

T-14332

Regular

T-14332

ASSIGNED

Name David & Suzanne WhiteheadAddress 37998 Gilkey rd
Scio Oregon 97374
Suzanne@smt-net.comChange in APOA
Date Filed 9/26/2023
Initial notice date 10/3/2023
DPD issued date
PD issued date 6/9/2025
PD notice date 6/10/2025
Date of FO 7/29/2025 Vol 135 Page 249-252C-Date
COBU due date
COBU Received date
Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Well
Trib. of Thomas Creek
Use Irrigation/ST County Linn
Quantity of water (CFS) No. of Acres
Name of ditch
App# G7879 Per # G7294 Cert # 54430 PR Date
App# Per # Cert # PR Date
App# Per # Cert # PR Date
App# Per # Cert # PR Date
App# Per # Cert # PR Date

FEES PAID

Date	Amount	Receipt #
<u>9-26-2023</u>	<u>\$1,840.00</u>	<u>141676</u>
<u>9-12-24</u>	<u>\$120.00</u>	<u>143807</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments: 9-16-2024 Macey A. Wessels 37998 Gilkey Rd., Scio, OR 97374

Irrigation District

Agent Will McGill Surveying

CWRE

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 29, 2025

Macey Wessels
37998 Gilkey Rd
Scio, OR 97374

REFERENCE: Transfer Application T-14332

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at Joan.m.smith@water.oregon.gov.

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
William E. McGill, Agent
Linn County Planning Department, Local Government

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING OF AN
T-14332, Linn County)	ADDITIONAL POINT OF APPROPRIATION

Authority

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

Applicant

MACEY A. WESSELS
37998 GILKEY ROAD
SCIO, OR 97374

Findings of Fact

1. On September 26, 2023, David R. Whitehead and Suzanne J. Whitehead filed an application for an additional point of appropriation under Certificate 54436. The Department assigned the application number T-14332.
2. Notice of the application for transfer was published on October 3, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 30, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14332 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of September 30, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On September 3, 2024, the agent for the applicant requested the completion date of October 1, 2029, to allow extra time needed to accommodate contractor and well driller scheduling. The Department granted the longer time for completion per OAR 690-380-5140 (3).
5. On September 12, 2024, the Department received a request for assignment of T-14332 from David R. Whitehead and Suzanne J. Whitehead to Macey A. Wessels, the assignment was approved on September 16, 2024.
6. On June 9, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14332 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on June 10, 2025, and in the Albany Democrat Herald newspaper on June 12 and 19, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
7. The portion of the right to be transferred is as follows:

Certificate: 54436 in the name of ROBERT A. STOCKHOFF (perfected under Permit G-7294)

Use: IRRIGATION OF 10.6 ACRES and SUPPLEMENTAL IRRIGATION OF 54.2 ACRES

Priority Date: MARCH 4, 1977

Rate: 0.32 CUBIC FOOT PER SECOND

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

Source: A WELL a tributary of THOMAS CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	SW NE	65	WELL 1 - 3520 FEET NORTH AND 1450 FEET WEST FROM THE SE CORNER OF CALAVAN DLC 65

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	2 W	WM	22	NE SE	58	9.9
10 S	2 W	WM	22	SE SE	58	0.7
Total						10.6

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	2 W	WM	22	NE NE	58	14.6
10 S	2 W	WM	22	NW NE	58	6.2
10 S	2 W	WM	22	SW NE	58	1.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	2 W	WM	22	SE NE	58	23.8
10 S	2 W	WM	22	NE SE	58	8.4
Total						54.2

8. Transfer Application T-14332 proposes an additional point of appropriation approximately 0.38 mile southeast from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	NE SE	58	WELL 2 - 1920 FEET NORTH AND 170 FEET WEST FROM THE SE CORNER OF CALAVAN DLC 65

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

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14332.
11. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
13. The proposed change, as conditioned, would not result in enlargement of the right.
14. The proposed change, as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

Conclusions of Law

The additional point of appropriation proposed in Transfer Application T-14332 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-14332 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 54436 and any related decree.

3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
4. Water right Certificate 54436 is cancelled. A new certificate will be issued describing that those portions of the right not affected by this transfer.
5. The quantity of water diverted at the new additional point of appropriation (Well 2), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **JUL 29 2025**



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

Mailing date: **JUL 30 2025**

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. STOCKHOFF
37990 GILKEY RD
SCIO, OR 97374

confirms the right to use the waters of a WELL a tributary of THOMAS CREEK for SUPPLEMENTAL IRRIGATION of 157.6 ACRES.

This right was perfected under Permit G-7294. The date of priority is MARCH 4, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 0.78 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

TwP	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	SW NE	65	3520 FEET NORTH AND 1450 FEET WEST FROM THE SE CORNER OF CALAVAN DLC 65

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

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

SUPPLEMENTAL IRRIGATION							
TwP	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
10 S	2 W	WM	15	SW SW		65	1.8
10 S	2 W	WM	15	SE SW	8	65	1.6
10 S	2 W	WM	15	SE SW		65	12.7
10 S	2 W	WM	15	SW SE		65	8.6
10 S	2 W	WM	22	NW NE		65	31.7
10 S	2 W	WM	22	SW NE		65	15.7
10 S	2 W	WM	22	NE NW		65	30.0
10 S	2 W	WM	22	NW NW		65	0.1
10 S	2 W	WM	22	SE NW		65	34.7
10 S	2 W	WM	22	NE SW		65	18.2
10 S	2 W	WM	22	NW SE		65	2.5
Total							157.6

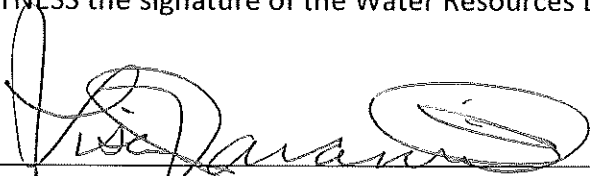
This certificate describes that portion of water right Certificate 54436, State Record of Water Right

Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 29 2025, approving Transfer Application T-14332.

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

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

WITNESS the signature of the Water Resources Director, affixed JUL 29 2025.

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', is written over a horizontal line. To the right of the signature is a circular embossed seal.

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14332

Transfer Specialist: *Joan*

Transfer Type: **Regular Transfer**

Reimbursement Authority? ☐

Applicant: <i>ASSIGNED</i> DAVID WHITEHEAD R. Whitehead 37990 GILKEY ROAD * Suzanne SCIO, OR 97374 J. Whitehead	Agent: WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392	Receiving Landowner: Assignee: MACEY A. WESSELS 37990 Gilkey Rd SCIO, OR. 97374
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Linn County Planning Department	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR-Needed	RR/CR Nos.
<input type="checkbox"/>	G-7879	G-7294	54436	<input checked="" 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: September 26, 2023	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice: 10/02/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: LINN
WM District: 16 Gregory J. Wacker	WM Review request sent: <input checked="" type="checkbox"/> <i>conditions</i> ✓	WM Review date received: <input checked="" type="checkbox"/>
ODFW District: <i>NA</i>	ODFW Review sent: <i>NA</i>	ODFW Review date received: <i>NA</i>
Groundwater <input checked="" type="checkbox"/>	GW Review sent: <input checked="" type="checkbox"/>	GW Review date received: <input checked="" type="checkbox"/>

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper: <i>Stayton Mail</i>
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: <i>7/21/24</i> Initials: <i>Joan</i>	Date: _____ Initials: <i>Kim</i>	Date: <i>Sandra</i> Initials: _____	Date: _____ Initials: _____	CW Sent: <i>8/29</i> WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <i>9/24/24</i> Initials: <i>Joan</i>	Date: <i>9/24/24</i> Initials: <i>Dante</i>	Date: <i>3/21</i> Initials: <i>Cory</i>	Date: _____ Initials: _____ Data Review Date: _____	Date: <i>7/27/25</i>	Date: <i>6/9/2025</i>
FO	Date: <i>6/11/25</i> Initials: <i>Joan</i>	Date: <i>6/13/25</i> Initials: <i>Scott</i>	Date: <i>6/13/25</i> Initials: <i>TS</i>	Date: <i>6/13/25</i> Initials: _____	Date: <i>7</i> No. of docs for sig: <i>2</i>	Date: <i>7/29/2025</i>

Special Issues: *needs affidavit* *Print RR** *July 13*

Special Order Volume: Vol. 135 Pages 249-252

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **145273**

INVOICE # _____

RECEIVED FROM: Will McGill Surveying, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14332

CASH: ☐ CHECK:# 2395 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 435.38

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 435.38

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

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

RECEIPT:

145273

DATED:

5.28.25

BY:

[Signature]

AFFIDAVIT OF PUBLICATION

See Proof on Next Page

Gazette Times - Democrat Herald
600 Lyon St SW
(541) 926-2211

State of Florida, County of Broward, ss:

Edmar Corachia, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Gazette Times - Democrat Herald, a newspaper of general circulation in Counties of Linn and Benton, as defined by section 193.010 O.R.S., published at 600 Lyon St. SW, Albany, OR in the aforesaid county and state; that a copy is hereto Annexed, was published in the entire issue of said newspaper.

PUBLICATION DATES:

Jun. 12, 2025

Jun. 19, 2025

NOTICE ID: 9Dy0m4zNjoRZNs0SGK0H

PUBLISHER ID: COL-OR-101159

NOTICE NAME: T-14332

Publication Fee: \$362.82

Edmar Corachia

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 06/20/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

**Notice of Preliminary Determination for Water Right Transfer
T-14332**

T-14332 filed by David R. Whitehead and Suzanne J. Whitehead, 37098 Giskey Rd, Scio, OR 97374, proposes an additional point of appropriation under Certificate 54436. The right allows the use of 0.32 cubic foot per second from a well in Sec. 22, T 10S, R2W, WM for irrigation and supplemental irrigation in Sec. 22, T10S, R2W, WM. The applicant proposes an additional point of appropriation within Sec. 22, T10S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 06/19/2025. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

6/12, 6/19 COL-OR-101159



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 9, 2025

VIA CERTIFIED MAIL AND E-MAIL

MACEY A. WESSELS
37998 GILKEY ROAD
SCIO, OR 97374

SUBJECT: Water Right Transfer Application T-14332

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14332. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503-986-0892 or Joan.M.Smith@water.oregon.gov, if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14332, Linn County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF APPROPRIATION

Authority

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

Applicant

MACEY A. WESSELS
37998 GILKEY ROAD
SCIO, OR 97374

Findings of Fact

1. On September 26, 2023, David R. Whitehead and Suzanne J. Whitehead filed an application for an additional point of appropriation under Certificate 54436. The Department assigned the application number T-14332.
2. Notice of the application for transfer was published on October 3, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 30, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14332 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of September 30, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On September 3, 2024, the agent for the applicant requested the completion date of October 1, 2029, to allow extra time needed to accommodate contractor and well driller scheduling. The Department granted the longer time for completion per OAR 690-380-5140 (3).
5. On September 12, 2024, the Department received a request for assignment of T-14332 from David R. Whitehead and Suzanne J. Whitehead to Macey A. Wessels, the assignment was approved on September 16, 2024.
6. The portion of the right to be transferred is as follows:

Certificate: 54436 in the name of ROBERT A. STOCKHOFF (perfected under Permit G-7294)

Use: IRRIGATION OF 10.6 ACRES and SUPPLEMENTAL IRRIGATION OF 54.2 ACRES

Priority Date: MARCH 4, 1977

Rate: 0.32 CUBIC FOOT PER SECOND

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

Source: A WELL a tributary of THOMAS CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	SW NE	65	WELL 1 - 3520 FEET NORTH AND 1450 FEET WEST FROM THE SE CORNER OF CALAVAN DLC 65

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	2 W	WM	22	NE SE	58	9.9
10 S	2 W	WM	22	SE SE	58	0.7
Total						10.6

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	2 W	WM	22	NE NE	58	14.6
10 S	2 W	WM	22	NW NE	58	6.2
10 S	2 W	WM	22	SW NE	58	1.2
10 S	2 W	WM	22	SE NE	58	23.8
10 S	2 W	WM	22	NE SE	58	8.4
Total						54.2

7. Transfer Application T-14332 proposes an additional point of appropriation approximately 0.38 mile southeast from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	NE SE	58	WELL 2 - 1920 FEET NORTH AND 170 FEET WEST FROM THE SE CORNER OF CALAVAN DLC 65

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

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14332.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14332 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14332 is approved, the final order will include the following:

15. *The additional point of appropriation proposed in Transfer Application T-14332 is approved.*
16. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 54436 and any related decree.*
17. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*

18. *Water right Certificate 54436 is cancelled. A new certificate will be issued describing that those portions of the right not affected by this transfer.*
19. *The quantity of water diverted at the new additional point of appropriation (Well 2), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).*
20. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
21. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
22. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
23. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **JUN 09 2025**


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

This Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0896 or Joan.M.Smith@water.oregon.gov.

Protests

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

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

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

Requests for Standing

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

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

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

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

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

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

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

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

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

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

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

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503-986-0900

Fax 503 986-0904

www.oregon.gov/owrd

May 28, 2025

Received by OWRD

MAY 28 2025

Salem, OR

DAVID R. WHITEHEAD
SUZANNE J. WHITEHEAD
37998 GILKEY ROAD
SCIO, OR 97374

SUBJECT: Water Right Transfer Application T-14332

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

Items needed before the next phase of processing...

At this time you need to:

1. submit a check in the amount of \$435.38 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write "for T-14332 NOTICE" on the front of your check, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than June 30, 2025.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the **Albany Democrat Herald** newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by June 30, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503-986-0896 or Joan.M.Smith@water.oregon.gov if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

X-----

Attached is a check in the amount of \$435.38 (PCA #46118) for Newspaper Notice for Transfer T-14332 made out to Oregon Water Resources Department (or WRD)

- "for T- 14332 NOTICE" written on front of check

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

Caseworker: Joan Smith



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

September 16, 2024

Will McGill Surveying, LLC
15333 Pletzer Rd SE
Salem, OR 97392

Reference: Transfer T-14332

The assignment from David R. Whitehead and Suzanne J. Whitehead to Macey A. Wessels has been recorded in the records of the Water Resources Department.

The Departments records will now show Macey A. Wessels as the transfer holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 143807 covering the recording fee is also enclosed.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt #143807

cc: David & Suzanne Whitehead – 37998 Gilkey Rd, Scio, OR 97374
Macey A. Wessels -- 37998 Gilkey Rd, Scio, OR 97374
Data Center, OWRD (cover letter & request)
File

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **143807**

INVOICE # _____

RECEIVED FROM: Will McGill
BY: Surveying LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-14332</u>

CASH: ☐ CHECK: # 2314 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 120.00

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:

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 \$

0250 OTHER (IDENTIFY) Assignment \$ 120.00

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 **RECEIVED**
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ **OVER THE COUNTER**

\$ _____

RECEIPT: **143807**

DATED: 7-12-24 BY: cm-mill

Request for Assignment



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, David R. & Suzanne J. Whitehead

(Name of Current Holder of Record)

37998 Gilkey Rd.

(Mailing Address)

Scio

(City)

OR

(State)

97374

(Zip)

(541) 979-3011

(Phone #)

☒ hereby assign all my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

☐ hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)

☐ hereby assign a portion of my interest in and to the entire application/permit/transfer order/limited license/groundwater statement; (example, adding an additional person)

Application # _____; Permit # _____; Transfer Order # T-14332;

Limited License # _____; Groundwater Statement # _____;

as filed in the office of the Water Resources Director, to:

Macey A. Wessels

(Name of New Owner)

37998 Gilkey Rd.

(Mailing Address)

Scio

(City)

OR

(State)

97374

(Zip)

(503) 779-4054

(Phone #)

Note: If there are other owners of the property described in the application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below.

DW
SW I hereby certify that I have notified all other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement of this Request of Assignment.

Witness my hand this 12 day of September, 20 24.
(Day) (Month) (Year)

Signature of Current Holder of Record

[Signature] Suzanne Whitehead

Failure to provide any of the required information will result in the return of your application.

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 143807

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MFB

The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$120.

Received by OWRD

SEP 13 2024

WR

Salem, OR

SMITH Joan M * WRD

From: Will McGill <willmcgill.surveying@gmail.com>
Sent: Monday, September 2, 2024 1:36 PM
To: SMITH Joan M * WRD
Subject: T-14332 DPD

Hi Joan,

I have reviewed the DPD and all looks good except the following:

1. On page 2 of 4, under Findings of Fact item 4, it says "0.38 mile northwest" and I think it should read "0.38 mile southeast".
2. On page 4 of 4, under Determination and Proposed Action item 8, because of the time needed to drill a new well and connect to the irrigation system, I request a C date of October 1, 2029 instead. Drillers and other contractor schedules have been extremely delayed and the standard 5-year development time for a new permit has even been a challenge recently.

If you agree, please proceed with the transfer T-14332 process. You will be receiving the ownership report soon.

Thanks so much!

--
Will McGill, PLS, CWRE
15333 Pletzer Rd SE
Turner, OR 97392
503-510-3026
mcgillwaterrights.com



Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Linn)

I Macey A. Wessels in my/~~our~~ capacity as Owner,

mailing address 37998 Gilkey Rd., Scio, OR 97374,

telephone number (503) 779-4054, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 54436

described in a Water Right Transfer Application (T-14332),

(transfer number, if known)

submitted by David R. & Suzanne J. Whitehead

on the property in tax lot number(s) 400,

Section 22 Township 10 North/South Range 2 East/West, W.M.,

located at 37998 Gilkey Rd., Scio, OR 97374.

(site address)

Macey A Wessels
Signature of Affiant

9/12/24
Date

Signature of Affiant

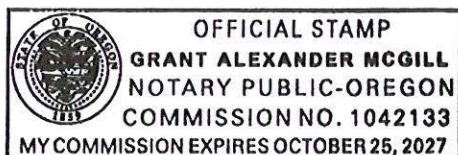
Date

Received by OWRD

SEP 13 2024

Salem, OR

Subscribed and Sworn to before me this 12 day of September, 2024.



Grant McGill
Notary Public for Oregon

My commission expires 10/25/2027.

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-14332, Linn County

)
)
)
)
)
D R A F T
PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF AN
ADDITIONAL POINT OF APPROPRIATION

Authority

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

Applicant

DAVID R. WHITEHEAD
AND SUZANNE J. WHITEHEAD
37990 GILKEY ROAD
SCIO, OR 97374

Findings of Fact

1. On September 26, 2023, David R. Whitehead and Suzanne J. Whitehead filed an application for an additional point of appropriation under Certificate 54436. The Department assigned the application number T-14332.
2. Notice of the application for transfer was published on October 3, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

Certificate: 54436 in the name of ROBERT A. STOCKHOFF (perfected under Permit G-7294)
Use: IRRIGATION OF 10.6 ACRES and SUPPLEMENTAL IRRIGATION OF 54.2 ACRES
Priority Date: MARCH 4, 1977
Rate: 0.32 CUBIC FEET PER SECOND

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

Source: A WELL a tributary of THOMAS CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	SW NE	65	3520 FEET NORTH AND 1450 FEET WEST FROM THE SE CORNER OF DLC 65

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	2 W	WM	22	NE SE	58	9.90
10 S	2 W	WM	22	SE SE	58	0.70
Total						10.6

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	2 W	WM	22	NE NE	58	14.6
10 S	2 W	WM	22	NW NE	58	6.2
10 S	2 W	WM	22	SW NE	58	1.2
10 S	2 W	WM	22	SE NE	58	23.8
10 S	2 W	WM	22	NE SE	58	8.4
Total						54.2

4. Transfer Application T-14332 proposes an additional point of appropriation approximately 0.38 mile northwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	NE SE	58	WELL 2 - 1920 FEET NORTH AND 170 FEET WEST FROM THE SE CORNER OF DLC 65

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

- Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14332.
- The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

8. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
9. The proposed change, as conditioned, would not result in enlargement of the right.
10. The proposed change, as conditioned, would not result in injury to other existing water rights.
11. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14332 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14332 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-14332 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 54436 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificate 54436 is cancelled. A new certificate will be issued describing that those portions of the right not affected by this transfer.*
5. *The quantity of water diverted at the new additional point of appropriation (Well 2), together with that diverted at the original point of appropriation (Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

7. Water use measurement conditions:

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

8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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

Dated in Salem, Oregon on

D R A F T

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

This draft Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0896 or Joan.M.Smith@water.oregon.gov.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July __, 2024

VIA E-MAIL

DAVID R. WHITEHEAD
AND SUZANNE J. WHITEHEAD
37990 GILKEY ROAD
SCIO, OR 97374

Reference: Water Right Transfer Application T-14332

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14332. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by August __, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. Respond in writing by August __, 2024, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

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

Conditions of your water right...

The Watermaster has required a water measurement device(s) at the new diversion point(s) prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

Please note the proposed date by which all conditions must be met: October 1, 2025. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

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

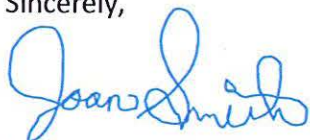
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by August____, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503-986-0896 or Joan.M.Smith@water.oregon.gov if I may be of assistance

Sincerely,



Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14332
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)
William E. McGill, Agent and CWRE for the applicant (*via e-mail*)

encs

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. STOCKHOFF
37990 GILKEY RD
SCIO, OR 97374

confirms the right to use the waters of a WELL in the THOMAS CREEK BASIN for SUPPLEMENTAL IRRIGATION of 157.6 ACRES.

This right was perfected under Permit G-7294. The date of priority is MARCH 4, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 0.78 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	2 W	WM	22	SW NE	65	3520 FEET NORTH AND 1450 FEET WEST FROM THE SE CORNER OF DLC 65

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

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

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

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
10 S	2 W	WM	15	SW SW		65	1.80
10 S	2 W	WM	15	SE SW	8		1.60
10 S	2 W	WM	15	SE SW		65	12.70
10 S	2 W	WM	15	SW SE		65	8.60
10 S	2 W	WM	22	NW NE		65	31.70
10 S	2 W	WM	22	SW NE		65	15.70
10 S	2 W	WM	22	NE NW		65	30.00
10 S	2 W	WM	22	NW NW		65	0.10
10 S	2 W	WM	22	SE NW		65	34.70
10 S	2 W	WM	22	NE SW		65	18.20
10 S	2 W	WM	22	NW SE		65	2.50
Total							157.6

This certificate describes that portion of water right Certificate , State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-14332.

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

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

WITNESS the signature of the Water Resources Director, affixed _____.

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

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14332

Review Due Date: 11/02/2023

Applicant Name: David and Suzanne Whitehead

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

Reviewer(s): G. Wacker

Date of Review: 10/10/2023

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- 14332



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

STATE OF OREGON

COUNTY OF

LINN

CERTIFICATE OF WATER RIGHT

This is to certify, *That* ROBERT A. STOCKHOFF

of 37990 Gilkey Rd., Scio, State of OR 97374, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
a well

a tributary of Thomas Creek for the purpose of
irrigation of 10.6 acres and supplemental irrigation of 211.8 acres

under Permit No. G-7294 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from

March 4, 1977

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is
limited to an amount actually beneficially used for said purposes, and shall not exceed

1.1 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is
located in the SW 1/4 NE 1/4, as projected within Calavan DLC 65,
Section 22, T10S, R2W, WM; 3520 feet North and 1450 feet West from the SE
corner of Calavan DLC 65.

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

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

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

SEE NEXT PAGE

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 SW 1/4		1.8 acres
As projected within Calavan DLC 65		
Lot 8 (SE 1/4 SW 1/4)		1.6 acres
SE 1/4 SW 1/4		12.7 acres
SW 1/4 SE 1/4		8.6 acres
Both as projected within Calavan DLC 65		
Section 15		
NE 1/4 NE 1/4		14.6 acres
NW 1/4 NE 1/4		6.2 acres
Both as projected within Pollard DLC 58		
NW 1/4 NE 1/4		31.7 acres
SW 1/4 NE 1/4		15.7 acres
Both as projected within Calavan DLC 65		
SW 1/4 NE 1/4		1.2 acres
SE 1/4 NE 1/4		23.8 acres
Both as projected within Pollard DLC 58		
NE 1/4 NW 1/4		30.0 acres
NW 1/4 NW 1/4		0.1 acre
SE 1/4 NW 1/4		34.7 acres
NE 1/4 SW 1/4		18.2 acres
All as projected within Calavan DLC 65		
NE 1/4 SE 1/4	9.9 acres	8.4 acres
As projected within Pollard DLC 58		
NW 1/4 SE 1/4		2.5 acres
As projected within Calavan DLC 65		
SE 1/4 SE 1/4	0.7 acre	
As projected within Pollard DLC 58		
Section 22		
Township 10 South, Range 2 West, WM		

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

WITNESS the signature of the Water Resources Director, affixed

this date. May 14, 1986

...../s/William H. Young.....
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 49 , page 54436

4123D/VG
G-7879

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14332

GW Reviewer Aaron Orr/ Travis Brown Date Review Completed: 3/18/2024

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-14332

Applicant Name: David R. & Suzanne J. Whitehead

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

Reviewer(s): Aaron Orr / Travis Brown

Date of Review: 3/18/2024

Date Returned to WRSD: 3/28/2024

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

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

-
1. Basic description of the changes proposed in this transfer: Applicant proposes to transfer 64.8 acres of use under Certificate 54436 from authorized POA LINN 4253 to a proposed well that is not yet constructed on tax lot 400. Certificate 54436 authorizes a maximum rate of 1.1 cfs. The prorated maximum rate of the proposed APOA would be 0.32 cfs based on the subject acreage.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The proposed POA will source water from the same aquifer as the authorized POA (Willamette Aquifer).
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No Comments: Bedrock appears to be tapped on the original well log for the authorized POA, but it is likely the formation collapsed and filled the open borehole based on well construction.
b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

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

☒ Yes ☐ No Comments: The closest water well (LINN 64070) is 550 ft from the proposed POA. Modeling with conservative hydraulic parameters indicates drawdown at LINN 64070 would likely be less than 5 feet when pumping the proposed To-POA at the maximum prorated rate of 0.32 cfs. Simultaneous pumping of LINN 4253 at the remaining maximum combined rate of 1.91 cfs from Certificate 54436 and Certificate 37315 and the proposed APOA at its maximum prorated rate of 0.32 cfs would likely produce less than 19 feet of total drawdown at LINN 64070. This would be approximately 2 feet more drawdown than produced by the authorized POA at its current maximum rate.

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

☐ Yes ☒ No If yes, explain: LINN 64070 has a static water level of 30 feet and is completed to a depth of 108 feet. This well is exempt use and should still be able to receive the full amount of water to which it is legally entitled based on interference calculations from the authorized and proposed POAs pumping simultaneously at their maximum rates.

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

☒ Yes ☐ No Comments: Potential for increased interference with Crabtree Creek

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

Stream: Thomas Creek

☒ Minimal ☐ Significant

Stream: Crabtree Creek

☒ Minimal ☐ Significant

Provide context for minimal/significant impact: The proposed POA does not cross the water availability basin boundary from Thomas Creek to Crabtree Creek, nor is it within ¼ mile of Thomas or Crabtree creek. The proposed POA is also approximately the same distance from Thomas Creek as the authorized POA, and therefore does not impact Thomas Creek with any additional stream depletion. The proposed POA does move the water right to within 1-mile of Crabtree Creek, but (1) it is still located within the Thomas Creek water availability basin, and (2) stream depletion modeling overestimates the amount of stream depletion that would occur due to the pumping of the proposed POA because there are two streams involved. Thus, any additional interference with Crabtree Creek is determined to be minimal.

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

☐ Yes ☐ No Comments: _____

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

8. Any additional comments: _____

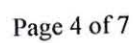
References Used:

Conlon et al., 2005, Ground-Water Hydrology of the Willamette Basin, Oregon, Scientific Report 2005-5168, USGS.

Woodward et al., 1998, Hydrogeologic Framework of the Willamette Lowland Aquifer System, Oregon and Washinton, USGS Professional Paper 1424-B.

Mcfarland, W.D., Morgan, D.S., 1996 Description of the ground-water flow system in the Portland Basin, Oregon and Washington, USGS Water Supply Paper 2470-A.

T-14332



Theis Interference Analysis

Hydraulic Conductivity: Values ranged from 41.88 ft/day (LINN 4404 pump test, assuming 117-foot aquifer thickness) to 7,000 ft/day (McFarland and Morgan, 1996). The final estimate of 600 ft/day for model calibration in Woodward et al., 1998 was used for scenario 2.

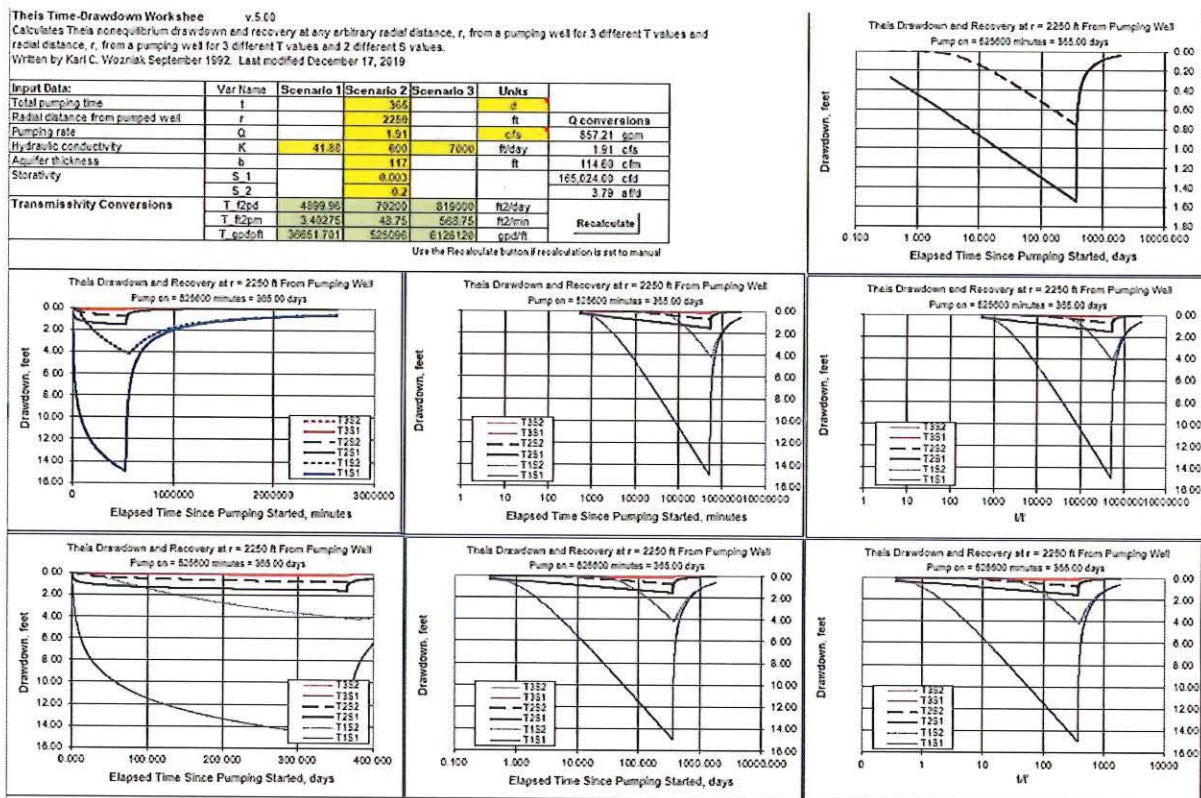
Storativity: 0.003 to 0.2 (McFarland and Morgan, 1996; Conlon et al., 2005, Table 1).

Time: 365 days.

Rate: 0.32 cfs (ratio of rate based on acreage transferred) for the To-POA and 1.91 cfs (0.78 cfs remaining from Certificate 54436 + 1.13 cfs covered by Certificate 37315) for the From-POA

Distance: 550 feet from the To-POA to LINN 64070, 2250 feet from the From-POA to LINN 64070.

From-POA Maximum Remaining Rate (Certificate 54436 and Certificate 37315)

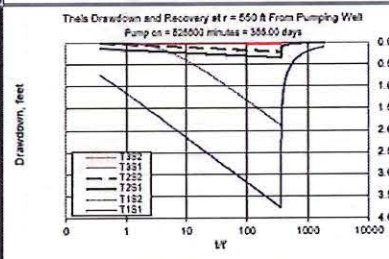
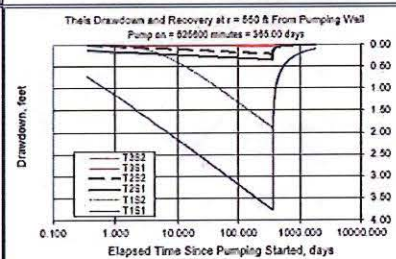
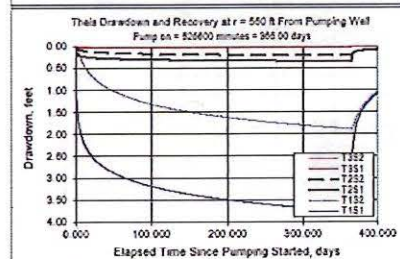
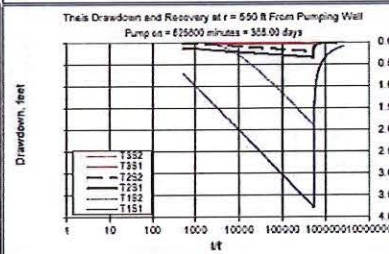
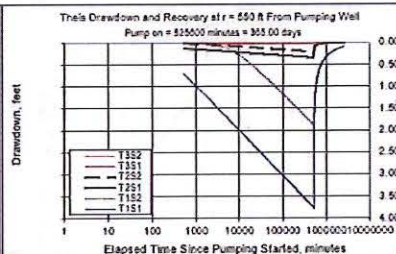
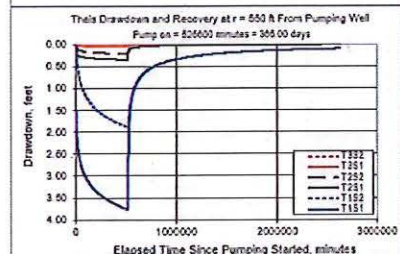
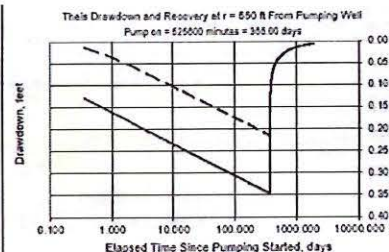


To-POA Transferred Rate

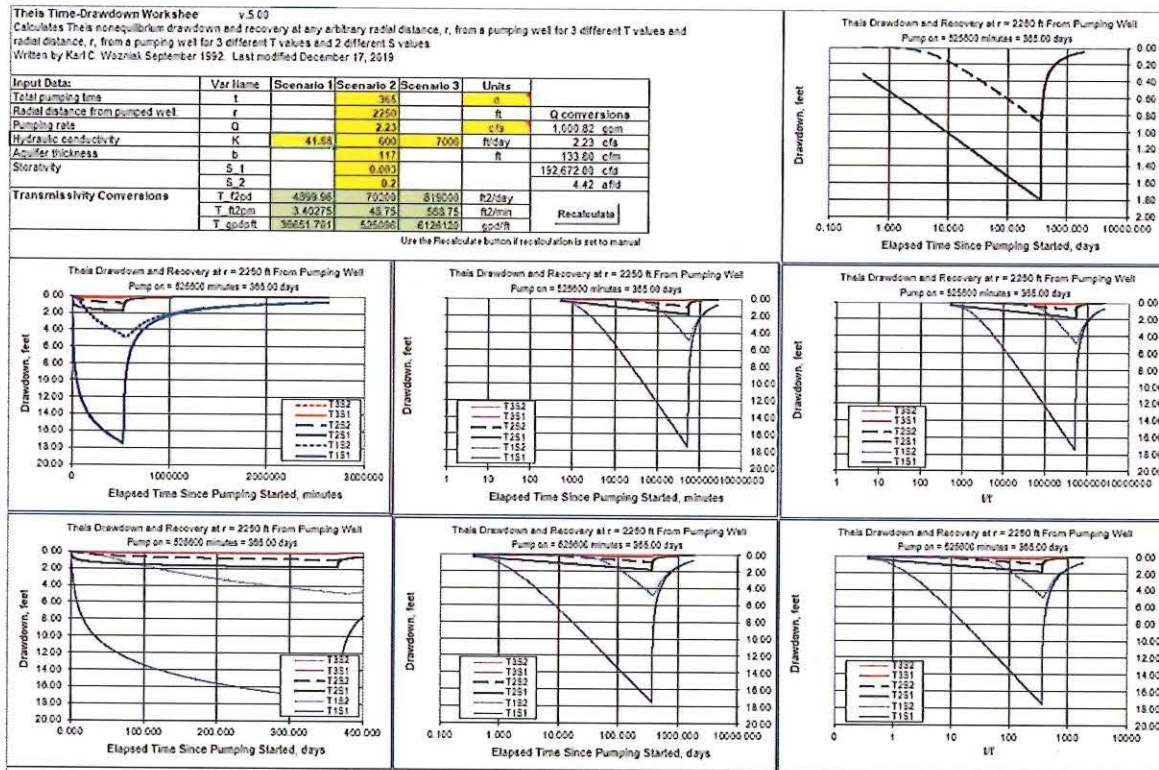
This Time-Drawdown Worksheet v 5.03
Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r , from a pumping well for 3 different T values and radial distance, r , from a pumping well for 3 different T values and 2 different S values.
Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units
Total pumping time	t	365			d
Radial distance from pumped well	r	550			ft
Pumping rate	Q	0.32			cfs
Hydraulic conductivity	K	41.85	600	7000	ft/day
Aquifer thickness	b	117			ft
Storativity	S	0.003	0.2		
	S_2				
Transmissivity Conversions	T Dpd	4899.56	79200	819000	ft ² /day
	T ft ² /m	3.49275	48.75	588.75	ft ² /min
	T gpd/ft	30851.701	525095	6126120	gpd/ft

Use the Recalculate button if recalculation is set to manual



From-POA original maximum rate





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

October 3, 2023

DAVID WHITEHEAD
37990 GILKEY ROAD
SCIO, OR 97374

Reference: Application T-14332

On September 26, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Receipt number 141676 is enclosed.

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

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

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

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

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

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

Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)
Linn County
William E. McGill, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

141676

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

INVOICE #

RECEIVED FROM:

*Will McGill
Surveying, LLC*

BY:

APPLICATION

PERMIT

TRANSFER

T-14332

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

☒ *2193*

☐

TOTAL REC'D

\$ 1840.00

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

\$ 1,840.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

EXAM FEE

RECORD FEE

\$

\$

\$ 1,840.00

EXAM FEE

LICENSE FEE

\$

\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE

DESCRIPTION

\$

RECEIPT:

141676

DATED:

9-26-23

BY:

[Signature]

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Cert. 54436**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

- | | |
|--|--|
| <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: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	0
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in line 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>480 (4a)</u> Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (4b)		
4	Add line 4a to line 4b and enter »	4	480
	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): _____ (5a) Subtract 1.0 from the number in line 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 \$410, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	1,840
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$1,840

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME David R. & Suzanne J. Whitehead			PHONE NO. (541) 979-3011	ADDITIONAL CONTACT NO.
ADDRESS 37998 Gilkey Rd.				FAX NO.
CITY Scio	STATE OR	ZIP 97374	E-MAIL suzyw@smt-net.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Will McGill Surveying, LLC			PHONE NO. (503) 931-0210	ADDITIONAL CONTACT NO. (503) 510-3026
ADDRESS 15333 Pletzer Rd. SE				FAX NO.
CITY Turner	STATE OR	ZIP 97392	E-MAIL willmcgill.surveying@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
It is proposed to authorize an additional well (proposed) for the portion of Cert. 54436 on TL 400.

Check One Box

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

By my signature below, I confirm that I understand:

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

DAVID WHITEHEAD

Print Name (and Title if applicable)

9/22/23

Date

Applicant signature

Suzanne Whitehead

Print Name (and Title if applicable)

9/22/23

Date

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

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

Check the following boxes that apply:

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

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

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

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

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


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

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Linn County	ADDRESS 300 SW 4th Ave.	
CITY Albany	STATE OR	ZIP 97321

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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 # 54436

Description of Water Delivery System

System capacity: **2.9** cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **A 50 HP turbine pump at the well can deliver water through 8" or 10" buried PVC mainline to drip and big gun.**

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	LINN 4253	10	S	2	W	22	SW	NE	65	3520' N and 1450' W from the SE corner of Calavan DLC 65
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		10	S	2	W	22	NE	SE	58	1920' N and 170' W from the SE corner of Calavan DLC 65
	<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 type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

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

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 # 54436

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		
10	S	2	W	22	NE	NE	400	58	14.6	Supplemental Irrigation	Well 1	1977	APOA	10	S	2	W	22	NE	NE	400	58	14.6	Supplemental Irrigation	Well 1, 2	1977
10	S	2	W	22	NW	NE	400	58	6.2	Supplemental Irrigation	Well 1	1977	APOA	10	S	2	W	22	NW	NE	400	58	6.2	Supplemental Irrigation	Well 1, 2	1977
10	S	2	W	22	SW	NE	400	58	1.2	Supplemental Irrigation	Well 1	1977	APOA	10	S	2	W	22	SW	NE	400	58	1.2	Supplemental Irrigation	Well 1, 2	1977
10	S	2	W	22	SE	NE	400	58	23.8	Supplemental Irrigation	Well 1	1977	APOA	10	S	2	W	22	SE	NE	400	58	23.8	Supplemental Irrigation	Well 1, 2	1977
10	S	2	W	22	NE	SE	400	58	8.4	Supplemental Irrigation	Well 1	1977	APOA	10	S	2	W	22	NE	SE	400	58	8.4	Supplemental Irrigation	Well 1, 2	1977
10	S	2	W	22	NE	SE	400	58	9.9	Irrigation	Well 1	1977	APOA	10	S	2	W	22	NE	SE	400	58	9.9	Irrigation	Well 1, 2	1977
10	S	2	W	22	SE	SE	400	58	0.7	Irrigation	Well 1	1977	APOA	10	S	2	W	22	SE	SE	400	58	0.7	Irrigation	Well 1, 2	1977
TOTAL ACRES:									64.8					TOTAL ACRES:									64.8			


Additional remarks:_____.

14332

For Place of Use or Character of Use Changes

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

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

 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 # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 2	No		150' +/-	12"		Min. 18'			Sand & gravel	

NOTICE TO WATER WELL CONTRACTOR

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

OCT 11 1966

WATER WELL REPORT

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion. SALEM OREGON

State Well No. 10/20-22

State Permit No.

(1) OWNER:

Name SCIO RANCHES INC.
Address RT. 3 - BOX 43 SCIO ORE.

(2) LOCATION OF WELL:

County Linn Driller's well number
1/4 1/4 Section 22 T. 10, S R. 2, 24 W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

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

(4) PROPOSED USE (check):

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

(5) TYPE OF WELL:

(6) CASING INSTALLED:

Threaded ☐ Welded ☒
12" Diam. from 71 ft. to 141 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used MILLER PERFORATOR
Size of perforations 5 in. by 25 in.
180 perforations from 35 ft. to 44 ft.
260 perforations from 46 ft. to 59 ft.
200 perforations from 119 ft. to 135 ft.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Model No.
Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal BENTONITE & DRILLING CLAY
Depth of seal 18 ft. Was a packer used? NO
Diameter of well bore to bottom of seal 16 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth
Was a drive shoe used? ☒ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 3 ft. below land surface Date 9-19-66
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom? ROBINSON MILLER & WEST
Yield: 600 gal./min. with 9.3 ft. drawdown after 3 hrs.

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

Artesian flow g.p.m. Date

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

(12) WELL LOG:

Diameter of well below casing 12

Depth drilled 165 ft. Depth of completed well 165 ft.

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

MATERIAL	FROM	TO
BROWN - CLAY	0	5
11 - " & GRAVEL	5	11
BLUE - " =	11	18
SMALL TO MEDIUM GRAVEL & SAND	18	29
BROWN - CLAY	29	35
SMALL TO MEDIUM GRAVEL	35	44
BROWN - CLAY	44	46
11 - SAND & GRAVEL	46	59
BLUE - CLAY STONE	59	119
SAND & GRAVEL	119	126
CEMENTED GRAVEL	126	127
SMALL TO MEDIUM GRAVEL	127	130
CEMENTED - " GRAVEL	130	133
SMALL TO MEDIUM GRAVEL	133	135
BLUE - CLAY STONE	135	165

Work started 9-6-66 19 Completed 9-19-66 19
Date well drilling machine moved off of well 11-11-11 19

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

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

NAME Robinson - Robinson - West
(Person, firm or corporation) (Type or print)

Address 5545 Joseph St. S.E. Salem

Drilling Machine Operator's License No. 455

[Signed] Harlan R. Miller
(Water Well Contractor)

Contractor's License No. 37 Date 9-20-66 19

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 LINN)

I, DAVID WHITEHEAD, in my capacity as OWNER,
mailing address 37998 GILKEY RD., SCIO, OR 97374
telephone number (541)979-3011, 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 # 54436; **OR**

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

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

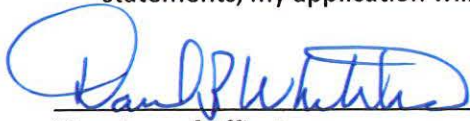
OR

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

(continues on reverse side)

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

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



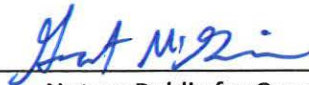
Signature of Affiant

9/19/23

Date

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





Notary Public for Oregon

My Commission Expires: 11/13/2023

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

14332 -



14332 -

Land Use Information Form



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

Applicant(s): David R. & Suzanne J. Whitehead

Mailing Address: 37998 Gilkey Rd.

City: Scio

State: OR

Zip Code: 97374

Daytime Phone: (541) 979-3011

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>10S</u>	<u>2W</u>	<u>22</u>	<u>NESE</u>	<u>400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
<u>10S</u>	<u>2W</u>	<u>22</u>	<u>NENE</u> <u>NWNE</u> <u>SWNE</u> <u>SENE</u> <u>SESE</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Linn

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: 162 ☐ 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 Supplemental Irrigation

Briefly describe:

It is proposed to authorize an additional (proposed) well for the portion of Cert. 54436 on TL 400.

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. ➔

14332 -

For Local Government Use Only

LINN COUNTY

SEP 22 2023

Planning & Building
Department

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): LCC 928.310(B)(1)
- ☐ 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: Kate Bentz Title: Assistant Planner

Signature: [Signature] Phone: 541-967-3816 Date: 9/22/23

Government Entity: Linn 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: _____

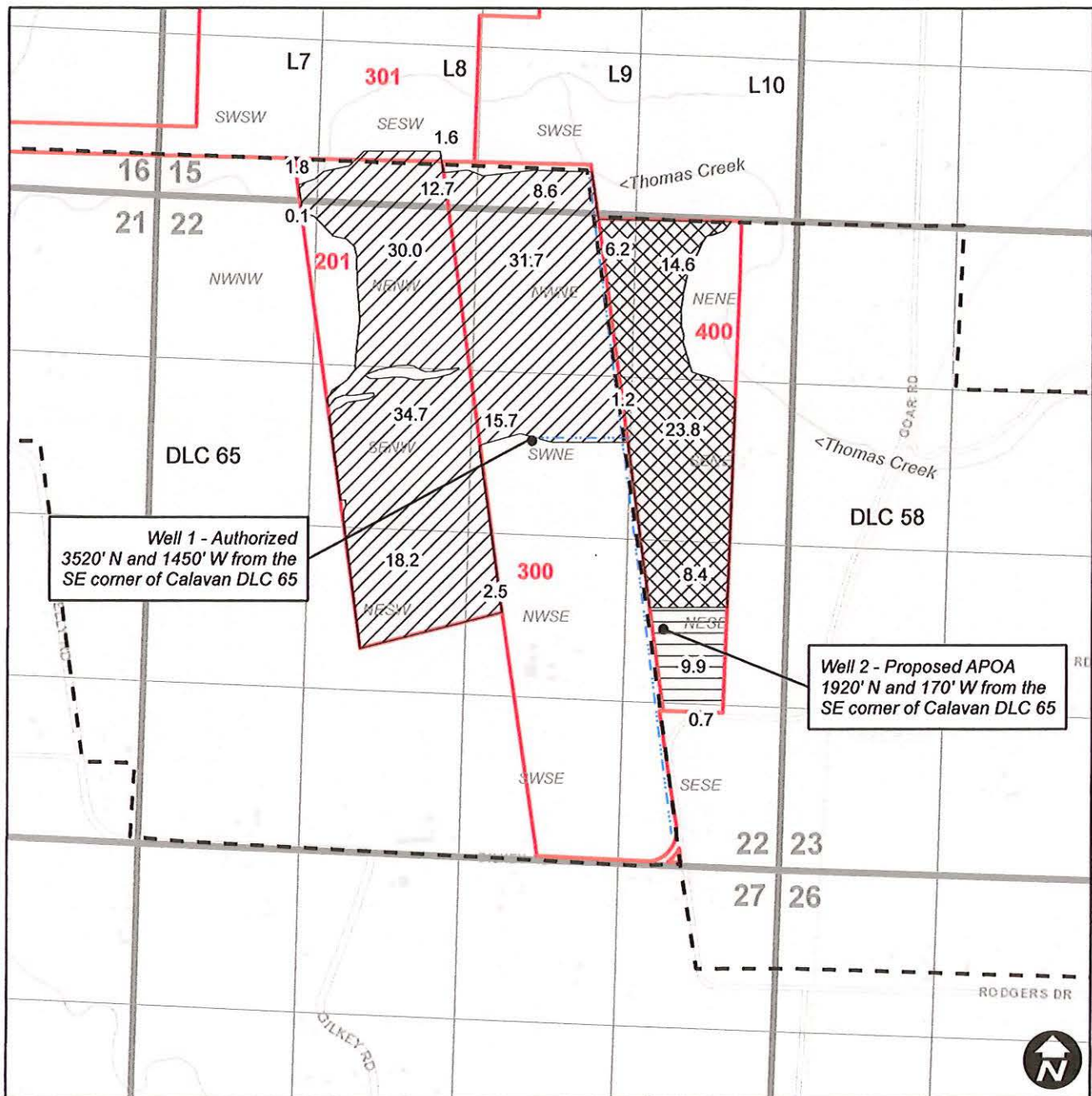
City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Transfer Application - Certificate 54436

Whitehead

Township 10S, Range 2W, W.M.



Legend

- | | | | |
|--|--------------------------|--|----------|
| | Cert. 54436 IR APOA | | Mainline |
| | Cert. 54436 IS APOA | | Taxlots |
| | Cert. 54436 IS No Change | | DLC |





Received by OWRD

MAY 28 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: David & Suzanne Whitehead
37998 Gilkey Rd Scio, OR 97374

Transaction Type: Transfer

Fees Received: \$ 435.38

☐ Cash



Check:

Check No.

2395

Name(s) on Check:

Will McGill Surveying LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Sarah Benham

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.



Received by OWRD

SEP 13 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address Miley Wisseles

37998 Gilkey Rd SW OR 97374

Transaction Type: Assignment

Fees Received: \$ 170.00

☐ Cash

☒ Check:

Check No. 2314

Name(s) on Check: Will McElli Surveying

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Corie Lounien

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.



RECEIVED

SEP 26 2023

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address:

David R. & Suzanne J Whitehead

Transaction Type:

Water Right Transfer

Fees Received: \$

1,840.00

☐ Cash

☒ Check

Check No.

2193

Name(s) on Check:

Will McGill Surveying LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the Safe slot.

14332 -