <u>ISF</u>	Date: <u>1-16-25</u> Initials: <u>ARSH</u>	Date: <u>1-22-25</u> Initials: <u>AL</u>	Date: <u>2-21-25</u> No. of docs for sig: <u>1</u>	Date: <u>2/26/2025</u>

Special Issues: _____

Special Order Volume: Vol. 133 Pages 911-914

Transfer Cover Sheet

Last Revised 1/26/2023



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

February 26, 2025

Bradley Gilbert
PO BOX 263
Molalla, OR 97038

REFERENCE: Transfer Application T-14393

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

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

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

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

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

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Clackamas County Department of Transportation and Development, Local Government
Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING ADDITIONAL
T-14393, Clackamas County	)	POINTS OF APPROPRIATION

Authority

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

Applicant

BRADLEY AND MARY GILBERT
PO BOX 263
MOLALLA, OR 97038

Findings of Fact

1. On January 26, 2024, BRADLEY AND MARY GILBERT filed an application for additional points of appropriation under Certificate 97364. The Department assigned the application number T-14393.
2. Notice of the application for transfer was published on February 6, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 7, 2024, the agent for the applicant requested a new completion date of October 1, 2028 because of extended driller scheduling times. The Department approved the request.
4. On June 27, 2024, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14393. The draft Preliminary Determination cover letter provided a deadline of July 27, 2024, for the applicants to respond and submit the required information. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

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

5. On December 2, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14393 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer applications was published in the Department's weekly notice on December 3, 2024, and in the Woodburn Independent newspaper on January 8 and 15, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

6. The right to be transferred is as follows:

Certificate: 97364 in the name of BRADLEY GILBERT and MARY GILBERT (perfected under Permit G-15254)
Use: NURSERY USE ON 99.2 ACRES
Priority Date: NOVEMBER 29, 2001
Rate: 1.4 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Period of Use: YEAR ROUND

Source: ONE WELL in BEAR CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	12	NW SE	WELL 5 (NEW) - 2750 FEET SOUTH AND 1660 FEET WEST FROM THE NE CORNER OF SECTION 12

Authorized Place of Use:

NURSERY USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	1	NE SW	2.3
5 S	1 E	WM	1	SE SW	34.5
5 S	1 E	WM	1	SW SE	22.4
5 S	1 E	WM	12	NE NW	40.0
TOTAL					99.2

7. Transfer Application T-14393 proposes additional points of appropriation approximately 2350 feet northwest from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	12	NE NW	WELL 2 - 1005 FEET SOUTH AND 2610 FEET EAST FROM THE NW CORNER OF SECTION 12
5 S	1 E	WM	12	NE NW	WELL 3 - 840 FEET SOUTH AND 2475 FEET EAST FROM THE NW CORNER OF SECTION 12
5 S	1 E	WM	12	NE NW	WELL 4 - 945 FEET SOUTH AND 2380 FEET EAST FROM THE NW CORNER OF SECTION 12

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

8. A confirming Certificate was issued within the last five years prior to the submittal of Transfer Application T-14393 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14393.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

Conclusions of Law

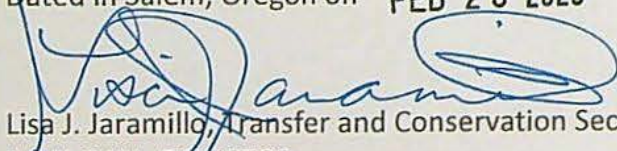
The additional points of appropriation proposed in Transfer Application T-14393 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of appropriation proposed in Transfer Application T-14393 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 97364 and any related decree.

3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
4. Water right Certificate 97364 is cancelled.
5. The quantity of water diverted at the new additional points of appropriation (Well 2, Well 3, and Well 4), together with that diverted at the original point of appropriation (Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 5).
6. Water shall be acquired from the same aquifer (water source) as the original point 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, 2028**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **FEB 26 2025**


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

Mailing Date: **FEB 27 2025**



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

DEC 2 - 2024

VIA CERTIFIED MAIL AND E-MAIL

BRADLEY AND MARY GILBERT
PO BOX 263
MOLALLA, OR 97038

SUBJECT: Water Right Transfer Application T-14393

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14393. 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 Woodburn Independent 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,

A handwritten signature in black ink, appearing to be 'D. Luongo', followed by a long horizontal line that ends in a small loop.

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14393
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)
Doann Hamilton, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14393, Clackamas County	)	PROPOSING APPROVAL FOR 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

BRADLEY AND MARY GILBERT
PO BOX 263
MOLALLA, OR 97038

Findings of Fact

1. On January 26, 2024, BRADLEY AND MARY GILBERT filed an application for additional points of appropriation under Certificate 97364. The Department assigned the application number T-14393.
2. Notice of the application for transfer was published on February 6, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 7, 2024, the agent for the applicant requested a new completion date of October 1, 2028. The Department approved the request.
4. On June 27, 2024, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14393. The draft Preliminary Determination cover letter provided a deadline of July 27, 2024, for the applicants to respond and submit the required information. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

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

5. The right to be transferred is as follows:

Certificate: 97364 in the name of BRADLEY GILBERT and MARY GILBERT (perfected under Permit G-15254)

Use: NURSERY USE ON 99.2 ACRES

Priority Date: NOVEMBER 29, 2001

Rate: 1.4 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Period of Use: YEAR ROUND

Source: ONE WELL in BEAR CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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Authorized Place of Use:

NURSERY USE					
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5 S	1 E	WM	1	SE SW	34.5
5 S	1 E	WM	1	SW SE	22.4
5 S	1 E	WM	12	NE NW	40.0
TOTAL					99.2

6. Transfer Application T-14393 proposes additional points of appropriation approximately 2350 feet northwest from the existing points of appropriation to:

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5 S	1 E	WM	12	NE NW	WELL 4 - 945 FEET SOUTH AND 2380 FEET EAST FROM THE NW CORNER OF SECTION 12

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

7. A confirming Certificate was issued within the last five years prior to the submittal of Transfer Application T-14393 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14393.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change, as conditioned, would not result in enlargement of the right.
12. The proposed change, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are met.

Determination and Proposed Action

The additional points of appropriation proposed in Transfer Application T-14393 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.

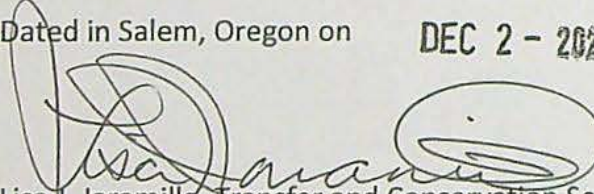
If Transfer Application T-14393 is approved, the final order will include the following:

1. *The additional points of appropriation proposed in Transfer Application T-14393 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 97364 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.*

4. *Water right Certificate 97364 is cancelled.*
5. *The quantity of water diverted at the new additional points of appropriation (Well 2, Well 3, and Well 4), together with that diverted at the original point of appropriation (Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 5).*
6. *Water shall be acquired from the same aquifer (water source) as the original point 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, 2028**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

DEC 2 - 2024


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

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

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14393 RA

GW Reviewer J. Hootsmans Date Review Completed: 5/20/2024

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-14393

Applicant Name: Bradley and Mary Gilbert

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

Reviewer(s): J. Hootsmans

Date of Review: 5/20/2024

Date Returned to WRSD: 5/20/2024

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

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

1. Basic description of the changes proposed in this transfer: The applicant proposes to add three new Points of Appropriation (POA): Proposed POA #2 (Well 2, PROP 477), Proposed POA #3 (Well 3, CLAC 77513) and Proposed POA #4 (Well 4, PROP 478). These three POA will be in addition to existing POA #1 (Well 5, CLAC 66134). Proposed POA #3 (Well 3, CLAC 77513) is a test well drilled to 500 feet below ground surface (bgs) and will be re-drilled upon transfer approval.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The three Proposed POA have similar existing or proposed construction as the already authorized POA and all POAs target the Quaternary-Late Tertiary Sediment Aquifers -Willamette Group - Troutdale Formation as the groundwater source (Gannet and Caldwell, 1998; O'Connor et al. 2001).
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No All authorized From-POAs and proposed To-POAs are developed or targeted to be developed in the Troutdale Formation.
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

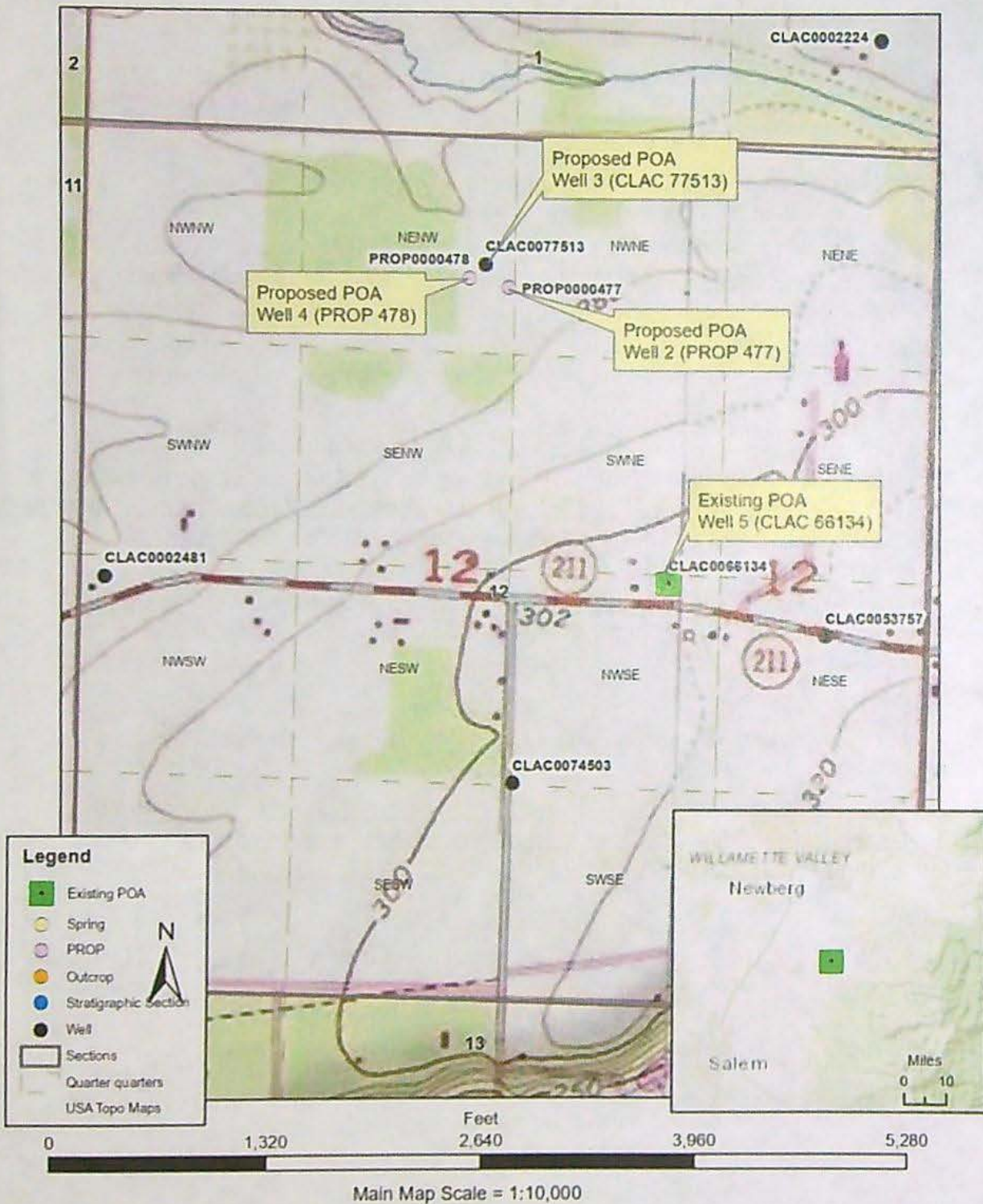
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☐ Yes ☒ No Comments: The additional Proposed POA are further away from groundwater rights than the existing POA.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☐ No If yes, explain: _____
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☒ Yes ☐ No Comments: The additional Proposed POAs are approximately half the distance to Bear Creek compared to the existing POA, therefore interference is expected to increase.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: Bear Creek ☒ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: The expected increase in interference is likely minimal IF they case and seal below the confining unit (clay starting at 141 ft bls in CLAC 77513). The clay will diffuse impacts to surface water over a large area and long span of time.
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
☐ Yes ☐ No Comments: _____
7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____
8. Any additional comments: As conditioned per Certificate 97364, "Ground water for use under this right shall be produced from the deep Troutdale aquifer between approximately 300 and 400 feet below land surface" (Page 2, Cert 97364).

References

- Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington. Professional Paper 1424-A, 32 p: U. S. Geological Survey, Reston, VA.
- O'Connor, J. E., Sarna-Wojcicki, A., Wozniak, K. C., Polette, D. J., Fleck, R. J., 2001, Origin, Extent, and Thickness of Quaternary Units in the Willamette Valley, Oregon, Professional Paper 1620: U. S. Geological Survey, Reston, VA.

Well Location Map

T14393 Gilbert



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
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**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 # **142590**

INVOICE # _____

RECEIVED FROM: Bradley W Gilbert

BY: Mary Gilbert

CASH: ☐ CHECK: # 6289 OTHER: (IDENTIFY) DBA Gilbert Farms

APPLICATION _____

PERMIT _____

TRANSFER T-14393

TOTAL REC'D \$2,690.10

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11484-25 \$ _____

0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$2,690.10

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

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

0203 GROUND WATER EXAM FEE \$ _____ 0204 \$ _____

0205 TRANSFER EXAM FEE \$ _____

WELL CONSTRUCTION

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

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **142590**

DATED: 3-26-2024 BY: [Signature]

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-484-25**

Received
MAR 26 2024

OWRD

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Bradley and Mary Gilbert**, hereafter Applicant, hereafter known together as the parties.

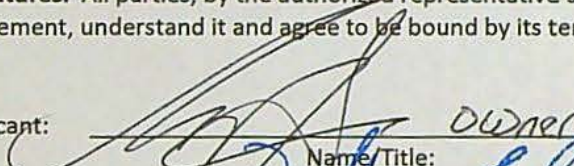
OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Bradley & Mary Gilbert	Name: Pacific Hydro-Geology, Inc.
Title: Transfer Advisor	Contact:	Contact: Doann Hamilton
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: PO Box 263 Molalla, OR 97038	Address: 18487 S Valley Vista Rd Mulino, OR 97042
Phone: 503 979-3511	Phone: (503) 849-9933	Phone: (503) 349-6946 (cell)
Fax: 503 986-0901	Fax:	Fax: (503) 632-5983
Email: patrick.k.starnes@water.oregon.gov	Email: brad.w.gilbert@gmail.com	Email: phgdmh@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: **T-14393**)

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 **\$2,690.10**. Applicant agrees to pay the full amount of **\$2,690.10** 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.

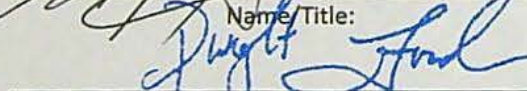
7. **Termination by Applicant.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Termination by OWRD.** OWRD may terminate this Agreement if the applicant fails to provide any requested items necessary to complete the application and/or comply with applicable rule requirements within the specified timeframe outlined in the request letter, being a period of not less than 30 days.
9. **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.
10. **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: Owner

3/21/24
Date

For OWRD:


Dwight French – Administrator

3-29-2024
Date

Mail signed Agreement to:

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

Bradley and Mary Gilbert RA R11-484-25 T-14393						
Review Step						
Front Desk Staff receipts received AA funds						
Transfer Support process Application						
Administrator signs AA						
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet						
NRS 2 completes initial review of file for deficiencies						
NRS 2 consults with Analyst and/or Manager						
NRS 2 writes and sends deficiency ltr (email and hard copy)						
NRS 2 addresses correspondence from app/agent regarding deficiencies						
Watermaster completes review						
Groundwater completes review						
NRS 2 completes DPD, PN, and RR						
Transfer staff peer reviews DPD, PN, RR						
Transfer Analyst completes policy check at DPD stage						
NRS 2 sends DPD to app/agent by email and/or mail						
NRS 2 reviews report of ownership						
NRS 2 completes PD						
Transfer Staff peer reviews PD						
Transfer Analyst peer reviews PD						
Data Center reviews PD AND RR: (RR where applicable)						
Transfer Analyst completes peer review of PN review for newspaper noticing						
Transfer Support requests newspaper quote for PN publishing						
NRS 2 sends publishing fee request to applicant						
Transfer Support processes fee and newspaper publishing						
Transfer Support processes public notice (dept notice)						
Administrator signs PD						
NRS 2 completes FO						
Transfer Staff peer reviews FO						
Transfer Analyst peer reviews FO						
Administrator signs FO						
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy						
NRS 1 closes out RA Contract						
TOTAL ESTIMATED HOURS				38.83		
					TOTAL	\$2,690.10

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 # **142490**

INVOICE # _____

RECEIVED FROM: <u>Bradley W Gilbert</u>	APPLICATION	
BY: <u>Mary L Gilbert</u>	PERMIT	
<u>DBA Gilbert Farms</u>	TRANSFER	<u>T-14393</u>
CASH: ☐	CHECK: # <u>6283</u>	OTHER: (IDENTIFY) ☐
TOTAL REC'D		\$ <u>125.00</u>

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11484-25 \$
0412 OTHER: (IDENTIFY) Transfer RA \$ 125.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **142490**

DATED: 3-1-2024 BY: m-mill

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

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 # **142490**

INVOICE # _____

RECEIVED FROM: <u>Bradley W Gilbert</u>	APPLICATION	
BY: <u>Mary L Gilbert</u>	PERMIT	
<u>DBA Gilbert Farms</u>	TRANSFER	<u>T-14393</u>
CASH: ☐	CHECK: # <u>6283</u>	OTHER: (IDENTIFY) ☐
TOTAL REC'D		\$ <u>125.00</u>

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11484-25 \$
0412 OTHER: (IDENTIFY) Transfer RA \$ 125.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **142490**

DATED: 3-1-2024 BY: m-mill

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



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 Staff before submitting this request, as the application fee of \$125.00 per request is non-refundable.

Checks submitted for this application must 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
☒	Transfer Application	Transfer Number T-14393

	Applicant Information	Applicant's Representative/Contact
Name:	Bradley and Mary Gilbert	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	PO Box 263	18487 S. Valley Vista Road
	Molalla, OR 97038	Molino, OR 97042
Phone:	503-849-9933	(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	Brad.w.gilbert@gmail.com	phgdmh@gmail.com

By signing this application, I understand:

- 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 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.
- That an incomplete or inaccurate application may delay the process and increase the cost to process my request.
- That expedited processing does not guarantee a favorable review of my request.

I certify that I am the (check one):

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

Name: _____

Signature: _____

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

MAR 01 2024

OWRD

OWRD USE ONLY: Reimbursement Authority Number: R11-484 -25

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-14393

Review Due Date: 02/29/2024

Applicant Name: Bradley and Mary Gilbert

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

Reviewer(s): G. Wacker

Date of Review: 02/09/2024

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- 14393



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

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

January 30, 2024

Bradley & Mary Gilbert

PO Box 263

Molalla, OR 97038

Reference: Application T-14393

On January 26, 2024, the Department received your water right Permanent Transfer Application. The application was accompanied by \$2660.00. Receipt number 142303 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 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) 986-0935.

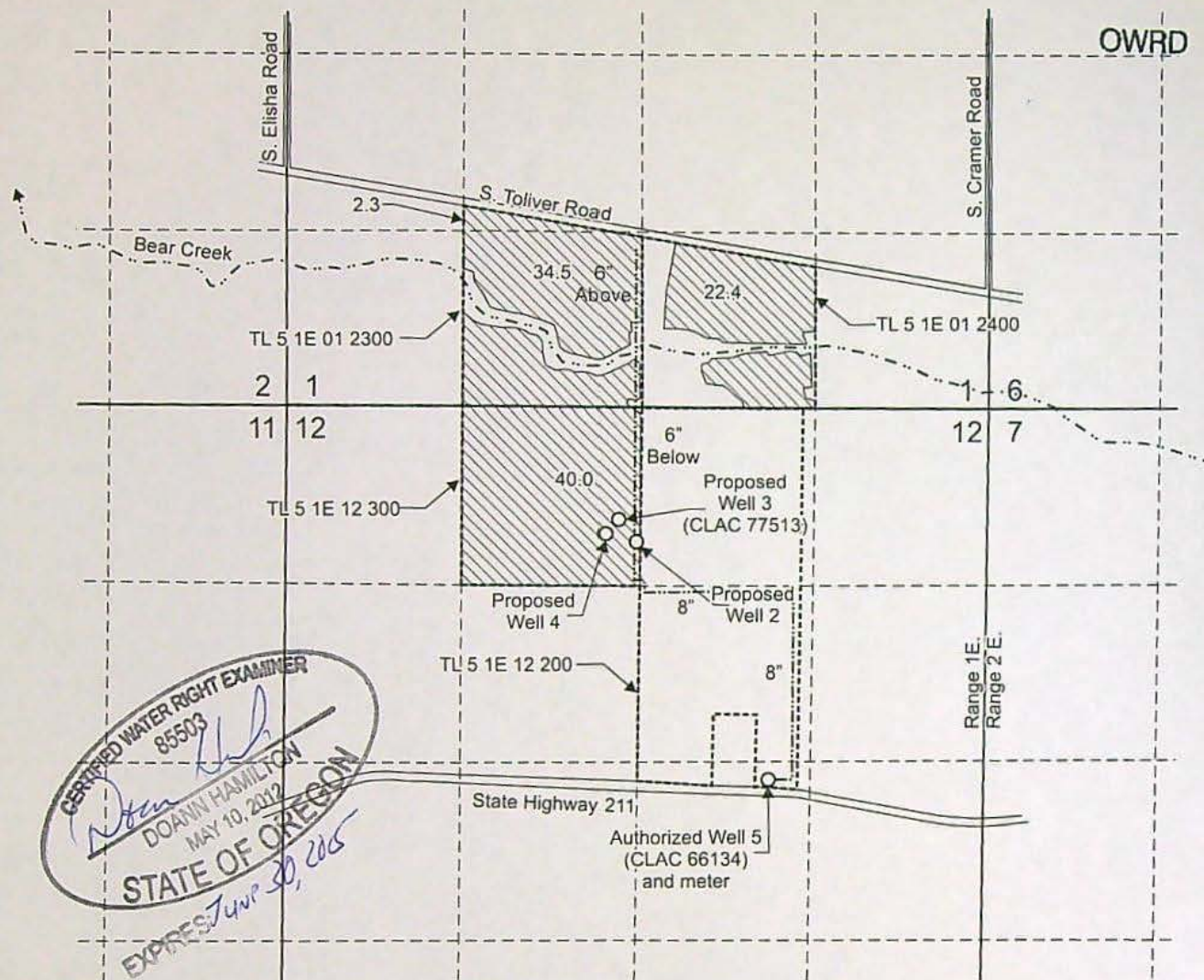
Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)
Clackamas County Dept. of Transportation & Development, Local Government

Enclosure

T.5S. R.1E. Sec. 1 & 12, W.M.

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JAN 26 2024



Authorized Well 5 (CLAC 66134) is located 2,750 feet south and 1,660 feet west from the NE corner, Section 12. Proposed Well 2 is located 1,005 feet south and 2,610 feet east from the NW corner, Section 12. Proposed Well 3 (CLAC 77513) is located 840 feet south and 2,475 feet east from the NW corner, Section 12. Proposed Well 4 is located 945 feet south and 2,380 feet east from the NW corner, Section 12.

- Area (99.2 Acres) irrigated under Certificate 97364, priority date: 11-29-2001.
- Tax lot boundary
- Irrigation mainline

Scale: 1" = 1,320'



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

Transfer Application Map
Certificate 97364

Pacific Hydro-Geology Inc.

12/2023

Bradley and Mary Gilbert
T.5S. R.1E. Sec. 1& 12, W.M.

14393 -

**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 # **142303**

INVOICE # _____

RECEIVED FROM: Bradley W Gilbert's

BY: Mary L Gilbert DBA Gilbert Farms

APPLICATION _____

PERMIT _____

TRANSFER T-14393

CASH: ☐ CHECK: # 6230 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 2,660.00

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 46110 \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 2660.00

WELL CONSTRUCTION

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: **142303**

DATED: 1-26-2024 BY: mcmillee

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.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate: 97364**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

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JAN 26 2024

OWRD

(For Staff Use Only)

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

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

Other/Explanation _____

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

JAN 26 2024

Part 2 of 5 – Transfer Application Map

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

OWRD

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°).

14393 -

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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

TACS

Part 4 of 5 – Applicant Information and Signature

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JAN 26 2024

Applicant Information

APPLICANT/BUSINESS NAME Bradley and Mary Gilbert		PHONE NO. (503) 849-9933	ADDITIONAL CONTACT NO. OWRD
ADDRESS PO Box 263		FAX NO.	
CITY Molalla	STATE OR	ZIP 97038	E-MAIL Brad.w.gilbert@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:
The authorized Well (CLAC 66134) is not on our property and we want to install additional new wells on our property to help cover the place of use.

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

Check One Box

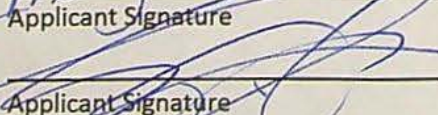
- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); 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: Woodburn Independent.
- 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


 Applicant Signature

Mary Gilbert
 Print Name (and Title if applicable)

Bradley Gilbert
 Print Name (and Title if applicable)

12/27/2022
 Date

12/27/22
 Date

JAN 26 2024

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) attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Clackamas Co. Department of Transportation and Development, Planning Division	ADDRESS 150 Beavercreek Road	
CITY Oregon City	STATE Oregon	ZIP 97045

14393 -

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 # 97364

Description of Water Delivery System

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System capacity: 1.4 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

JAN 26 2024

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from Well 5 (CLAC 66134) using a 75 Hp submersible pump to convey water through 8-inch buried PVC mainline up to the southeast corner of our property. A buried 6-inch PVC mainline continues north up to Bear Creek where portable a mainline continues up north. Risers are located along the 6inch mainlines where either a hard hose traveler or portable handlines with impact sprinklers can be attached.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-_____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 5	☒ Authorized ☐ Proposed	CLAC 66134	5 S	1 E	12	NW SE	TL 200	2,750 feet south and 1,660 feet west from the NE corner, Section 12.
Well 2	☐ Authorized ☒ Proposed	NA	5 S	1 E	12	NE NW	TL 300	1,005 feet south and 2,610 feet east from the NW corner, Section 12.
Well 3	☐ Authorized ☒ Proposed	CLAC 77513	5 S	1 E	12	NE NW	TL 300	840 feet south and 2,475 feet east from the NW corner, Section 12.
Well 4	☐ Authorized ☒ Proposed	NA	5 S	1 E	12	NE NW	TL 300	945 feet south and 2,380 feet east from the NW corner, Section 12.

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

- | | |
|--|--|
| ☐ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

14393 -

- ☒ 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 # 97364

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	
												APOA	5	S	1	E	1	NE	SW	2300	NA	2.3	IR	Wells 2, 3, 4 & 5	11-29-2001
												APOA	5	S	1	E	1	SE	SW	2300	NA	34.5	IR	Wells 2, 3, 4 & 5	11-29-2001
												APOA	5	S	1	E	1	SW	SE	2400	NA	22.4	IR	Wells 2, 3, 4 & 5	11-29-2001
												APOA	5	S	1	E	12	NE	NW	300	NA	40.0	IR	Wells 2, 3, 4 & 5	11-29-2001
TOTAL ACRES:													TOTAL ACRES:								99.2				

Additional remarks: The well specifications given below for the additional wells are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the deep Troutdale aquifer.

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Identify the primary certificate to be cancelled. Certificate # NA

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

- ☒ 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 5	Yes	CLAC 66134	See Well Log CLAC 66134							Not less than full rate of water right
Well 2	No	NA	300-400 feet	10 inch	0 to 300-400	0 to 170 feet	TBD	NA	Deep Troutdale Aquifer	
Well 3	No	NA	See Well Log CLAC 77513							
Well 4	No	NA	300-400 feet	10 inch	0 to 300-400	0 to 170 feet	TBD	NA	Deep Troutdale Aquifer	

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Witnessing or Attesting a Signature

State of OREGON

County of Clackamas

Signed (or attested) before me on (date) December 27th, 2023

by (name(s) of individual(s)) Mary L. Gilbert and Bradley W. Gilbert



Notary Public - State of Oregon

Official Stamp



Document Description

This certificate is attached to page 4 of a Permanent Water Right Transfer (title of type of document), dated 12-27, 2023, consisting of 9 pages.

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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

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JAN 26 2024

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

State of Oregon)
) ss

County of CLACKAMAS

I, BRAD GILBERT, in my capacity as OWNER / OPERATOR,

mailing address 15221 SE HWY 212, CLACKAMAS, OR 97015

telephone number (503) 849-9933, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # _____; 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 # 97364 has been issued within the past five years; OR

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

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

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

(continues on reverse side)

14393 -

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

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

Signature of Affiant

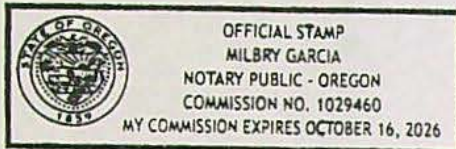
Date

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Signed and sworn to (or affirmed) before me this 18 day of January, 2024.



Milbry Garcia
Notary Public for Oregon

My Commission Expires: October 16, 2026

Supporting Documents	Examples
☒ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	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. 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
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

14393 -

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

BRADLEY GILBERT
MARY GILBERT
15221 SE HWY 212
CLACKAMAS OR 97015

confirms the right to the use of water perfected under the terms of Permit G-15254. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15661

SOURCE OF WATER: ONE WELL IN BEAR CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 99.2 ACRES

MAXIMUM RATE: 1.4 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 29, 2001

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	12	NW SE	WELL 5 (NEW) - 2750 FEET SOUTH AND 1660 FEET WEST FROM NE CORNER, SECTION 12

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	1	NE SW	2.3
5 S	1 E	WM	1	SE SW	34.5
5 S	1 E	WM	1	SW SE	22.4
5 S	1 E	WM	12	NE NW	40.0

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well(s) authorized under this right, the Director may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 129.77 feet below land surface for Well 5.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Ground water for use under this right shall be produced from the deep Troutdale aquifer between approximately 300 and 400 feet below land surface.

The use of water under the terms of this certificate is subject to regulation concurrent with or prior to regulation of a senior right competing for water from the same source when regulation is the result of water level declines that exceed limits specified in the senior right.

The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation as described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	1	SW SE	WELL 1 (ORIGINAL) - 1200 FEET NORTH AND 2385 FEET WEST FROM SE CORNER, SECTION 1
5 S	1 E	WM	12	NE NW	WELL 2 (ORIGINAL) - 990 FEET SOUTH AND 2650 FEET WEST FROM NE CORNER, SECTION 12

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

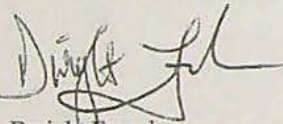
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Issued **SEP 22 2023**



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

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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): Bradley and Mary Gilbert

Mailing Address: 15221 SE Hwy 212

City: Clackamas

State: OR

Zip Code: 97015

Daytime Phone: 503-849-9933

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	X X	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>5S</u>	<u>1E</u>	<u>1</u>	___	<u>2300</u>	<u>EFU</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>Nursery</u>
<u>5S</u>	<u>1E</u>	<u>1</u>	___	<u>2400</u>	<u>EFU</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>Nursery</u>
<u>5S</u>	<u>1E</u>	<u>12</u>	___	<u>300</u>	<u>EFU</u>	☒ Diverted ☒ Conveyed ☒ Used	<u>Nursery</u>
<u>5S</u>	<u>1E</u>	<u>12</u>	___	<u>200</u>	<u>EFU</u>	☒ Diverted ☒ Conveyed ☐ Used	<u>Nursery</u>

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

Clackamas 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: 1.4 ☒ 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 Nursery

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to Add an additional three points of appropriation (well) for an existing water right (Certificate 97364) to the already existing authorized well.

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): ORS 308A.056 - "Farm use" definition
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Name: Aldo Rodriguez Title: Planner 1

Signature: *Aldo Rodriguez* Phone: 503 742 4541 Date: 1/23/24

Government Entity: Clackamas County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

CLAC 66134

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

Westorberg Drilling, Inc.
36728 S. Hwy 101
Molalla, OR 97038

WELL ID. # 1. 96447

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START CARD # 200218

OWRD

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

(1) LAND OWNER Well Number _____
Name **Dickman Land, LLC**
Address **15829 Mt. Angel-Scotts Mills Hwy NE**
City **Silverton** State **OR** Zip **97381**

(2) TYPE OF WORK ☒ New Well
☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment ☐ Conversion

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

(4) PROPOSED USE
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION Special Construction ☐ Yes ☒ No
Depth of Completed Well **470** ft
Explosives used: ☐ Yes ☒ No Type _____ Amount _____

BORE HOLE			SEAL			Sacks or Pounds
Diameter	From	To	Material	From	To	
23"	0	79	Bentonite	0	29	98 sacks
20"	79	160	Cement	29	163	215 sacks
16"	160	470				

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

☒ Other Bentonite placed dry

Backfill placed from _____ ft to _____ ft Material _____
Gravel placed from **163** ft to **470** ft Size of gravel **1/4x10/6x9**

(6) CASING/LINER

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing 12"	+1.5	366	.250	☒	☐	☒	☐
10"	403	437	.250	☒	☐	☒	☐
10"	455.5	470	.250	☒	☐	☒	☐
bottom plate		welded on tail		☐	☐	☐	☐
Liner pipe @	470'			☐	☐	☐	☐

Drive Shoe used ☐ Inside ☒ Outside ☐ None

Final location of shoe(s) **16"** cut off @ **470'**

(7) PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Type **V-wire** Material **stainless**

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
366	404	.065		10"	PS	☐	☐
437	455.5	.065		10"	PS	☐	☐
						☐	☐
						☐	☐

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

☒ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal/min **750** Drawdown **129'** Drill stem at **8 hr.** Time

Temperature of water **56** Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

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

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata _____

(9) LOCATION OF WELL (legal description)

County **Clackamas**

Tax Lot **200**

Township **5**

Section **12**

Range **1**

Lot **14**

SW **14**

Lat _____ or _____ (degrees or decimal)

Long _____ or _____ (degrees or decimal)

Street Address of Well (or nearest address) **adjacent to (E. of) 16131 S.**

Hwy 211 Molalla, OR 97038

(10) STATIC WATER LEVEL

153'3" ft. below land surface Date **7-16-09**

Artisan pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES

Depth at which water was first found **41'**

From	To	Estimated Flow Rate	SWL
366	449	>750 gpm	153'3"

(12) WELL LOG

Material	From	To	SWL
Topsoil	0	1	
Clay brown	1	6	
Clay w/ cobbles & boulders	6	38	
Clay	38	41	
Gravel, cobbles w/ clay	41	69	
Clay reddish brown	69	72	
Clay tan brown w/ some gravels	72	101	
Clay dark brown	101	118	
Clay grey	118	123	
Sand grey	123	126	
Sandy grey clay	126	138	
Clay grey dense	138	176	
Clay grey w/ sand	176	178	
Clay grey	178	246	
Clay blue sticky	246	279	

continued on page 2

Date Started **5-26-09**

Completed **7-24-09**

(unbonded) Water Well Constructor Certification

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

WWC Number _____

Date _____

Signed _____

(bonded) Water Well Constructor Certification

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

WWC Number **688**

Date **7-27-09**

Signed *Stuen N. Stadel*

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ORIGINAL WATER RESOURCES DEPARTMENT JUL 30 2009 FIRST COPY CONSTRUCTOR SECOND COPY CUSTOMER 06/16/2014

WATER RESOURCES DEPT
SALEM, OREGON

14393 -

CLAC 77513 RECEIVED

NOV 14 2022

Oregon Water Resources Department
Groundwater Use Recording Mapping Tool

725 Summer St NE, Salem

Return Contact

Step 1: Search for Well

Step 2: Create Well Map

Mark Well Point and Create Map

Zoom in closer to the well location, if needed.
Mark the location of the well by either of the following methods:

A. Drawing on the map using the draw tool

Click on icon and draw a point on the map.

B. Type in the GPS Decimal Degrees:

GPS Latitude: 45.15569

GPS Longitude: -122.63097

Mark Point Clear Point

[Converter](#)

Results:

Latitude: 45.15569 Longitude: -122.63097

Complete the form:

Submitted by: Steven N Stadel

Address of Well: 11600 S. Toliver Rd.

City: Molalla

Special Notes: L-145215

Make Map

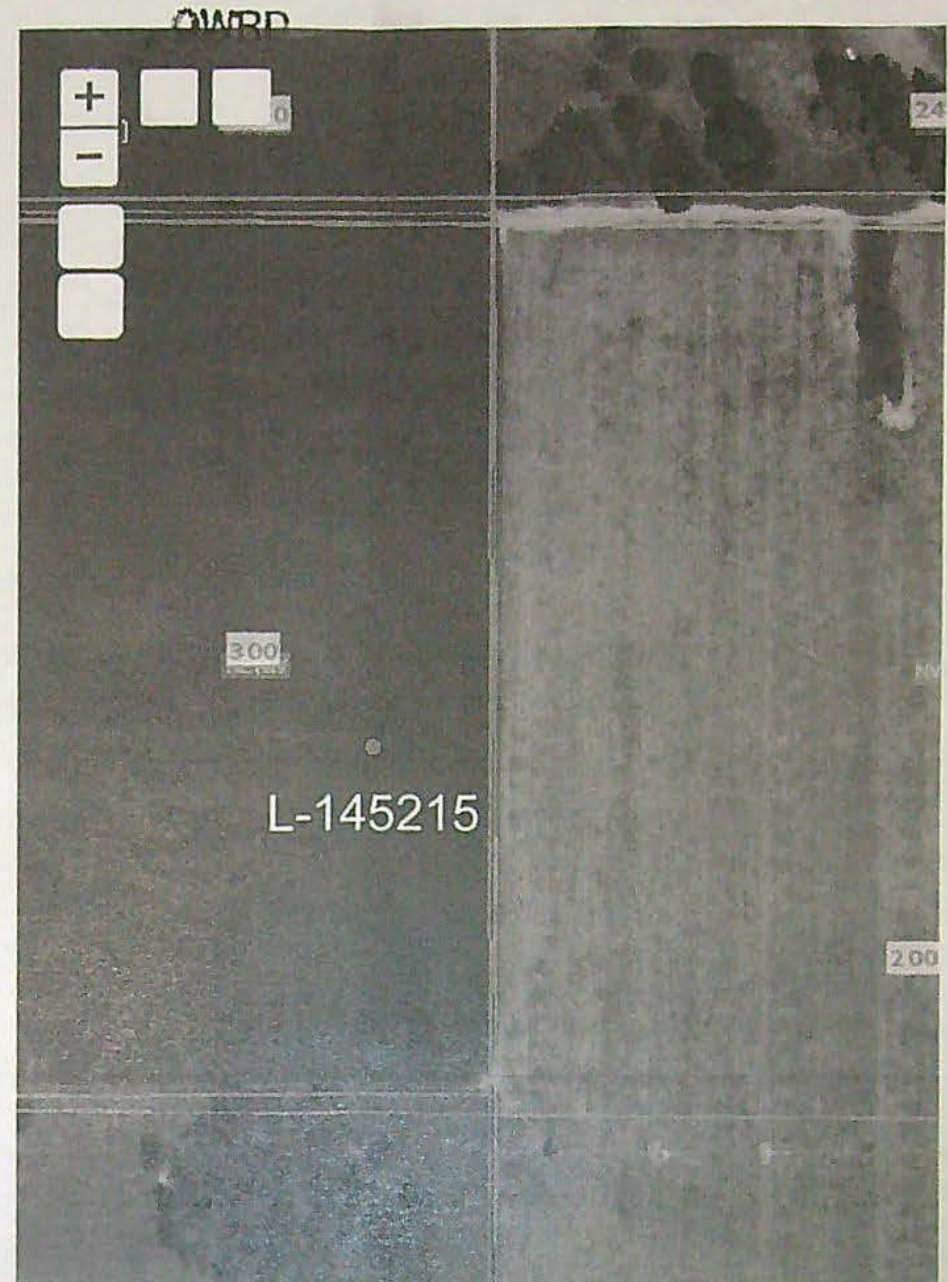
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N ↑

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**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 # **144459**

INVOICE # _____

RECEIVED FROM: Bradley W. Gilbert

BY: Mary L. Gilbert

CASH: ☐ CHECK: # 6366 OTHER: (IDENTIFY) ☐

APPLICATION _____

PERMIT _____

TRANSFER T-14393

TOTAL REC'D \$ 71.40

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____

0207 OTHER: (IDENTIFY) Newspaper Notice \$ 71.40

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 EXAM FEE \$ _____ 0204 RECORD FEE \$ _____

0205 TRANSFER EXAM FEE \$ _____

WELL CONSTRUCTION

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

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____ 0220 LICENSE FEE \$ _____

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: **144459**

DATED: 12-23-24 BY: [Signature]

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

Attached is a check in the amount of \$71.40 (PCA #46118) for Newspaper Notice for Transfer T-14393 made out to Oregon Water Resources Department (or WRD)

• "for T-14393 NOTICE" written on front of check

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

Received
DEC 23 2024
Caseworker: Dante Luongo
OWRD

Permanent Transfer Application Intake Checklist

Transfer # T-14393

Reviewer Nick Date 1/29/2024	Type of Change(s) Proposed: ☐ POU ☐ POD ☒ APOD ☐ POA ☐ APOA ☐ USE ☐ Substitution ☐ Gov't Action ☐ Sup to Primary ☐ SW to GW	
Calculated Fee \$2660 Use fee calculator on back of this form		Fee Received \$2660
Certificate(s): 97364		Check <u>all</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs		☐ YES ☐ NO ☒ N/A
Notes:		

Application: OAR 690-380-3000; OAR 690-380-3220			
1.	☒ YES	☐ NO	Have ALL of the applicant's signed and dated the application? If no, whose signature is missing?
2.	☒ YES	☐ NO	Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?
3.	☐ YES	☐ NO	☒ N/A For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?

Map Requirements: OAR 690-380-3100			
4.	☒ YES	☐ NO	Has the map been completed and signed by a CWRE?
5.	☐ YES	☐ NO	☒ N/A Map Waiver? The map waiver must be issued by the Department
Notes:			

Attachments: OAR 690-380-3000			
6.	☒ YES	☐ NO	Evidence of Use included, signed, & notarized w/supporting documentation?
7.	☒ YES	☐ NO	☐ N/A Land Use Form included and signed by the County?
8.	☐ YES	☐ NO	☒ N/A Consent Form included, signed, and notarized?
9.	☐ YES	☐ NO	☒ N/A District: Place of use is in <u>or</u> near an irrigation district?
	☐ YES	☐ NO	If Yes, is Form D included? Name of the District
10.	☒ YES	☐ NO	☐ N/A For changes in POA/APOA – are the well logs included?
11.	☐ YES	☐ NO	☐ N/A For change in POU within Umatilla County, Supplemental Form U included?

☒	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
☐	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.