

Regular

RA

T-14299

Name Wagenbach PNW LLC - Stor - more LLC

## DESCRIPTION OF WATER RIGHT(S)

Address 9292 Howell Prairie rd NE  
Salem Or 97305  
big tall timber@gmailName of Stream wellTrib. of Little pudding BasinUse Irrigation, SI County Marion

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# G15722 Per # G15990 Cert # 97087 PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

Change in Supplemental to primaryDate Filed 8/7/2023Initial notice date 8/15/2023

DPD issued date \_\_\_\_\_

PD issued date \_\_\_\_\_

PD notice date \_\_\_\_\_

Date of FO 5/29/2024 Vol 131 Page 170-171

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt #
8-7-23	<del>8-7-23</del>	141363
8-7-23	\$125	141351
9-20-23	\$1,871.85	141648

## FEES REFUNDED

Date	Amount	Receipt #

## Assignments:

Applicant: Joseph Cox 9581 Howell Prairie rd NE Salem or 97305Applicant: Hilary Rich 9721 Howell Prairie rd NE Salem Or 97305

Irrigation District \_\_\_\_\_

Agent Doann Hamilton Pacific hydrogeology

CWRE \_\_\_\_\_

CC's list Marion County Planning☐ - Oversized map - Location \_\_\_\_\_





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 29, 2024

Wagenbach PNW, LLC/  
Stor-Moore, LLC  
9292 Howell Prairie Rd. NE  
Salem, OR 97305

Joseph Cox  
9581 Howell Prairie Rd. NE  
Salem, OR 97305

Hilary Rich  
9721 Howell Prairie Rd. NE  
Salem, OR 97305

### ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-14299

The above referenced transfer application was withdrawn from the record of the Water Resources Department on May 29, 2024, by Special Order Volume 131, Page 170 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the withdrawal 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](mailto:Dante.j.luongo@water.oregon.gov).

Sincerely,

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

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

Enclosure



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER WITHDRAWING
T-14299, MARION County, Oregon	)	AN APPLICATION FOR A WATER RIGHT
	)	TRANSFER

**Authority**

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right.

**Applicant**

WAGENBACH PNW LLC / STOR-MOORE LLC  
9292 HOWELL PRAIRIE RD NE  
SALEM, OR 97305

JOSEPH COX  
9581 HOWELL PRAIRIE RD NE  
SALEM, OR 97305

HILARY RICH  
9721 HOWELL PRAIRIE RD NE  
SALEM, OR 97305

**Findings of Fact**

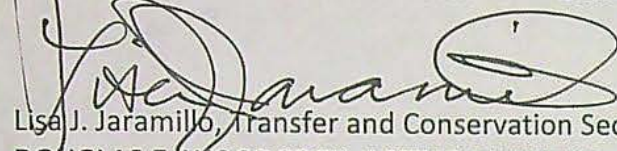
1. Transfer Application T-14299, in the name of WAGENBACH PNW LLC/STOR-MOORE LLC, JOSEPH COX, AND HILARY RICH, was filed on August 7, 2023.
2. On May 16, 2024, the applicant's agent submitted a written request on behalf of the applicant asking that Transfer Application T-14299 be withdrawn.

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.

Now, therefore, it is ORDERED:

Transfer Application T-14299, in the name of Wagenbach PNW LLC, Stor-Moore LLC, and Hilary Rich, is withdrawn and of no further force or effect.

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



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

Mailing date: **MAY 30 2024**



# WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14299

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☒

*Dante Luongo*

<b>Applicant:</b> WAGENBACH PNW LLC / STOR-MOORE LLC 9292 HOWELL PRAIRIE RD NE SALEM, OR 97305  JOSEPH COX 9581 HOWELL PRAIRIE RD NE SALEM, OR 97305  HILARY RICH 9721 HOWELL PRAIRIE RD NE SALEM, OR 97305	<b>Agent:</b> DOANN HAMILTON 18487 S VALLEY VISTA RD MULINO, OR 97042-8741	<b>Receiving Landowner:</b>
<b>Current Landowner if other than Applicant:</b>	<b>CWRE:</b>	<b>Irrigation District:</b>
<b>Affected Local Gov'ts:</b> Marion Countyplanning Dept	<b>Affected Tribal Gov't:</b>	<b>BOR Notified (date):</b>

## Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G15722	G15990	97087	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

## Key Dates & Initial Actions (Support Staff)

Rec'd: August 7, 2023	Proposed Action(s): USE
Fees Pd: 1360.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/> Basin: 2 Willamette
Initial Public Notice: 8/15/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/> County: MARION
WM District: 16 Gregory J. Wacker	WM Review request sent: WM Review date received:
ODFW District:	ODFW Review sent: ODFW Review date received:
Groundwater	GW Review sent: GW Review date received:

## Caseworker Actions: Newspaper & PD Notice:

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

## Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>3-21-24</u> Initials: <u>BC</u>	Date: _____ Initials: _____	Date: <u>4-12-24</u> Initials: <u>PLS</u>	Date: <u>4-13-24</u> Initials: <u>BB</u>	CW Sent: <u>4-12-24</u> WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____



FO	Date: <u>5-23-24</u>	Date: _____	Date: <u>5-23-24</u>	Date: <u>5-23-24</u>	Date: <u>5-23-24</u>	Date: <u>5/29/24</u>
	Initials: <u>AL</u>	Initials: _____	Initials: <u>PLS</u>	Initials: <u>AL</u>	No. of docs for sig: <u>1</u>	

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. 131 Pages 170-171



## LUONGO Dante J \* WRD

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**From:** phggek at bctonline.com <phggek@bctonline.com>  
**Sent:** Thursday, May 16, 2024 8:05 PM  
**To:** LUONGO Dante J \* WRD  
**Cc:** phgdmh@gmail.com; Kenton Sinn; bigtalltimber; Hilary Rich; Joseph Cox; Thomas Cox  
**Subject:** Re: T-14299 DPD and Cover Letter

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dante,

Acting as agent on behalf of the applicants, we are requesting withdrawal of application T-14299. The applicants have decided they do not wish to cancel the primary water right under Certificate 23267.

Please let me know if you have any questions or need additional information.

Regards,

Gregory E. Kupillas, R.G., C.W.R.E.  
Pacific Hydro-Geology Inc.  
503.939.3167

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**From:** "dante j luongo" <dante.j.luongo@water.oregon.gov>  
**To:** "phgdmh@gmail.com" <phgdmh@gmail.com>, "Greg Kupillas" <phggek@bctonline.com>  
**Sent:** Wednesday, May 15, 2024 6:45:58 AM  
**Subject:** RE: T-14299 DPD and Cover Letter

Hey Doann,  
Thanks for the heads up. These changes will be reflected in the PD. Also, because I will be out of the office until Thursday May 23, 2024, I will grant a 1 week extension for you and Greg to get the ROI in to me.  
Best Regards,  
Dante Luongo

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**From:** Doann Hamilton <phgdmh@gmail.com>  
**Sent:** Tuesday, May 14, 2024 12:43 PM  
**To:** phggek at bctonline.com <phggek@bctonline.com>  
**Cc:** LUONGO Dante J \* WRD <dante.j.luongo@water.oregon.gov>  
**Subject:** Re: T-14299 DPD and Cover Letter

Hi Dante

I know I am coming in late on this party evaluating our client application T-14299

I do not know where everyone is at trying to address the issues to help get this application going  
But if they do and Greg has not pointed out any errors on the DPD

I would like to note



On Page 2 where it is listing the Certificate - the names under the certificate  
- This should list Wagenbach not Wagen Beach  
and second

The source should be from two wells not one

I also have reached out to Greg to see if an ownership report has been requested  
I know the deadline is Monday May 20th  
But due to the other issues - we might be a bit late

Thank you  
Doann

On Wed, Apr 24, 2024 at 11:03 AM phggek at [bctonline.com](mailto:phggek@bctonline.com) <[phggek@bctonline.com](mailto:phggek@bctonline.com)> wrote:

Dante,

Thanks for the heads up and the documents. It is our intent to file the affidavit of cancellation for Certificate 23267 and provide the information on the quantity (volume) of water historically used by the Supplemental Irrigation. I would like some clarification regarding the volume of water historically used by the Supplemental Irrigation. I am assuming we are supposed to estimate the actual annual volume used, as in acre-feet. Can you verify if my assumption is correct?

Regards,

Greg Kupillas  
Pacific Hydro-Geology Inc.

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**From:** "[phgdmh@gmail.com](mailto:phgdmh@gmail.com)" <[phgdmh@gmail.com](mailto:phgdmh@gmail.com)>  
**To:** "Greg Kupillas" <[phggek@bctonline.com](mailto:phggek@bctonline.com)>  
**Sent:** Thursday, April 18, 2024 11:49:48 AM  
**Subject:** Fwd: T-14299 DPD and Cover Letter

----- Forwarded message -----

**From:** LUONGO Dante J \* WRD <[Dante.J.LUONGO@water.oregon.gov](mailto:Dante.J.LUONGO@water.oregon.gov)>  
**Date:** Thu, Apr 18, 2024, 9:27 AM  
**Subject:** T-14299 DPD and Cover Letter  
**To:** Doann Hamilton <[phgdmh@gmail.com](mailto:phgdmh@gmail.com)>

Hey Doann,  
These are going out into the mail today. Please see the attached for T-14299's DPD and Cover Letter.

Best Regards,

Dante Luongo

Transfer Specialist- Transfers and Conservation Section  
725 Summer Street NE Ste A  
Salem, Oregon 97301  
(971)-304-5006

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



18487 S. Valley Vista Rd.  
Mulino, Oregon 97042  
(503) 632-5016 Phone  
(503) 632-5983 Fax

*Pacific Hydro-Geology Inc.*

# Memo

**To:** Oregon Water Resources Department / Elyse Richman  
**From:** Doann Hamilton, CWRE  
**CC:**  
**Date:** September 11, 2023  
**Re:** Transfer T-14299

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In reviewing the transfer application T-14299 for our client Wagenbach, Joseph Cox and Hilary Rich, I have revised Table 2 to clarify the IS acres subject to this transfer.

Attached is the corrected Table 2 to reflect this change.



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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 # 97087**

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
6	S	1	W	7	NE	NW	2400	DLC 49	0.5	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	NE	NW	2400	DLC 49	0.5	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	NE	NW	2400	Historical Labish Lake	1.6	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	NE	NW	2400	Historical Labish Lake	1.6	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SW	NW	2400	DLC 49	0.3	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SW	NW	2400	DLC 49	0.3	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SW	NW	2400	Lot 2	12.9	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W	7	SW	NW	1400, 2400	Lot 2	16.2	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SW	NW	1400, 2400	Lot 2	3.3	IR	Well 1 & 2	2-21-2002														
6	S	1	W	7	SW	NW	1400, 2400	Historic Lake Labish	16.7	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SW	NW	1400, 2400	Historic Lake Labish	16.7	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SE	NW	2400	DLC 49	5.6	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SE	NW	2400	DLC 49	5.6	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SE	NW	2400, 1600	Lot 2	5.0	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SE	NW	2400, 1600	Lot 2	5.0	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SE	NW	2400	Historic Lake Labish	4.2	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SE	NW	2400	Historic Lake Labish	4.2	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	NE	SW	1600	NA	3.3	IS	Well 1 & 2	2-21-2002	STOP	6	S	1	W	7	NE	SW	1600	NA	6.5	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	NE	SW	1600	NA	3.2	IR	Well 1 & 2	2-21-2002														

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*Revised 9-11-23*  
*DH*



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Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate		POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
6	S	1	W	7	NW	SW	2400, 1600	NA	26.0	IS	Well 1 & 2	2-21- 2002	STOP	6	S	1	W	7	NW	SW	2400, 1600	NA	27.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	7	NW	SW	2400	NA	1.0	IR	Well 1 & 2	2-21- 2002														
6	S	1	W	7	SW	SW	1300	NA	1.5	IS	Well 1 & 2	2-21- 2002	STOP	6	S	1	W	7	SW	SW	1600, 2300, 1300	NA	23.2	IR	Well 1 & 2	2-21- 2002
6	S	1	W	7	SW	SW	1600, 2300, 1300	NA	21.7	IR	Well 1 & 2	2-21- 2002														
6	S	1	W	12	SE	NE	2400	Lot 6	2.0	IS	Well 1 & 2	2-21- 2002	STOP	6	S	1	W	12	SE	NE	2400, 1400	Lot 6	2.4	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	NE	1400	Lot 6	0.4	IR	Well 1 & 2	2-21- 2002														
6	S	1	W	12	SE	NE	2400, 1400	Historic Lake Labish	6.8	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	SE	NE	2400, 1400	Historic Lake Labish	6.8	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	SW	1100, 1300	Lot 5	5.3	IS	Well 1 & 2	2-21- 2002	STOP	6	S	1	W	12	SE	SW	1100, 1300	Lot 5	5.3	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	SW	1100, 1300	Historic Lake Labish	3.4	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	SE	SW	1100, 1300	Historic Lake Labish	3.4	IR	Well 1 & 2	2-21- 2002

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9-11-23  
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6	S	1	W	12	NE	SE	2400, 1400	Lot 6	35.9	IS	Well 1 & 2	2-21- 2002	S T O P	6	S	1	W	12	NE	SE	2400, 1400	Lot 6	35.9	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	NE	SE	2400, 1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	NE	SE	2400, 1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	NW	SE	1400	Lot 5	9.5	IS	Well 1 & 2	2-21- 2002	S T O P	6	S	1	W	12	NW	SE	1400	Lot 5	9.5	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	NW	SE	1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	NW	SE	1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SW	SE	1300, 1400	Lot 5	37.0	IS	Well 1 & 2	2-21- 2002	S T O P	6	S	1	W	12	SW	SE	1300, 1400	Lot 5	37.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SW	SE	1300, 1400	Historic Lake Labish	1.5	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	SW	SE	1300, 1400	Historic Lake Labish	1.5	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	SE	1300, 1400	NA	25.1	IS	Well 1 & 2	2-21- 2002	S T O P	6	S	1	W	12	SE	SE	1300, 1400	NA	25.9	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	SE	1300	NA	0.8	IR	Well 1 & 2	2-21- 2002														
6	S	1	W	13	NW	NE	1100, 1300	NA	21.6	IS	Well 1 & 2	2-21- 2002	S T O P	6	S	1	W	13	NW	NE	1100, 1300	NA	24.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	13	NW	NE	1100	NA	2.4	IR	Well 1 & 2	2-21- 2002														

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6	S	1	W	13	NE	NW	1100	NA	3.5	IS	Well 1 & 2	2-21-2002	S TO P	6	S	1	W	13	NE	NW	1100	NA	3.5	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	NE	NW	1100	Historic Lake Labish	4.8	IR	Well 1 & 2	2-21-2002		6	S	1	W	13	NE	NW	1100	Historic Lake Labish	4.8	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	NE	NW	1100	Lot 2	28.7	IR	Well 1 & 2	2-21-2002		6	S	1	W	13	NE	NW	1100	Lot 2	32.2	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	NW	NW	1100	Historic Lake Labish	3.8	IR	Well 1 & 2	2-21-2002		6	S	1	W	13	NW	NW	1100	Historic Lake Labish	3.8	IR	Well 1 & 2	2-21-2002
6	S	1	W	13	SW	NW	1100	Historic Lake Labish	0.8	IR	Well 1 & 2	2-21-2002		6	S	1	W	13	SW	NW	1100	Historic Lake Labish	0.8	IR	Well 1 & 2	2-21-2002
TOTAL IR ACRES:									122.5					TOTAL IR ACRES:									306.1			
TOTAL IS ACRES:									183.6																	

Additional remarks: Although the change from Supplemental to Primary does not affect the entire right under Certificate 97087, we have included the entire right in this application with the intent of having one single water right for primary use of groundwater over the entire place of use currently covered by both primary and supplemental groundwater rights.

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## Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14299

Review Due Date: 09/14/2023

Applicant Name: WAGENBACH PNW LLC / STOR-MOORE LLC

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

Reviewer(s): G. Wacker

Date of Review: 09/06/2023

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



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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:



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

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

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

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

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

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

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

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

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:



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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

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

☐ Submerged Orifice  
☐ Flow Restrictor



## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 14299



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



Wagenbush PNW LLC/Stor-Moore LLC, Joseph Cox, and Hilary Rich RA R11-458-25 T-14299						
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						
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			32.97			
					TOTAL	\$1,871.85





OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION



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

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

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

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

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Wagenbach PNW LLC / Stor-Moore LLC c/o Joe Moore</u>	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	<u>9292 Howell Prairie Rd NE</u>	18487 S. Valley Vista Road
	<u>Salem, OR 97305</u>	Mulino, OR 97042
Phone:	<u>541-993-0522</u>	(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	<u>bigtalltimber@gmail.com</u>	phgdmh@gmail.com

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Joseph Cox</u>	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	<u>9581 Howell Prairie Rd NE</u>	18487 S. Valley Vista Road
	<u>Salem, OR 97305</u>	Mulino, OR 97042
Phone:	<u>503-851-4294</u>	(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	<u>jrpcox@gmail.com</u>	phgdmh@gmail.com

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Hillary Rich</u>	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	<u>9721 Howell Prairie Rd NE</u>	18487 S. Valley Vista Road
	<u>Salem, OR 97305</u>	Mulino, OR 97042
Phone:		(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	<u>hilaryrich@gmail.com</u>	phgdmh@gmail.com

I understand the following:

- That upon receipt of my non-refundable application fee of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.





OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION



- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

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

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I certify that I am the (check one):

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

1. Name: H. JOE MOORE

1. Signature: [Signature]

2. Name: Joseph Cox

2. Signature: [Signature]

3. Name: Hilary Rich

3. Signature: [Signature] 7/12/23

OWRD USE ONLY: Reimbursement Authority Number: R11- 458 -23





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

August 15, 2023

WAGENBACH PNW LLC / STOR-MOORE LLC  
9292 HOWELL PRAIRIE RD NE  
SALEM, OR 97305

Reference: Application T-14299

On August 7, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 141363 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

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

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

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)  
Marion County Planning Department  
Applicants: Joseph Cox and Hilary Rich  
Doann Hamilton, Agent

Enclosure



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **141363**

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

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

RECEIVED FROM: Star-Moore, LLC  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	T-14299

CASH: ☐ CHECK: # 132 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 1,360.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_ 0202 \$ \_\_\_\_\_  
0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ 1,360.00

**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 (FWWRD) \$ \_\_\_\_\_  
0231 HYDRO LICENSE FEE (FWWRD) \$ \_\_\_\_\_  
HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

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

RECEIPT: **141363**

DATED: 8-7-23

BY: 13



# 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](http://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](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 97087:**  
Please include a separate Part 5 for each water right. (See instructions on page 6)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

### Attachments:

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

(For Staff Use Only)

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

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

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

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

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## Part 2 of 5 – Transfer Application Map

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

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

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

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## FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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*).

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**TACS**



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Wagenbach PNW LLC / Stor-Moore LLC</b>		PHONE NO. <b>541-993-0522</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>9292 Howell Prairie Rd NE</b>		FAX NO.	
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>	E-MAIL <b>bigtalltimber@gmail.com</b>
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.			

### Applicant Information

APPLICANT/BUSINESS NAME <b>Joseph Cox</b>		PHONE NO. <b>503-851-4294</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>9581 Howell Prairie Rd NE</b>		FAX NO.	
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>	E-MAIL <b>jrpcox@gmail.com</b>
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.			

### Applicant Information

APPLICANT/BUSINESS NAME <b>Hilary Rich</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>9721 Howell Prairie Rd NE</b>		FAX NO.	
CITY <b>Salem</b>	STATE <b>OR</b>	ZIP <b>97305</b>	E-MAIL <b>hilaryjrich@gmail.com</b>
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 <b>Doann Hamilton / Pacific Hydro-Geology, Inc.</b>		PHONE NO. <b>(503) 632-5016</b>	ADDITIONAL CONTACT NO. <b>(503) 349-6946 (cell)</b>
ADDRESS <b>18487 S. Valley Vista Road</b>		FAX NO. <b>(503) 632-5983</b>	
CITY <b>Mulino</b>	STATE <b>OR</b>	ZIP <b>97042</b>	E-MAIL <b>phgdmh@gmail.com</b>
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 primary source of water for Certificate 23267 is the Little Pudding River and a side tributary. The quality of this water is not adequate for application on berries. We wish to change the supplemental groundwater right, Certificate 97087, which covers Certificate 23267, to primary so we can use well water as the primary source.

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:

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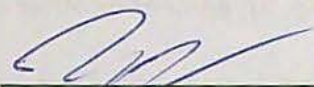
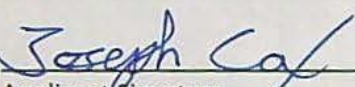
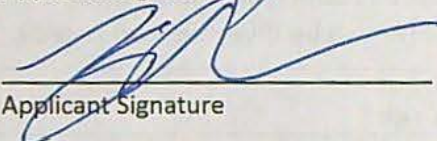
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- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Statesman Journal.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

 Applicant Signature	<u>H. JOE MOORE</u> Print Name and title if applicable	<u>7-20-23</u> Date
 Applicant Signature	<u>Joseph Cox</u> Print Name and title if applicable	<u>7-17-23</u> Date
 Applicant Signature	<u>Hilary Rich</u> Print Name and title if applicable	<u>7/12/23</u> Date

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

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

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:  
[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

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

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

IRRIGATION DISTRICT NAME <b>NA</b>	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 <b>NA</b>	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 <b>Marion County Planning Division</b>	ADDRESS <b>5155 Silverton Road NE</b>	
CITY <b>Salem</b>	STATE <b>Oregon</b>	ZIP <b>97305</b>

## 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 # 97087

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### Description of Water Delivery System

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System capacity: 2.2 cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at sometime 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 1 (MARI 3959, 58332) using a 40 Hp pump to convey the water through 6-inch above-ground galvanized pipe through the meter. After the meter, the above-ground 6-inch black poly pipe continues northeast approximately 5 feet and connects to above-ground, portable, 6-inch aluminum mainline.



When water is combined with Well 2, the portable 6-inch aluminum mainline can be extended northwest approximately where it then turns northeast along the crops edge. The 6-inch portable aluminum mainline can connect to a hydrant attached to the buried 8-inch PVC mainline. The buried 8-inch mainline continues northeast where it connects to Well 2 and goes through 10-inch black poly pipe through the filter station.

Row crops are irrigated using portable 6-inch aluminum mainlines either connected directly from Well 1 or to hydrants that connect to Well 2. From these portable 6-inch aluminum mainlines, 3-inch portable aluminum laterals with 11/64 –inch impact sprinklers every 40 feet.

Water is pumped from Well 2 (MARI 69450) using a 40 Hp pump to convey the water through 6-inch above-ground steel pipe through the meter. After the meter, the above-ground 6-inch black poly pipe continues southwest going underground and connecting to below-ground 8-inch PVC (tied to Well 1). The below ground PVC runs to the east connecting back with 8-inch black poly above-ground pipe through 7 large filter stations with an injection system for solutions. A 10-inch black poly pipe takes two lines out from the filter station to the southeast before both lines go back underground and connect to two 10-inch PVC below-ground pipe (one line for the overhead sprinkler system, and the other for the drip system).

The berry fields:

The mainline extends north-northwest and south-southeast and stops halfway at the edge of each different block of berries. At this point, two sets of laterals extend from the mainline in the same directions. One set of lines supplies the overhead sprinkler system and the other line supplies the drip system.

The drip system is two lines per row of 5/8 –inch poly tubing with emitters every 12 inches. The overhead sprinkler system includes laterals of 1-inch black poly pipe every third row. The overhead sprinklers are spaced every 30 feet along the row connected by ½-inch flexible poly tubing wrapped around a pole and connected to 2-foot-long, ¾-inch schedule 80 PVC with the sprinkler head on top equaling a height of 6 feet.

Note:

Wagenbach:

Wagenbach has an NRCS contract OMB No. 0578-0013 to allow 50 acres to be irrigated for hay within the wildlife boundary. The hay can only be cut after July 15<sup>th</sup> and the contract expires October 31, 2031. A hard hose traveler is used to irrigate this area.

Joseph Cox:

The place of use on Joseph Cox's property is under primary irrigation from a hydrant on the southeastern edge of one of the berry zones. A portable 6-inch aluminum mainline is attached to this hydrant and extended southwest toward the common access road for all property owners per land deed. The portable 6-inch mainline then runs southwest along the road toward and through Joseph's property. Every 60 feet, portable 3-inch aluminum handlines are attached with impact sprinklers every 40 feet. 60 sprinklers can be run at one time.

Hilary Rich:

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The primary surface water is conveyed from the POD (Certificate 23267) onsite through a portable 6-inch aluminum mainline through a filter then into the manifold. When the primary surface water is not available, and/or the primary / supplemental ground water area is irrigated, the portable 6-inch aluminum mainline supplying Joseph Cox's place of use is extended northeast and attaches to the filter system, then connecting to the manifold.

A portable 3-inch layflat vinyl hose is attached to the manifold heading southwest to the property's east boundary. The line then extends northeast along the property boundary. From this layflat hose on the eastern section, two 2-inch above-ground Oval polyethylene hoses are attached running northwest. A third 2 inch Oval line runs northwest directly off the manifold creating three irrigation zones. Drip lines are attached to the Oval line running northeast to southwest. There is one line per row with emitters every 12 inches. One zone can be irrigated at one time.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 3959, 58332	6	S	2	W	13	NE	NW	Lot 2	115 feet south and 2,925 feet west from the NE corner Section 13
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 69450	6	S	2	W	12	SE	NE	Lot 6	800 feet south and 1,690 feet west from the SW corner, DLC 49
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

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

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

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

**Table 2. Description of Changes to Water Right Certificate # 97087**

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
6	S	1	W	7	NE	NW	2400	DLC 49	0.5	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	NE	NW	2400	DLC 49	0.5	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	NE	NW	2400	Historical Labish Lake	1.6	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	NE	NW	2400	Historical Labish Lake	1.6	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SW	NW	2400	DLC 49	0.3	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SW	NW	2400	DLC 49	0.3	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SW	NW	1400, 2400	Lot 2	16.2	IS	Well 1 & 2	2-21-2002	S TO P	6	S	1	W	7	SW	NW	1400, 2400	Lot 2	16.2	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SW	NW	1400, 2400	Historic Lake Labish	16.7	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SW	NW	1400, 2400	Historic Lake Labish	16.7	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SE	NW	2400	DLC 49	5.6	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SE	NW	2400	DLC 49	5.6	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SE	NW	2400, 1600	Lot 2	5.0	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SE	NW	2400, 1600	Lot 2	5.0	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	SE	NW	2400	Historic Lake Labish	4.2	IR	Well 1 & 2	2-21-2002		6	S	1	W	7	SE	NW	2400	Historic Lake Labish	4.2	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	NE	SW	1600	NA	6.5	IS	Well 1 & 2	2-21-2002	S TO P	6	S	1	W	7	NE	SW	1600	NA	6.5	IR	Well 1 & 2	2-21-2002
6	S	1	W	7	NW	SW	1400, 2400, 1600	NA	27.0	IS	Well 1 & 2	2-21-2002	S TO P	6	S	1	W	7	NW	SW	1400, 2400, 1600	NA	27.0	IR	Well 1 & 2	2-21-2002

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate		POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
6	S	1	W	7	SW	SW	1600, 2300, 1300	NA	23.2	IS	Well 1 & 2	2-21- 2002	S TO P	6	S	1	W	7	SW	SW	1600, 2300, 1300	NA	23.2	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	NE	2400, 1400	Lot 6	2.4	IS	Well 1 & 2	2-21- 2002	S TO P	6	S	1	W	12	SE	NE	2400, 1400	Lot 6	2.4	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	NE	2400, 1400	Historic Lake Labish	6.8	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	SE	NE	2400, 1400	Historic Lake Labish	6.8	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	SW	1100, 1300	Lot 5	5.3	IS	Well 1 & 2	2-21- 2002	S TO P	6	S	1	W	12	SE	SW	1100, 1300	Lot 5	5.3	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	SW	1100, 1300	Historic Lake Labish	3.4	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	SE	SW	1100, 1300	Historic Lake Labish	3.4	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	NE	SE	2400, 1400	Lot 6	35.9	IS	Well 1 & 2	2-21- 2002	S TO P	6	S	1	W	12	NE	SE	2400, 1400	Lot 6	35.9	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	NE	SE	2400, 1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	NE	SE	2400, 1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	NW	SE	1400	Lot 5	9.5	IS	Well 1 & 2	2-21- 2002	S TO P	6	S	1	W	12	NW	SE	1400	Lot 5	9.5	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	NW	SE	1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	NW	SE	1400	Historic Lake Labish	3.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SW	SE	1300, 1400	Lot 5	37.0	IS	Well 1 & 2	2-21- 2002	S TO P	6	S	1	W	12	SW	SE	1300, 1400	Lot 5	37.0	IR	Well 1 & 2	2-21- 2002



AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date	Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
6	S	1	W	12	SW	SE	1300, 1400	Historic Lake Labish	1.5	IR	Well 1 & 2	2-21- 2002		6	S	1	W	12	SW	SE	1300, 1400	Historic Lake Labish	1.5	IR	Well 1 & 2	2-21- 2002
6	S	1	W	12	SE	SE	1300, 1400	NA	25.9	IS	Well 1 & 2	2-21- 2002	STOP	6	S	1	W	12	SE	SE	1300, 1400	NA	25.9	IR	Well 1 & 2	2-21- 2002
6	S	1	W	13	NW	NE	1100, 1300	NA	24.0	IS	Well 1 & 2	2-21- 2002	STOP	6	S	1	W	13	NW	NE	1100, 1300	NA	24.0	IR	Well 1 & 2	2-21- 2002
6	S	1	W	13	NE	NW	1100	Historic Lake Labish	4.8	IR	Well 1 & 2	2-21- 2002		6	S	1	W	13	NE	NW	1100	Historic Lake Labish	4.8	IR	Well 1 & 2	2-21- 2002
6	S	1	W	13	NE	NW	1100	Lot 2	32.2	IS	Well 1 & 2	2-21- 2002	STOP	6	S	1	W	13	NE	NW	1100	Lot 2	32.2	IR	Well 1 & 2	2-21- 2002
6	S	1	W	13	NW	NW	1100	Historic Lake Labish	3.8	IR	Well 1 & 2	2-21- 2002		6	S	1	W	13	NW	NW	1100	Historic Lake Labish	3.8	IR	Well 1 & 2	2-21- 2002
6	S	1	W	13	SW	NW	1100	Historic Lake Labish	0.8	IR	Well 1 & 2	2-21- 2002		6	S	1	W	13	SW	NW	1100	Historic Lake Labish	0.8	IR	Well 1 & 2	2-21- 2002
TOTAL ACRES:									306.1					TOTAL ACRES:									306.1			

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Additional remarks: Although the change from Supplemental to Primary does not affect the entire right under Certificate 97087, we have included the entire right in this application with the intent of having one single water right for primary use of groundwater over the entire place of use currently covered by both primary and supplemental groundwater rights.

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

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

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

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

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

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

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

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

Identify the primary certificate to be cancelled. Certificate # 23267

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

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

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

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

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss

County of MARION

I, JOE MOORE, in my capacity as OWNER/OPERATOR,

mailing address 9292 HOWELL PRAIRIE RD NE, SALEM, OR 97305

telephone number (541) 993-0522, 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 # 97087 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)

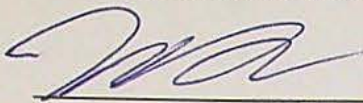
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3. The water right was used for: (e.g., crops, pasture, etc.): BERRIES, ONIONS, WHEAT, CORN, HAZELNUTS, AND HEMP

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.



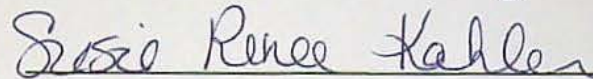
Signature of Affiant

7-22-23

Date

Signed and sworn to (or affirmed) before me this 22 day of July, 2023.





Notary Public for Oregon

My Commission Expires: 05-19-2025

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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STATE OF OREGON

COUNTY OF MARION

## CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH COX  
9581 HOWELL PRAIRIE RD NE  
SALEM OR 97305

WAGENBACH PNW LLC  
STOR-MOORE LLC  
9292 HOWELL PRAIRIE RD NE  
SALEM OR 97305

HILARY RICH  
9721 HOWELL PRAIRIE RD NE  
SALEM OR 97305

confirms the right to the use of water perfected under the terms of Permit G-15990. 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-15722

SOURCE OF WATER: TWO WELLS IN LITTLE PUDDING BASIN

PURPOSE OR USE: IRRIGATION OF 122.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 183.6 ACRES

MAXIMUM RATE: 2.2 CUBIC FEET PER SECOND (CFS), BEING 1.1 CFS FROM EACH WELL

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 21, 2002

## WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
6 S	2 W	WM	13	NE NW	2	WELL 1 - 115 FEET SOUTH AND 2925 FEET WEST FROM NE CORNER, SECTION 13
6 S	2 W	WM	12	SE NE	6	WELL 2 - 800 FEET SOUTH AND 1690 FEET WEST FROM SW CORNER, WILLIAM PARKER DLC 49

## 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 amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 W	WM	7	NE NW			1.6
6 S	1 W	WM	7	NE NW		49	0.5
6 S	1 W	WM	7	SW NW			16.7
6 S	1 W	WM	7	SW NW	2		3.3
6 S	1 W	WM	7	SW NW		49	0.3
6 S	1 W	WM	7	SE NW			4.2
6 S	1 W	WM	7	SE NW		49	5.6
6 S	1 W	WM	7	SE NW	2		5.0
6 S	1 W	WM	7	NE SW			3.2
6 S	1 W	WM	7	NW SW			1.0
6 S	1 W	WM	7	SW SW			21.7
6 S	2 W	WM	12	SE NE			6.8
6 S	2 W	WM	12	SE NE	6		0.4
6 S	2 W	WM	12	SE SW			3.4
6 S	2 W	WM	12	NE SE			3.0
6 S	2 W	WM	12	NW SE			3.0
6 S	2 W	WM	12	SW SE			1.5
6 S	2 W	WM	12	SE SE			0.8
6 S	2 W	WM	13	NW NE			2.4
6 S	2 W	WM	13	NE NW	2		28.7
6 S	2 W	WM	13	NE NW			4.8
6 S	2 W	WM	13	NW NW			3.8
6 S	2 W	WM	13	SW NW			0.8

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 W	WM	7	SW NW	2		12.9
6 S	1 W	WM	7	NE SW			3.3
6 S	1 W	WM	7	NW SW			26.0
6 S	1 W	WM	7	SW SW			1.5
6 S	2 W	WM	12	SE NE	6		2.0
6 S	2 W	WM	12	SE SW	5		5.3
6 S	2 W	WM	12	NE SE	6		35.9
6 S	2 W	WM	12	NW SE	5		9.5
6 S	2 W	WM	12	SW SE	5		37.0
6 S	2 W	WM	12	SE SE			25.1
6 S	2 W	WM	13	NW NE			21.6
6 S	2 W	WM	13	NE NW	2		3.5

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.

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- 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(s) 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 levels against which any future measurements will be compared is 6.50 feet below land surface for Well 1 and - 1.66 feet below land surface for Well 2.

The period of non or restricted use shall continue until the annual 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.

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.

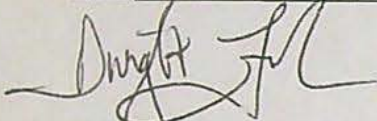


By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 APR 28 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.wrd.state.or.us

Applicant(s): Wagenbach PNW LLC / Stor-Moore LLC

Mailing Address: 9292 Howell Prairie Rd NE

City: Salem

State: OR

Zip Code: 97305

Daytime Phone: (541) 993-0522

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>6S</u>	<u>1W</u>	<u>7</u>	_____	<u>1600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>1W</u>	<u>7</u>	_____	<u>2300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>1W</u>	<u>7</u>	_____	<u>2400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>2W</u>	<u>12</u>	_____	<u>1300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>2W</u>	<u>12</u>	_____	<u>1400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>2W</u>	<u>13</u>	_____	<u>1100</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>

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

Marion County

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 2.2    ☒ cubic feet per second    ☐ gallons per minute    ☐ acre-feet

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

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to change a portion of an existing water right (Certificate 97087) from supplemental use to primary use.

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): Farm use is outright permitted in EFU per MCC 17.136.020.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Daniel Jansen Title: Assistant Planner

Signature: *Daniel Jansen* Phone: (503) 588 5038 Date: 8/3/2023

Government Entity: Marion 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: \_\_\_\_\_

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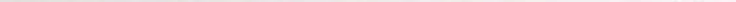
**AUG 07 2023**

**OWRD**



[illegible]

Well 2 (MARI 69450) is located 800 feet south and 1,690 feet west from the SW corner, William Parker DLC 49.

 "To" Area (37.2 acres) to be primary irrigation area on NRCS easement .

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.

Wagenbach PNW LLC / Stor-Moore LLC,  
Joseph Cox and Hilary Rich

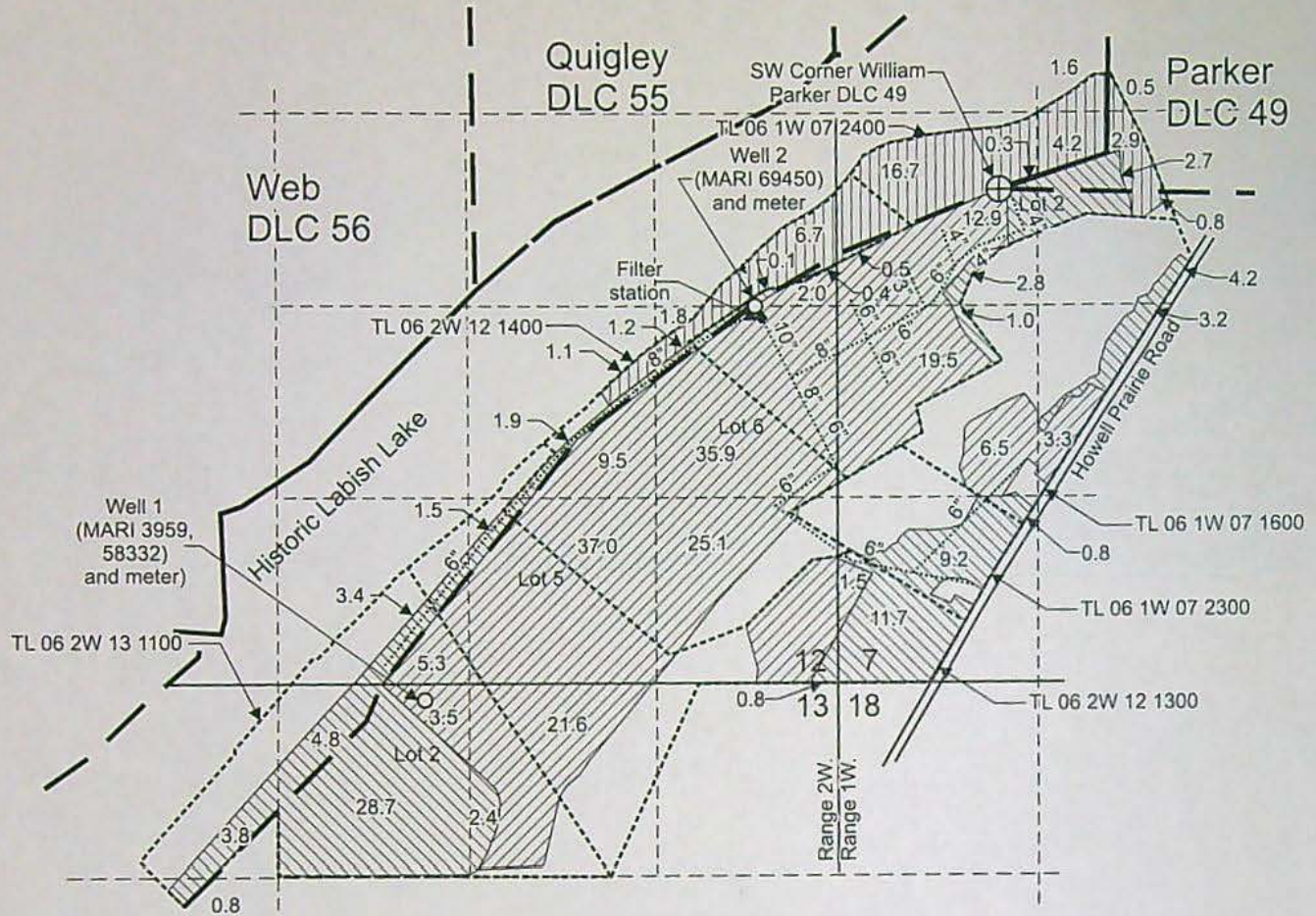
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# T.6S. R.1&2W. Section 7, 12, & 13, W.M.



Well 1 (MARI 3959, 58332) is located 115 feet south and 2,925 feet west from the NE corner, Section 13.

Well 2 (MARI 69450) is located 800 feet south and 1,690 feet west from the SW corner, William Parker DLC 49.

-  "From" Area (85.3 acres) primary irrigation under Certificate 97087, Priority date: 2-21-2002.
-  "From" Area (37.2 acres) of primary irrigation area on NRCS easement under Certificate 97087, Priority date: 2-21-2002.
-  "From" Area (183.6 acres) of supplemental irrigation under Certificate 97087, Priority date: 2-21-2002.

- Tax lot boundary
- Donation Land Claim boundary
- ..... Water main line (buried and above ground)

Scale: 1" = 1,320'



EXPIRES: *June 30, 2025*

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 "From" Map  
Certificate 97087

Wagenbach PNW LLC / Stor-Moore LLC,  
Joseph Cox and Hilary Rich

06/2023

Pacific Hydro-Geology Inc.

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**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT #

**141648**

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

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

RECEIVED FROM:

*Wagenbach PNV LLC*

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

APPLICATION

PERMIT

TRANSFER

*T-14299*

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

☒ *130*

☐

TOTAL REC'D

*\$1,871.85*

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407

COPIES

*47124*

*R11958-25*

\$

*0412*

OTHER:

(IDENTIFY)

*Transfer Reimbursement Authority*

*\$1,871.85*

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

**4270 WRD OPERATING ACCT**

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

TC162

DEPOSIT LIAB. (IDENTIFY)

\$

0240

EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201

SURFACE WATER

\$

0202

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER

(IDENTIFY)

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

0211

WELL CONST START FEE

\$

CARD#

0210

MONITORING WELLS

\$

CARD#

OTHER

(IDENTIFY)

**0607 TREASURY 0467 HYDRO ACTIVITY**

LIC NUMBER

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

**TREASURY**

**OTHER / RDX**

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

**141648**

DATED:

*9-20-2023*

BY:

*[Signature]*



**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT**  
Contract Number: R11-458-25

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

**OWRD Information**

Contact: **Kelly Starnes**  
Title: Transfer Advisor  
Address: 725 Summer Street, NE, Suite A  
Salem, OR 97301-1266  
  
Phone: 503 979-3511  
Fax: 503 986-0901  
Email: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

**Applicant's Information**

Name: Joseph Cox  
Contact:  
Address: 9581 Howell Prairie Rd NE  
Salem, OR 97305  
  
Phone: (503) 851-4294  
Fax:  
Email: [jrpcox@gmail.com](mailto:jrpcox@gmail.com)

**Applicant's Representative**

Name: Pacific Hydro-Geology, Inc.  
Contact: Doann Hamilton  
Address: 18487 S Valley Vista Rd  
Mulino, OR 97042  
  
Phone: (503) 349-6946  
Fax: (503) 632-5983  
Email: [phgdmh@gmail.com](mailto:phgdmh@gmail.com)

**Purpose** The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-14299)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,871.85**. Applicant agrees to pay the full amount of **\$1,871.85** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.



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

For Applicant:

Joseph Cox  
Name/Title:

9-11-23  
Date

For OWRD:

Dwight French  
Dwight French – Administrator

9/21/23  
Date

Mail signed Agreement to:

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

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SEP 20 2023

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**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **141351**

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

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

RECEIVED FROM: Wagnerbach PWD LLC  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	T-14299

CASH: ☐ CHECK: # 129 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47124 R11458-25 \$ \_\_\_\_\_  
0412 OTHER: (IDENTIFY) Transf. Reimbursement Authority \$ 125.00  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

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

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR	\$	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: **141351**

DATED: 8-7-23

BY: [Signature]



**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-458-25**

RECEIVED

SEP 20 2023

OWRD

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Hillary Rich, hereafter Applicant, hereafter known together as the parties.

**OWRD Information**

Contact: **Kelly Starnes**  
Title: Transfer Advisor  
Address: 725 Summer Street, NE, Suite A  
Salem, OR 97301-1266  
  
Phone: 503 979-3511  
Fax: 503 986-0901  
Email: [patrick.k.starnes@water.oregon.gov](mailto:patrick.k.starnes@water.oregon.gov)

**Applicant's Information**

Name: Hilary Rich  
Contact: Hilary Rich  
Address: 9721 Howell Prairie Rd NE  
Salem, OR 97305  
  
Phone: 541-219-0451  
Fax:  
Email: [hilaryrich@gmail.com](mailto:hilaryrich@gmail.com)

**Applicant's Representative**

Name: Pacific Hydro-Geology, Inc.  
Contact: Doanna Hamilton  
Address: 18487 S Valley Vista Rd  
Mulino, OR 97042  
  
Phone: (503) 349-6946  
Fax: (503) 632-5983  
Email: [phgdmh@gmail.com](mailto:phgdmh@gmail.com)

**Purpose** The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14299)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,871.85. Applicant agrees to pay the full amount of \$1,871.85 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.



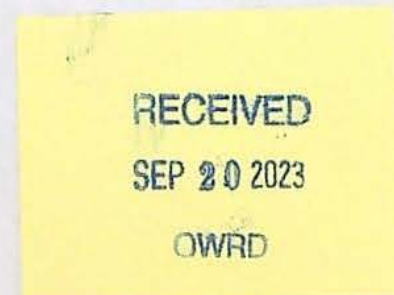
7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will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

For Applicant: Hilary Rich  
Name/Title:  
For OWRD: Dwight French  
Dwight French – Administrator

9/7/23  
Date  
9/21/23  
Date

Mail signed Agreement to:

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





**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-458-25**

**RECEIVED  
SEP 20 2023  
OWRD**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Wagenbach PNW LLC / Stor-Moore LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Wagenbach PNW LLC /	Name: Pacific Hydro-Geology, Inc.
Title: Transfer Advisor	Stor-Moore LLC	Contact: Doann Hamilton
Address: 725 Summer Street, NE, Suite A	Contact: Joe Moore	Address: 18487 S Valley Vista Rd
Salem, OR 97301-1266	Address: 9292 Howell Prairie Rd NE	Mulino, OR 97042
	Salem, OR 97305	
Phone: 503 979-3511	Phone: (541) 993-0522	Phone: (503) 349-6946
Fax: 503 986-0901	Fax:	Fax: (503) 632-5983
Email: <a href="mailto:patrick.k.starnes@water.oregon.gov">patrick.k.starnes@water.oregon.gov</a>	Email: <a href="mailto:bigtalltimber@gmail.com">bigtalltimber@gmail.com</a>	Email: <a href="mailto:phgdmh@gmail.com">phgdmh@gmail.com</a>

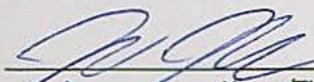
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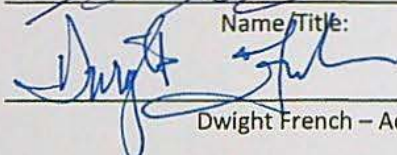


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13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

  
Name/Title:

For OWRD:

  
Dwight French – Administrator

8-31-23

Date

9/20/23

Date

Mail signed Agreement to:

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

RECEIVED

SEP 20 2023

OWRD



# Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-

Checked by: <u>Joan</u>	Type of Change(s) Proposed: <i>Mark the Proposed Changes</i>	Substitution	Supplemental to Primary	POU	POD	APOD
Date: <u>8/9/2023</u>		Gov Action	Surface to Ground	USE	POA	APOA
Fee Received:		How many rights to be Transferred?				
Calculated Fee:		Certificate # <u>97087</u>				
Additional Observations:						

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

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

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



## Permanent Transfer Application Intake Completion Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) If only one change, this will be 0. Multiply line 2b by \$1,090 and enter » » » » » » » » » » » » » » » »	2	0
3	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0 Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes = \$480 (4a) If YES: enter the number of wells being proposed: _____ (4b) Subtract 1 from the number in line 4b = _____ (4c) If only one well this will be 0. Multiply line 4c by \$410 = _____ (4d) Add lines 4a and 4d and enter » » » » » » » » » » » » » » » »	4	0
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » » » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:	8	