

T-14404

Regular RA

T-14404

Name Terry & Deborah BeilkeAddress 4925 Rockdale St NE / PO Box 9068  
Brooks, OR 97305  
snoFarmer@gmail.comChange in POADate Filed 2/12/2024Initial notice date 2/20/2024

DPD issued date

PD issued date

PD notice date

Date of FO 3/10/2025 Vol 134 Page 32-38

C-Date

COBU due date

COBU Received date

Certificate issued

## DESCRIPTION OF WATER RIGHT(s)

Name of Stream A wellTrib. of Pudding River, Fitzpatrick CreekUse IrrigationCounty Marion

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G 6879Per # G 6411Cert # 47935PR Date 4-7-1975App# G 12890Per # G 12051Cert # 76800

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

## FEES PAID

Date	Amount	Receipt #
2-12-24	2,860.00	142405
2-12-24	125.00	142391
2-22-24	2,558.94	142447

## FEES REFUNDED

Date	Amount	Receipt #
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Assignments:

Irrigation District

Agent Doann Hamilton  
phgdmh@gmail.com

CWRE

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

# WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14404

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☒

Kim F

<b>Applicant:</b> Terry and Deborah Beilke PO Box 9068 Brooks, OR 97305	<b>Agent:</b> Doann Hamilton 18487 S Valley Vista Rd Mulino, OR 97042	<b>Receiving Landowner:</b>
<b>Current Landowner if other than Applicant:</b>	<b>CWRE:</b>	<b>Irrigation District:</b>
<b>Affected Local Gov'ts:</b> Marion County Planning Dept.	<b>Affected Tribal Gov't:</b>	<b>BOR Notified (date):</b>

## Water Rights Affected

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

## Key Dates & Initial Actions (Support Staff)

Rec'd: February 12, 2024	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 2860.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice: 2/20/2024	County sent cc: of Ack Letter <input type="checkbox"/>	County: MARION
WM District: 16 Gregory J. Wacker	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

## Caseworker Actions: Newspaper & PD Notice:

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

## Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: <u>2-20-25</u> Initials: <u>LF</u>	Date: <u>2-20-25</u> Initials: <u>DL</u>	Date: <u>2-4-25</u> Initials: <u>CC</u>	Date: <u>3-5-25</u> Initials: <u>DL</u>	Date: <u>3-6-25</u> No. of docs for sig: <u>1</u>	Date: <u>3/10/2025</u>

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

Special Order Volume: Vol. 134 Pages 32-38



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

March 10, 2025

Deborah and Terry Beilke  
PO BOX 9068  
4925 Rockdale St NE  
Brooks, OR 97305

REFERENCE: Transfer Application T-14404

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, Kim French, by telephone at (503) 979-9607 or by e-mail at [Kim.r.french@water.oregon.gov](mailto:Kim.r.french@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)  
Doann Hamilton, Agent  
Marion County, Local Government

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A CHANGE IN
T-14404, Marion County	)	POINTS OF APPROPRIATION

**Authority**

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

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and request voluntary cancellation.

**Applicant**

TERRY AND DEBORAH M. BEILKE  
PO BOX 9068  
4925 ROCKDALE ST NE  
BROOKS, OR 97305

**Findings of Fact**

1. On February 12, 2024, TERRY AND DEBORAH M. BEILKE filed an application to change the points of appropriation under Certificate 47935 and Certificate 76800. The Department assigned the application number T-14404.
2. Notice of the application for transfer was published on February 20, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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.

3. On June 17, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14404. The draft Preliminary Determination cover letter provided a deadline of July 17, 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 applicants are authorized to pursue the transfer.
4. On December 17, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14404 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on December 24, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
5. The portion of the first right to be transferred is as follows:

**Certificate:** 47935 in the name of HATTIE R. GOLLIET (perfected under Permit G-6411)

**Use:** IRRIGATION OF 59.1 ACRES

**Priority Date:** APRIL 7, 1975

**Rate:** 0.735 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 PUDDING RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	WELL 1 - 3980 FEET NORTH AND 1840 FEET WEST FROM THE SE CORNER OF SMITH DLC 66

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NE NW	66	0.2
6 S	2 W	WM	16	NW NW	66	27.3
6 S	2 W	WM	16	SW NW	66	22.6
6 S	2 W	WM	16	SE NW	66	5.8
6 S	2 W	WM	17	NE NE	66	0.5
6 S	2 W	WM	17	SE NE	66	2.7
TOTAL						59.1

6. Transfer Application T-14404 proposes to move the authorized point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance from Authorized POA
6 S	2 W	WM	16	NW NW	66	WELL 2 - 3980 FEET NORTH AND 1790 FEET WEST FROM THE SE CORNER OF SMITH DLC 66	50 FEET EAST
6 S	2 W	WM	16	NW NW	66	WELL 3 - 3980 FEET NORTH AND 1770 FEET WEST FROM THE SE CORNER OF SMTH DLC 66	70 FEET EAST

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

**Certificate:** 76800 in the name of TERRY AND DEBORAH BEILKE (perfected under Permit G-12051)

**Use:** IRRIGATION OF 19.1 ACRES

**Rate and** APRIL 24, 1992 FOR 0.158 CUBIC FOOT PER SECOND (CFS) AND

**Priority Date:** FEBRUARY 16, 1995 FOR 0.079 CFS

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 in the LAKE LABISH DITCH BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	WELL 1 - 1040 FEET SOUTH AND 2000 FEET WEST FROM THE NW CORNER OF DLC 67

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	9	SW SW		0.6
6 S	2 W	WM	16	NE NW	66	11.6
6 S	2 W	WM	16	NW NW	66	6.9
TOTAL						19.1

8. Following issuance of the draft Preliminary Determination, the Department received information indicating that 0.6 acres under Certificate 76800 is not within DLC 66. This Preliminary Determination reflects that correction.

9. Transfer Application T-14404 proposes to move the authorized point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance from Authorized POA
6 S	2 W	WM	16	NW NW	66	WELL 2 - 3980 FEET NORTH AND 1790 FEET WEST FROM THE SE CORNER OF SMITH DLC 66	50 FEET EAST
6 S	2 W	WM	16	NW NW	66	WELL 3 - 3980 FEET NORTH AND 1770 FEET WEST FROM THE SE CORNER OF SMITH DLC 66	70 FEET EAST

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

10. Water has been used within the last five years prior to the submittal of Transfer Application T-14404 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14404.
12. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
14. The proposed changes, as conditioned, would not result in enlargement of the rights.
15. The proposed changes, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

***Partial Cancellation of a Water Right***

17. On February 12, 2024, an affidavit was received from Terry and Deborah M. Bielke, certifying that a portion of a water right has been abandoned and requesting cancellation of the right. The portion of the right to be cancelled is as follows:

**Certificate:** 47935 in the name of HATTIE R. GOLLIET (perfected under Permit G-6411)  
**Use:** IRRIGATION OF 0.4 ACRE  
**Priority Date:** APRIL 7, 1975  
**Rate:** 0.005 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 PUDDING RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	3980 FEET NORTH AND 1840 FEET WEST FROM THE SE CORNER OF JONES DLC 66

**Authorized Place of Use to be Cancelled:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NW NW	66	0.4

18. On February 12, 2024, an affidavit was received from Terry and Deborah M. Bielke, certifying that a portion of a water right has been abandoned and requesting cancellation of the right The portion of the right to be cancelled is as follows:

**Certificate:** 76800 in the name of TERRY AND DEBORAH BEILKE (perfected under Permit G-12051)

**Use:** IRRIGATION OF 0.2 ACRES

**Rate and** APRIL 24, 1992 FOR 0.002 CUBIC FOOT PER SECOND (CFS) AND FEBRUARY

**Priority Date:** 16, 1995 FOR 0.001 CFS

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 in the LAKE LABISH DITCH BASIN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	1040 FEET SOUTH AND 2000 FEET WEST FROM THE NW CORNER OF DLC 67

**Authorized Place of Use to be Cancelled:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NW NW	66	0.2

### Conclusions of Law

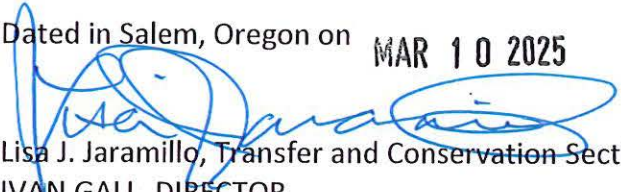
The change in points of appropriation proposed in Transfer Application T-14404 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights will be cancelled.

### Now, therefore, it is ORDERED:

1. The change in points of appropriation proposed in Transfer Application T-14404 is approved. The portions of the rights that have been abandoned are cancelled.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 47935, 76800 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
4. Water right Certificates 47935 and 76800 are cancelled.
5. The quantity of water diverted at the new points of appropriation (Well 2 and Well 3) 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 points of appropriation.
7. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **MAR 10 2025**



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

Mailing Date: **MAR 11 2025**



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

December 17, 2024

VIA CERTIFIED MAIL AND E-MAIL

### **Applicant**

TERRY AND DEBORAH M. BEILKE

PO BOX 9068

4925 ROCKDALE ST NE

BROOKS, OR 97305

SUBJECT: Water Right Transfer Application T-14404

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14404. 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, 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 Department's notice.

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 503 979-9607 or [Kim.R.French@water.oregon.gov](mailto:Kim.R.French@water.oregon.gov), if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim French", with a stylized flourish at the end.

Kim French  
Transfer Specialist  
Transfer and Conservation Section

cc: T-14404  
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)  
Doann Hamilton, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14404, Marion County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	POINTS OF APPROPRIATION

**Authority**

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

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and request voluntary cancellation.

**Applicant**

TERRY AND DEBORAH M. BEILKE  
PO BOX 9068  
4925 ROCKDALE ST NE  
BROOKS, OR 97305

**Findings of Fact**

1. On February 12, 2024, TERRY AND DEBORAH M. BEILKE filed an application to change the points of appropriation under Certificate 47935 and Certificate 76800. The Department assigned the application number T-14404.
2. Notice of the application for transfer was published on February 20, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 17, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14404. The draft Preliminary Determination cover letter provided a deadline of July 17, 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 applicants are authorized to pursue the transfer.

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

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

**Certificate:** 47935 in the name of HATTIE R. GOLLIET (perfected under Permit G-6411)

**Use:** IRRIGATION OF 59.1 ACRES

**Priority Date:** APRIL 7, 1975

**Rate:** 0.735 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 PUDDING RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	WELL 1 - 3980 FEET NORTH AND 1840 FEET WEST FROM THE SE CORNER OF SMITH DLC 66

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NE NW	66	0.2
6 S	2 W	WM	16	NW NW	66	27.3
6 S	2 W	WM	16	SW NW	66	22.6
6 S	2 W	WM	16	SE NW	66	5.8
6 S	2 W	WM	17	NE NE	66	0.5
6 S	2 W	WM	17	SE NE	66	2.7
TOTAL						59.1

5. Transfer Application T-14404 proposes to move the authorized point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance from Authorized POA
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6 S	2 W	WM	16	NW NW	66	WELL 3 - 3980 FEET NORTH AND 1770 FEET WEST FROM THE SE CORNER OF SMTH DLC 66	70 FEET EAST

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

**Certificate:** 76800 in the name of TERRY AND DEBORAH BEILKE (perfected under Permit G-12051)  
**Use:** IRRIGATION OF 19.1 ACRES  
**Rate and** APRIL 24, 1992 FOR 0.158 CUBIC FOOT PER SECOND (CFS) AND  
**Priority Date:** FEBRUARY 16, 1995 FOR 0.079 CFS  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 in the LAKE LABISH DITCH BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	WELL 1 - 1040 FEET SOUTH AND 2000 FEET WEST FROM THE NW CORNER OF DLC 67

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	9	SW SW		0.6
6 S	2 W	WM	16	NE NW	66	11.6
6 S	2 W	WM	16	NW NW	66	6.9
TOTAL						19.1

7. Following issuance of the draft Preliminary Determination, the Department received information indicating that 0.6 acres under Certificate 76800 is not within DLC 66. This Preliminary Determination reflects that correction.
8. Transfer Application T-14404 proposes to move the authorized point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximate Distance from Authorized POA
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6 S	2 W	WM	16	NW NW	66	WELL 3 - 3980 FEET NORTH AND 1770 FEET WEST FROM THE SE CORNER OF SMTH DLC 66	70 FEET EAST

***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 prior to the submittal of Transfer Application T-14404 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14404.
11. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
13. The proposed changes, as conditioned, would not result in enlargement of the rights.
14. The proposed changes, as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

***Partial Cancellation of a Water Right***

16. On February 12, 2024, an affidavit was received from Terry and Deborah M. Bielke, certifying that a portion of a water right has been abandoned and requesting cancellation of the right. The portion of the right to be cancelled is as follows:

**Certificate:** 47935 in the name of HATTIE R. GOLLIET (perfected under Permit G-6411)  
**Use:** IRRIGATION OF 0.4 ACRE  
**Priority Date:** APRIL 7, 1975  
**Rate:** 0.005 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 PUDDING RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	3980 FEET NORTH AND 1840 FEET WEST FROM THE SE CORNER OF JONES DLC 66

**Authorized Place of Use to be Cancelled:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NW NW	66	0.4

17. On February 12, 2024, an affidavit was received from Terry and Deborah M. Bielke, certifying that a portion of a water right has been abandoned and requesting cancellation of the right. The portion of the right to be cancelled is as follows:

**Certificate:** 76800 in the name of TERRY AND DEBORAH BEILKE (perfected under Permit G-12051)

**Use:** IRRIGATION OF 0.2 ACRES

**Rate and** APRIL 24, 1992 FOR 0.002 CUBIC FOOT PER SECOND (CFS) AND FEBRUARY

**Priority Date:** 16, 1995 FOR 0.001 CFS

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 in the LAKE LABISH DITCH BASIN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	1040 FEET SOUTH AND 2000 FEET WEST FROM THE NW CORNER OF DLC 67

**Authorized Place of Use to be Cancelled:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NW NW	66	0.2

**Determination and Proposed Action**

The change in points of appropriation proposed in Transfer Application T-14404 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved, and the abandoned rights will be cancelled.

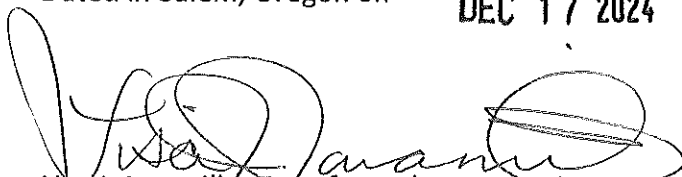
*If Transfer Application T-14404 is approved, the final order will include the following:*

- The change in points of appropriation proposed in Transfer Application T-14404 is approved. The portions of the rights that have been abandoned are cancelled.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 47935, 76800 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.*
4. *Water right Certificates 47935 and 76800 are cancelled.*
5. *The quantity of water diverted at the new points of appropriation (Well 2 and Well 3) 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 points of appropriation.*
7. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*
  - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

**DEC 17 2024**



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

This Preliminary Determination was prepared by Kim French. I can be reached at 503 979-9607 or [kim.r.french@water.oregon.gov](mailto:kim.r.french@water.oregon.gov), if you have any questions.

## **Protests**

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

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

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

## **Requests for Standing**

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

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

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

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

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

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

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

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by

an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

**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](http://www.oregon.gov/owrd)

June 17, 2024

VIA E-MAIL

### Applicant

TERRY AND DEBORAH BEILKE  
PO BOX 9068  
4925 ROCKDALE ST NE  
BROOKS, OR 97305

Reference: Water Right Transfer Application T-14404

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-14404. 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 July 17, 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 JULY 17, 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 rights are 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 rights to be transferred are 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_to_transfer_form.pdf)

#### **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. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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 July 17, 2024, a Preliminary Determination may be issued denying the application as incomplete.**

Please don't hesitate to contact me at 503-979-9607 or Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim French", with a stylized, cursive script.

Kim French  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-14404  
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)  
Doann Hamilton, Agent for the applicant (*via e-mail*)

encs

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application  
T-14404, Marion County

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)  
)  
)  
)

**D R A F T**

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF A CHANGE IN  
POINTS OF APPROPRIATION

**Authority**

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

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and request voluntary cancellation.

**Applicant**

TERRY AND DEBORAH M. BEILKE  
PO BOX 9068  
4925 ROCKDALE ST NE  
BROOKS, OR 97305

**Findings of Fact**

1. On February 12, 2024, Terry and Deborah M. Beilke filed an application to change the points of appropriation under Certificate 47935 and Certificate 76800. The Department assigned the application number T-14404.
2. Notice of the application for transfer was published on February 20, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:

<b>Certificate:</b>	47935 in the name of HATTIE R. GOLLIET (perfected under Permit G-6411)
<b>Use:</b>	IRRIGATION OF 59.1 ACRES
<b>Priority Date:</b>	APRIL 7, 1975
<b>Rate:</b>	0.73 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 PUDDING RIVER

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	3980 FEET NORTH AND 1840 FEET WEST FROM THE SE CORNER OF SMITH DLC 66

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NE NW	66	0.2
6 S	2 W	WM	16	NW NW	66	27.3
6 S	2 W	WM	16	SW NW	66	22.6
6 S	2 W	WM	16	SE NW	66	5.8
6 S	2 W	WM	17	NE NE	66	0.5
6 S	2 W	WM	17	SE NE	66	2.7
TOTAL						59.1

4. Transfer Application T-14404 proposes to move the authorized point of appropriation approximately 50.0 feet and 70.0 feet east, respectively, from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	WELL 2 - 3980 FEET NORTH AND 1790 FEET WEST FROM THE SE CORNER OF SMITH DLC 66
6 S	2 W	WM	16	NW NW	66	WELL 3 - 3980 FEET NORTH AND 1770 FEET WEST FROM THE SE CORNER OF SMTH DLC 66

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

**Certificate:** 76800 in the name of TERRY AND DEBORAH BEILKE (perfected under Permit G-12051)

**Use:** IRRIGATION OF 19.1 ACRES

**Rate and** APRIL 24, 1992 FOR 0.158 CUBIC FOOT PER SECOND (CFS) AND

**Priority Date:** FEBRUARY 16, 1995 FOR 0.079

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 in the LAKE LABISH DITCH BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	WELL 1 - 1040 FEET SOUTH AND 2000 FEET WEST FROM THE NW CORNER OF DLC 67

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	9	SW SW	66	0.6
6 S	2 W	WM	16	NE NW	66	11.6
6 S	2 W	WM	16	NW NW	66	6.9
TOTAL						19.1

6. Transfer Application T-14404 proposes to move the authorized point of appropriation approximately 50.0 feet and 70.0 east, respectively, from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	WELL 2 - 3980 FEET NORTH AND 1790 FEET WEST FROM THE SE CORNER OF SMITH DLC 66
6 S	2 W	WM	16	NW NW	66	WELL 3 - 3980 FEET NORTH AND 1770 FEET WEST FROM THE SE CORNER OF SMTH DLC 66

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

7. Water has been used within the last five years prior to the submittal of Transfer Application T-14404 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14404.
9. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed points of appropriation develop groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
11. The proposed changes, as conditioned, would not result in enlargement of the rights.
12. The proposed changes, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are met.

### ***Partial Cancellation of a Water Right***

14. On February 12, 2024, an affidavit was received from Terry and Deborah M. Bielke certifying that a portion of a water right has been abandoned and requesting cancellation of the right. The portion of the right to be cancelled is as follows:

**Certificate:** 47935 in the name of HATTIE R. GOLLIET (perfected under Permit G-6411)  
**Use:** IRRIGATION OF 0.4 ACRE  
**Priority Date:** APRIL 7, 1975  
**Rate:** 0.01 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 PUDDING RIVER

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	3980 FEET NORTH AND 1840 FEET WEST FROM THE SE CORNER OF JONES DLC 66

#### **Authorized Place of Use to be Cancelled:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NW NW	66	0.4

15. On February 12, 2024, an affidavit was received from Terry and Deborah Bielke. certifying that a portion of a water right has been abandoned and requesting cancellation of the right. The portion of the right to be cancelled is as follows:

**Certificate:** 76800 in the name of TERRY AND DEBORAH BEILKE (perfected under Permit G-12051)  
**Use:** IRRIGATION OF 0.2 ACRES  
**Rate and** APRIL 24, 1992 FOR 0.002 CUBIC FOOT PER SECOND (CFS) AND FEBRUARY  
**Priority Date:** 16, 1995 FOR 0.001  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 in the LAKE LABISH DITCH BASIN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	16	NW NW	66	1040 FEET SOUTH AND 2000 FEET WEST FROM THE NW CORNER OF DLC 67

**Authorized Place of Use to be Cancelled:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	16	NW NW	66	0.2

**Determination and Proposed Action**

The change in point of appropriation proposed in Transfer Application T-14404 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

*If Transfer Application T-14404 is approved, the final order will include the following:*

1. *The change in points of appropriation proposed in Transfer Application T-14404 are approved. The portions of the rights that have been abandoned are cancelled.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 47935, 76800 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.*
4. *Water right Certificates 47935 and 76800 are cancelled.*
5. *The quantity of water diverted at the new points of appropriation (Well 2 and Well 3) 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 points of appropriation.*
7. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
  - b. *The water user shall maintain the meters or measuring devices in good working order.*

- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 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 changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights 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 Kim French. I can be reached at 503 979-9607 or [kim.r.french@water.oregon.gov](mailto:kim.r.french@water.oregon.gov), if you have any questions.

## Oregon Water Resources Department

### Measurement Condition Information for the Applicant (To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14404



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:

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---

 Watermaster signature

---

 District

---

 Date

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

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

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 14404 RA

GW Reviewer Travis Brown Date Review Completed: 5/15/2024

## 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-14404

Applicant Name: Terry and Deborah Beilke

Proposed Changes: ☒ POA

☐ APOA

☐ SW→GW

☒ RA

☐ USE

☐ POU

☐ OTHER

Reviewer(s): Travis Brown

Date of Review: 5/15/2024

Date Returned to WRSD: 5/15/2024

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 replace authorized POA well (Well 1/MARI 4090), which has collapsed, with 2 POA wells (Well 2 and Well 3), which have yet to be constructed.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
☒ Yes ☐ No Comments: Authorized From-POA well (Well 1/MARI 4090) produces groundwater from the alluvial aquifer system. The proposed To-POA wells (Well 2 and Well 3) would also produce groundwater from the alluvial aquifer system (Gannett and Caldwell, 1998).
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
☐ Yes ☒ No Comments: Authorized From-POA well (Well 1/MARI 4090) produces groundwater only from the alluvial aquifer system.  
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.): N/A
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 proposed To-POA well locations are adjacent to the authorized From-POA well (Well 1/MARI 4090) and not appreciably closer to any nearby groundwater rights. No appreciable increase in interference with neighboring rights is anticipated.

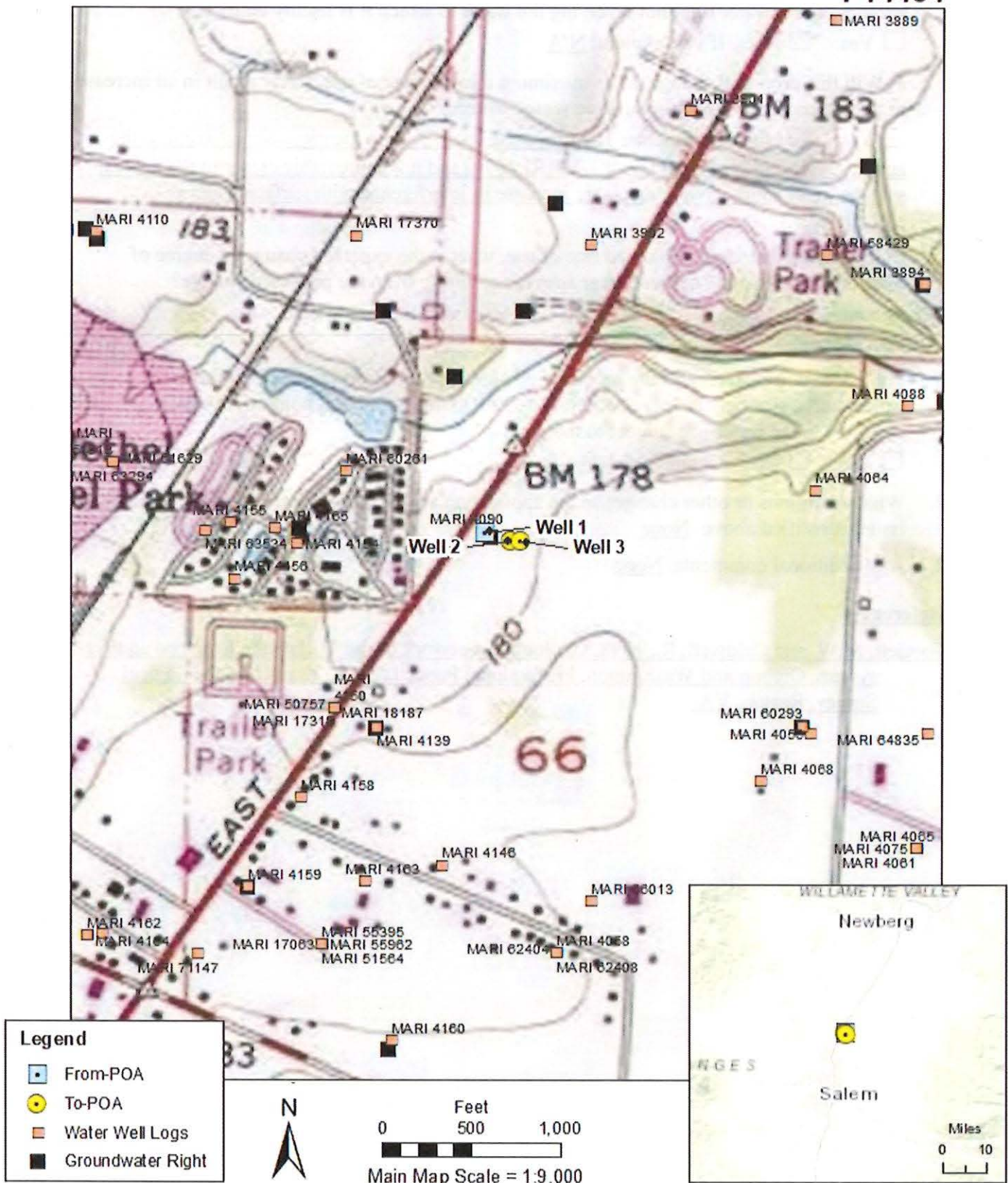
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?  
☐ Yes ☐ No If yes, explain: N/A
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?  
☐ Yes ☒ No Comments: The proposed To-POA well locations are adjacent to the authorized From-POA well (Well 1/MARI 4090) and not appreciably closer to the nearest surface water source. No appreciable increase in interference with surface water is anticipated.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?  
Stream: \_\_\_\_\_ ☐ Minimal ☐ Significant  
Provide context for minimal/significant impact: N/A
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: N/A
7. What conditions or other changes in the application are necessary to address any potential issues identified above: None
8. Any additional comments: None

**References**

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

## Well Location Map

T-14404



Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community  
Copyright © 2013 National Geographic Society. Included

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **142447**

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

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

RECEIVED FROM: TTP Farms, LLC  
BY: DBA Beilke Family Farm

APPLICATION	
PERMIT	
TRANSFER	<u>T-14404</u>

CASH: ☐ CHECK: # 35508 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$2,558.94

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47124 R11480-25 \$ \_\_\_\_\_  
0412 OTHER: (IDENTIFY) Transfer R4 \$ 2,558.94

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201	SURFACE WATER	\$ _____	0202	\$ _____
0203	GROUND WATER	\$ _____	0204	\$ _____
0205	TRANSFER	\$ _____		

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
	LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) \_\_\_\_\_

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

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **142447**

DATED: 2-22-24 BY: m mill

**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-480-25**

**RECEIVED**

**FEB 22 2024**

**OWRD**

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

**OWRD Information**

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

**Applicant's Information**

Name: Terry & Deborah Beilke  
Contact:  
Address: 4925 Rockdale St NE  
PO Box 9068  
Brooks, OR 97305  
  
Phone: (503) 991-6753  
Fax:  
Email: [snofarmer@gmail.com](mailto:snofarmer@gmail.com)

**Applicant's Representative**

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

**Purpose** The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-14404**)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$2,558.94**. Applicant agrees to pay the full amount of **\$2,558.94** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant:

 Dan H. Baker  
Name/Title: owners

2/14/24  
Date

For OWRD:

 Dwight French – Administrator

2/26/24  
Date

Mail signed Agreement to:

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

# 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-14404

Review Due Date: 03/15/2024

Applicant Name: DEBORAH BEILKE, TERRY BEILKE

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

Reviewer(s): G. Wacker

Date of Review: 02/20/2024

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

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

☒ N/A

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

☒ N/A

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

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

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

10. For POU or USE changes: ☒ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

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

☐ Submerged Orifice  
☐ Flow Restrictor

## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 14404



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

TERRY AND DEBORAH BEILKE RA# R11-480-25 T-14404						
NRS 1 receipts received AA funds						
RA Support process Application						
Administrator signs AA						
RA Support enters workflow record in WRIS and updates RA spreadsheet						
NRS 2 completes initial review of file for deficiencies						
NRS 2 consults with Analyst and/or Manager						
Watermaster completes review						
Groundwater completes review (if applicable) N/A						
NRS 2 completes DPD, PN, RR						
Caseworker peer reviews DPD, PN, cov ltr						
Transfer Analyst completes policy check at DPD stage						
NRS 2 sends DPD to app/agent by email and/or mail						
NRS 2 reviews report of ownership						
NRS 2 completes PD						
Caseworker peer reviews PD						
Transfer Analyst peer reviews PD						
Data Center reviews PD (and RR where applicable)						
Administrator signs PD						
Transfer Support issues PD, updates WRIS, copy to file, and mails hard copy to applicant						
NRS 2 completes FO						
Caseworker peer reviews FO						
Transfer Analyst peer reviews FO						
Administrator signs FO						
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy						
RA Support closes out RA Contract						
TOTAL ESTIMATED HOURS				36.91		
					TOTAL	\$2,558.94

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 # **142391**

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

RECEIVED FROM: T+P Farms, LLC

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

CASH: ☐

CHECK: #

OTHER: (IDENTIFY) \_\_\_\_\_

☐
☒

25282

☐

APPLICATION

PERMIT

TRANSFER

T-14404

TOTAL REC'D

\$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407

COPIES

47124 R11480-25

\$

472

OTHER:

(IDENTIFY)

Transfer Reimbursement Authority

\$

125.00

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

**4270 WRD OPERATING ACCT**

MISCELLANEOUS

0407

COPY & TAPE FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

TC162

DEPOSIT LIAB. (IDENTIFY)

\$

0240

EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201

SURFACE WATER

\$

0202

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER

(IDENTIFY)

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

0211

WELL CONST START FEE

\$

CARD#

0210

MONITORING WELLS

\$

CARD#

OTHER

(IDENTIFY)

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233

POWER LICENSE FEE (FW/WRD)

\$

0231

HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

**TREASURY OTHER / RDX**

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

**142391**

DATED: 2/12/2024 BY: mm-mill

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



OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION



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

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

**Checks submitted for this application must be separate from Transfer fees.**

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

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

	Applicant Information	Applicant's Representative/Contact
Name:	Terry and Deborah Beilke	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	4925 Rockdale St NE P.O. Box 9068 Brooks, OR 97305	18487 S. Valley Vista Road Mulino, OR 97042
Phone:	503-991-6753	(503) 349-6946 cell
Fax:		(503) 632-5983
E-Mail Address:	snofarmer@gmail.com	phgdmh@gmail.com

By signing this application, I understand:

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

I certify that I am the (check one):

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

Name: Terry Beilke

Signature: Terry Beilke

Received  
FEB 12 2024  
OWRD

Send completed Application and payment to:

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

OWRD USE ONLY: Reimbursement Authority Number: R11-480-25



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

February 14, 2024

Terry and Deborah Beilke  
PO Box 9068  
Brooks, OR 97305  
Reference: Application T-14404

On February 12, 2024, the Department received your water right Permanent Transfer Application. The application was accompanied by \$2860.00. Receipt number 142405 is enclosed.

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

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

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

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

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

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

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

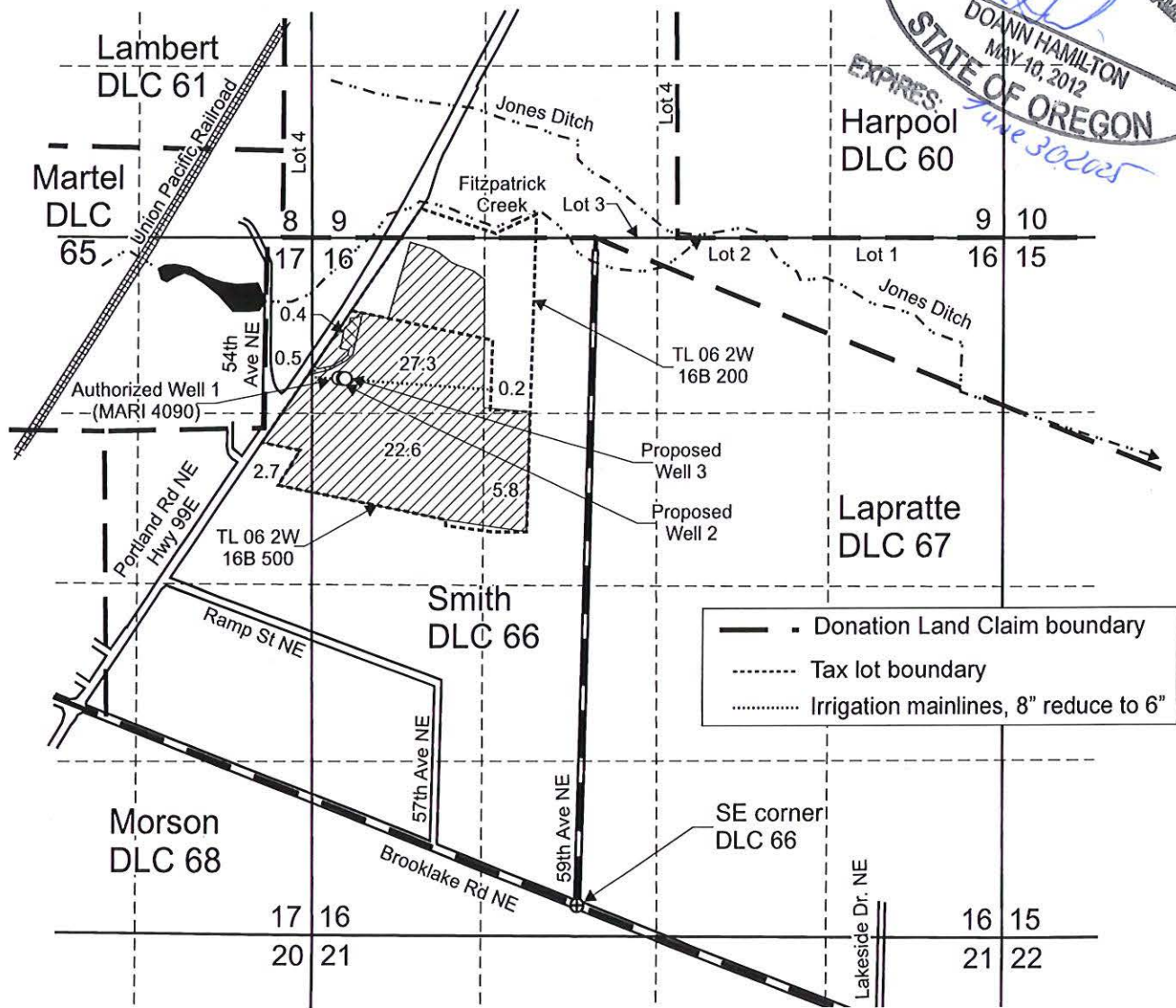
Enclosure

Received

FEB 12 2024

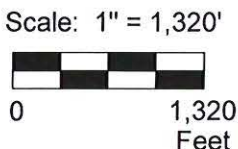
# T.6S. R.2W. Sec. 16 & 17, W.M.

OWRD



Authorized Well 1 (MARI 4090) is located 3,980 feet north and 1,840 feet west from the SE corner, DLC 66.  
 Proposed Well 2 is located 3,980 feet north and 1,790 feet west from the SE corner, DLC 66.  
 Proposed Well 3 is located 3,980 feet north and 1,770 feet west from the SE corner, DLC 66.

- Area (59.1 Acres) irrigated under Certificate 47935, priority date 4-7-1975, affected by this transfer.
- Area (0.4 Acres) irrigated under Certificate 47935, priority date 4-7-1975, to be voluntarily cancelled.



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

## Transfer Application Map Certificate 47935

Pacific Hydro-Geology Inc.

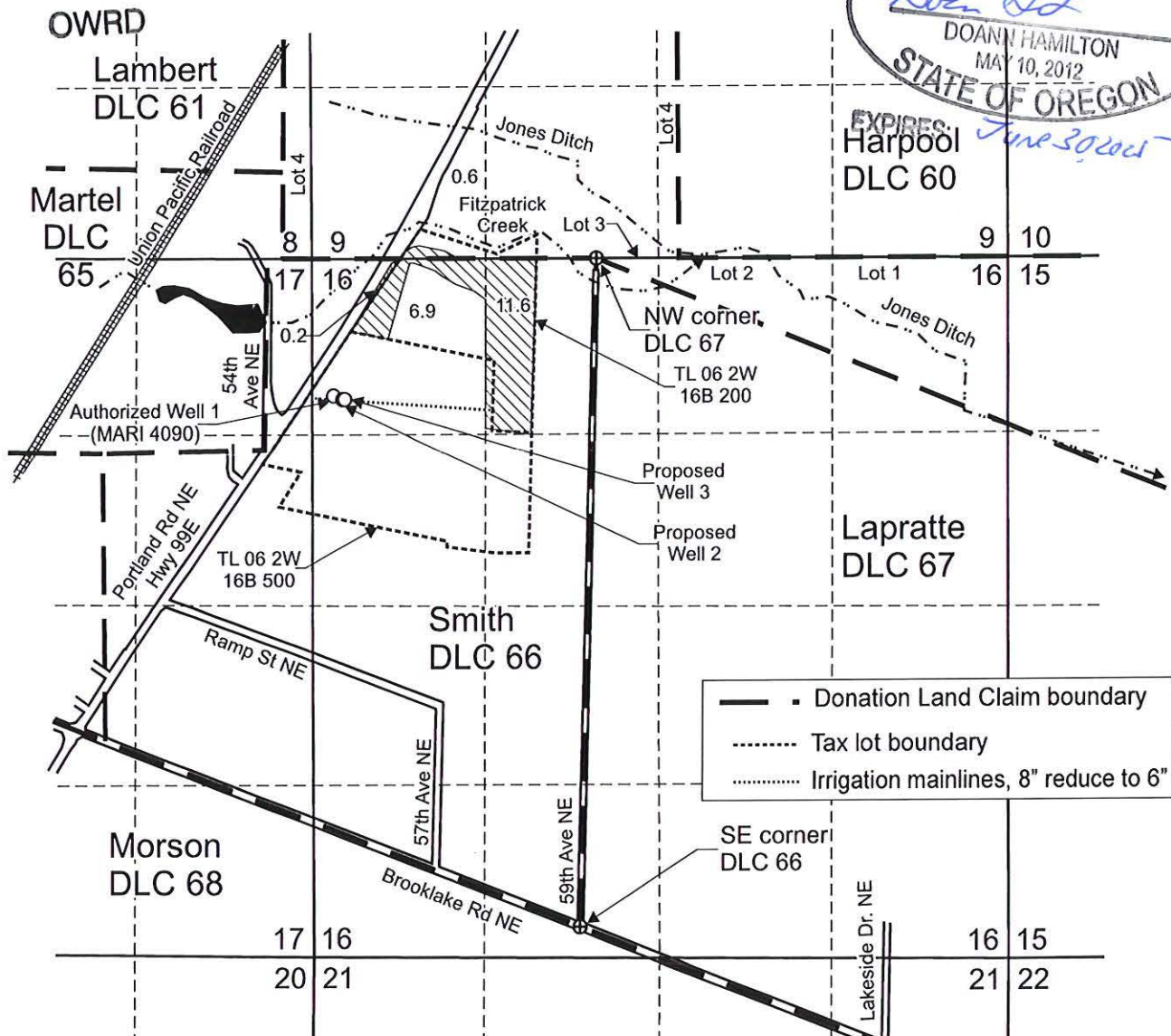
Terry and Deborah Beilke  
T.6S. R.2W. Sec.16 & 17, W.M.

01/2024

BeilkeCert47935TransMap.cdr

Received  
FEB 12 2024


# T.6S. R.2W. Sec. 9 & 16, W.M.




Authorized Well 1 (MARI 4090) is located 1,040 feet south and 2,000 feet west from the NW corner, DLC 67.

Proposed Well 2 is located 3,980 feet north and 1,790 feet west from the SE corner, DLC 66.

Proposed Well 3 is located 3,980 feet north and 1,770 feet west from the SE corner, DLC 66.

 Area (19.1 Acres) irrigated under Certificate 76800, priority date 4-24-1992 for 0.16 cfs, 2-16-1995 for 0.08 cfs, affected by this transfer.

 Area (0.2 Acres) irrigated under Certificate 76800, priority date 4-24-1992 for 0.16 cfs, 2-16-1995 for 0.08 cfs, to be voluntarily cancelled.

Scale: 1" = 1,320'



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

## Transfer Application Map Certificate 76800

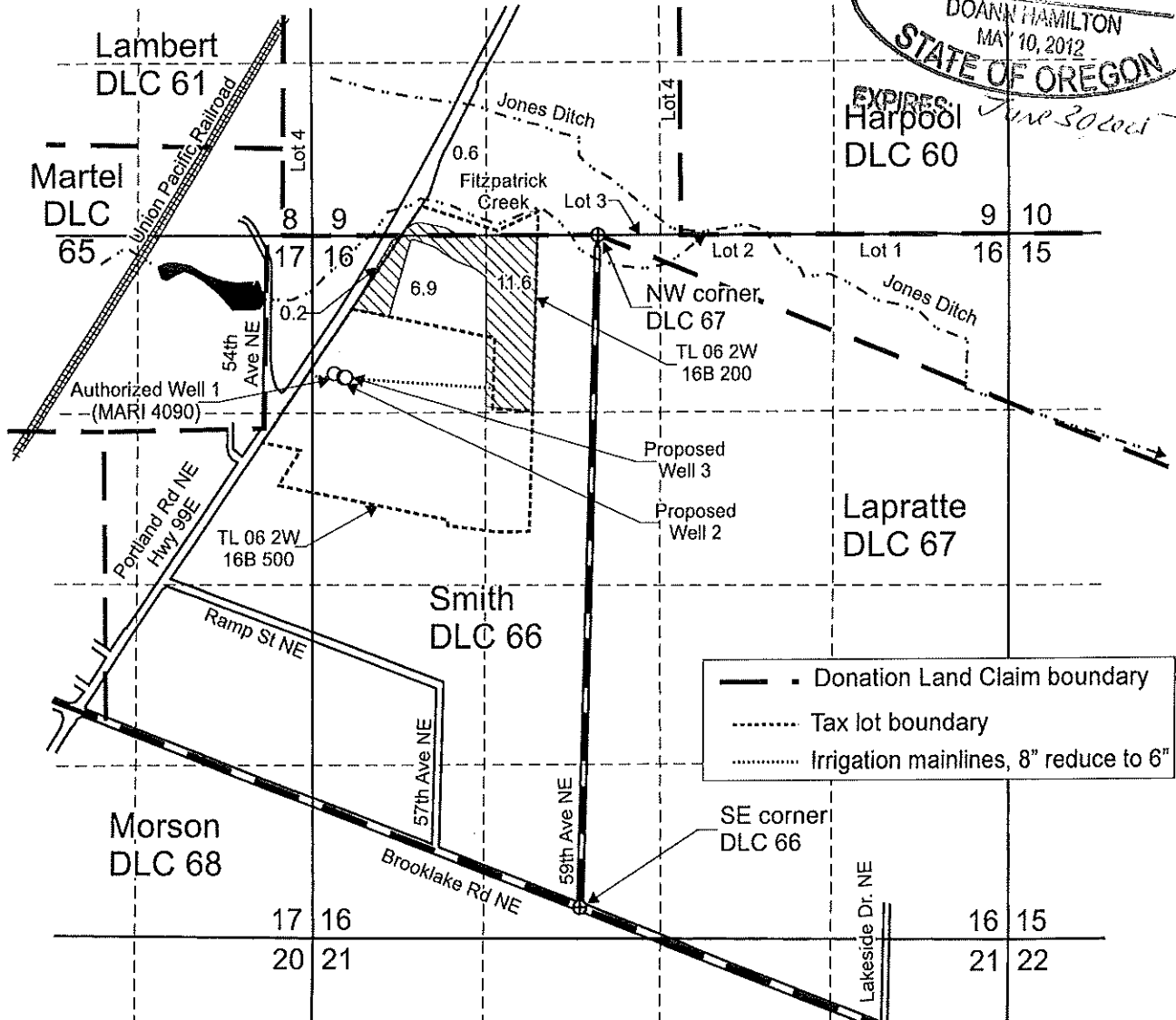
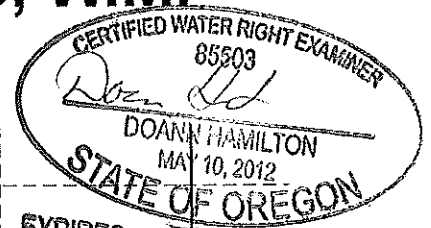
Pacific Hydro-Geology Inc.

01/2024

Terry and Deborah Beilke  
T.6S. R.2W. Sec. 9 & 16, W.M.

14404 -

# T.6S. R.2W. Sec. 9 & 16, W.M.



Authorized Well 1 (MARI 4090) is located 1,040 feet south and 2,000 feet west from the NW corner, DLC 67.

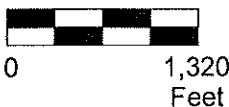
Proposed Well 2 is located 3,980 feet north and 1,790 feet west from the SE corner, DLC 66.

Proposed Well 3 is located 3,980 feet north and 1,770 feet west from the SE corner, DLC 66.

Area (19.1 Acres) irrigated under Certificate 76800, priority date 4-24-1992 for 0.16 cfs, 2-16-1995 for 0.08 cfs, affected by this transfer.

Area (0.2 Acres) irrigated under Certificate 76800, priority date 4-24-1992 for 0.16 cfs, 2-16-1995 for 0.08 cfs, to be voluntarily cancelled.

Scale: 1" = 1,320'



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

Transfer Application Map  
Certificate 76800

Terry and Deborah Beilke  
T.6S. R.2W. Sec. 9 & 16, W.M.

01/2024

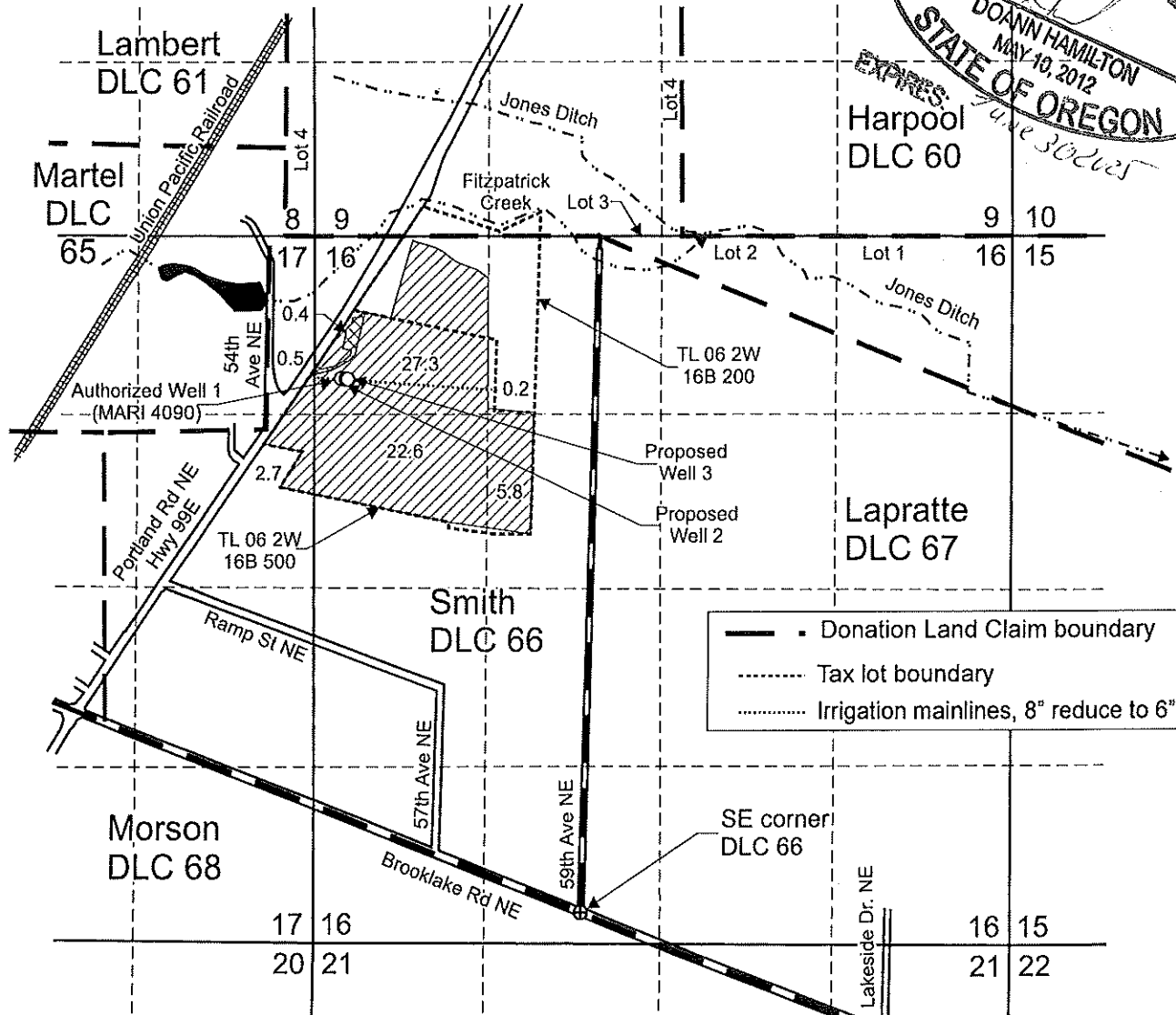
Pacific Hydro-Geology Inc.

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# T.6S. R.2W. Sec. 16 & 17, W.M.



Authorized Well 1 (MARI 4090) is located 3,980 feet north and 1,840 feet west from the SE corner, DLC 66.

Proposed Well 2 is located 3,980 feet north and 1,790 feet west from the SE corner, DLC 66.

Proposed Well 3 is located 3,980 feet north and 1,770 feet west from the SE corner, DLC 66.

Area (59.1 Acres) irrigated under Certificate 47935, priority date 4-7-1975, affected by this transfer.

Area (0.4 Acres) irrigated under Certificate 47935, priority date 4-7-1975, to be voluntarily cancelled.

Scale: 1" = 1,320'



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

Transfer Application Map  
Certificate 47935

Terry and Deborah Beilke  
T.6S. R.2W. Sec.16 & 17, W.M.

Pacific Hydro-Geology Inc.

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**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **142405**

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

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

RECEIVED FROM: T & P Farms, LLC  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-14404</u>

CASH: ☐ CHECK: # 25281 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 2,860.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES 46110 \$ \_\_\_\_\_  
0410 RESEARCH FEES \$ \_\_\_\_\_  
0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_  
TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_  
0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>2,860.00</u>		

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

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

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **142405**

DATED: 2-12-2024 BY: M-mills

# 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)

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate 47935 and 76800:**  
Please include a separate Part 5 for each water right. (See instructions on page 6)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

### Attachments:

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

### (For Staff Use Only)

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

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

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

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

## Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below ~~OWRD~~ met.

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

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

### 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>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	\$610
	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 <sup>st</sup> well to be added or changed <u>\$480 (4a)</u>  Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$410 (4b)</u>		
4	Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » »	4	\$890
	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 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	\$2,860
	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 » <b>Transfer Fee:</b>	8	\$2,860

\*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 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 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 ac x 0.0125 cfs/ac = 0.56 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 » » » » » » <b>Fee for Substitution:</b>	3	NA

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Terry and Deborah Beilke</b>		PHONE NO. <b>503-991-6753</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>4925 Rockdale St NE/PO Box 9068</b>		FAX NO.	
CITY <b>Brooks</b>	STATE <b>OR</b>	ZIP <b>97305</b>	E-MAIL <b>snofarmer@gmail.com</b>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

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

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**The authorized Well (MARI 4090) is used in both Certificate 47935 and 76800 and now the well has collapsed around the pump and cannot be repaired. We would like to propose the installation of one to two additional wells to make up for the loss of this well in close proximity of the original well.**

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

### Check One Box

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

By my signature below, I confirm that I understand:

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

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

Terry Beuke  
Applicant Signature  
Deborah M. Beuke  
Applicant Signature

Terry Beuke  
Print Name (and Title if applicable)  
DEBORAH M. BEUKE  
Print Name (and Title if applicable)

1-29-24  
Date  
1/29/24  
Date

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

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

Check the following boxes that apply:

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

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

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

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

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

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

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

IRRIGATION DISTRICT NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP

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

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

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TACS

## Part 5a of 5b – Water Right

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 # 47935**

### Description of Water Delivery System

System capacity: 0.74 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

Water is pumped using a 75 Hp turbine pump through buried 8-inch mainline reducing to 6-inch mainline to the east with hydrants to supply a large volume hard hose traveler or portable laterals with impact sprinklers.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 4090	6 S	2 W	16	NW NW	DLC 66	3,980 feet north and 1,840 feet west from the SE corner, DLC 66.
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	6 S	2 W	16	NW NW	DLC 66	3,980 feet north and 1,790 feet west from the SE corner, DLC 66.
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	6 S	2 W	16	NW NW	DLC 66	3,980 feet north and 1,770 feet west from the SE corner, DLC 66.

**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 checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA)     |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                           |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                  |

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

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

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 # 47935**

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			
										POA	6	S	2	W	16	NE	NW	500	DLC 66	0.2	IR	Wells 2 & 3	4-7-1975
										POA	6	S	2	W	16	NW	NW	200 & 500	DLC 66	27.3	IR	Wells 2 & 3	4-7-1975
										POA	6	S	2	W	16	SW	NW	500	DLC 66	22.6	IR	Wells 2 & 3	4-7-1975
										POA	6	S	2	W	16	SE	NW	500	DLC 66	5.8	IR	Wells 2 & 3	4-7-1975
										POA	6	S	2	W	17	NE	NE	500	DLC 66	0.5	IR	Wells 2 & 3	4-7-1975
										POA	6	S	2	W	17	SE	NE	500	DLC 66	2.7	IR	Wells 2 & 3	4-7-1975
TOTAL ACRES:											TOTAL ACRES:						59.1						

Additional remarks: 0.5 acres will be voluntary cancelled. The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

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

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

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

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 # NA;  
Surface water primary Certificate # NA.

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

Identify the primary certificate to be cancelled. Certificate # NA

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

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

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

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](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 1	Yes	MARI 4090	See Well Log MARI 4090							Not less than full rate of water right
Well 2	No	NA	300 feet	16 inch	0 to 300	25	TBD	NA	Alluvial	
Well 3	No	NA	300 feet	16 inch	0 to 300	25	TBD	NA	Alluvial	

## Part 5b of 5b – Water Right

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 # 76800

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### Description of Water Delivery System

System capacity: 0.24 cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

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

Water is pumped using a 75 Hp turbine pump through buried 8-inch mainline reducing to 6-inch mainline to the east with hydrants to supply a large volume hard hose traveler or portable laterals with impact sprinklers.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 4090	6 S	2 W	16	NW NW	DLC 66	1,040 feet south and 2,000 feet west from the NW corner, DLC 67.
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	6 S	2 W	16	NW NW	DLC 66	3,980 feet north and 1,790 feet west from the SE corner, DLC 66.
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	6 S	2 W	16	NW NW	DLC 66	3,980 feet north and 1,770 feet west from the SE corner, DLC 66.

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 checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA)     |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                           |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)                  |

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

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☐ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

**Table 2. Description of Changes to Water Right Certificate # 76800**

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			
										POA	6	S	2	W	9	SW	SW	200	NA	0.6	IR	Wells 2 & 3	0.16 CFS 4-24- 1992, 0.08 CFS 2-16- 1995
										POA	6	S	2	W	16	NE	NW	200 & 500	DLC 66	11.6	IR	Wells 2 & 3	
										POA	6	S	2	W	16	NW	NW	200	DLC 66	6.9	IR	Wells 2 & 3	
TOTAL ACRES:											TOTAL ACRES:						19.1						

Additional remarks: 0.2 acres will be voluntary cancelled. The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

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

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

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

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 # NA;

Surface water primary Certificate # NA.

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

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Identify the primary certificate to be cancelled. Certificate # NA

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

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

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

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

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	MARI 4090	See Well Log MARI 4090							Not less than full rate of water right
Well 2	No	NA	300 feet	16 inch	0 to 300	25	TBD	NA	Alluvial	
Well 3	No	NA	300 feet	16 inch	0 to 300	25	TBD	NA	Alluvial	

14404 -

# Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
County of MARION

I, TERRY BEILKE, in my capacity as OWNER/OPERATOR,  
mailing address 4925 ROCKDALE ST NE, BROOKS, OR 97305  
telephone number (503) 991-6753, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for  
Certificate # \_\_\_\_\_; 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)
47935	6	S	2	W	WM	16	NE	NW	DLC 66	0.2
47935	6	S	2	W	WM	16	NW	NW	DLC 66	27.3
47935	6	S	2	W	WM	16	SW	NW	DLC 66	22.6
47935	6	S	2	W	WM	16	SE	NW	DLC 66	5.8
47935	6	S	2	W	WM	17	NE	NE	DLC 66	0.5
47935	6	S	2	W	WM	17	SE	NE	DLC 66	2.7
76800	6	S	2	W	WM	9	SW	SW	NA	0.6
76800	6	S	2	W	WM	16	NE	NW	DLC 66	11.6
76800	6	S	2	W	WM	16	NW	NW	DLC 66	6.9

OR

☐ Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; OR


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

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

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

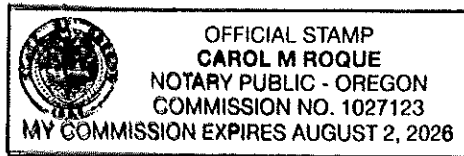
3. The water right was used for: (e.g., crops, pasture, etc.): HAZEL NUTS

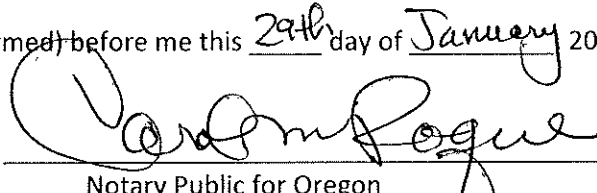
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

  
Signature of Affiant

1-29-24  
Date

Signed and sworn to (or affirmed) before me this 29th day of January 2024



  
Notary Public for Oregon  
My Commission Expires: 8/2/2026

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

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11/2023

54th Ave NE

Joe's Painting and Remodeling

Northwest University Oregon

Hope Ave NE

Image © 2023 Airbus

Imagery Date: 5/10/2023 45°03'13.32" N 12

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# Land Use Information Form



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

Applicant(s): Terry and Deborah Beilke

Mailing Address: 4925 Rockdale St NE

City: Brooks

State: OR

Zip Code: 97305

Daytime Phone: 503-991-6753

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>6S</u>	<u>2W</u>	<u>16B</u>	_____	<u>200</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>2W</u>	<u>16B</u>	_____	<u>500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</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:

Marion County

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.98 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to change the point of appropriation (well) from the original authorized well to two proposed wells for both water rights (Certificate 47935 and 76800).

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

See bottom of Page 3. →

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FEB 12 2024

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## For Local Government Use Only

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

### Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 17.136.020 A
- ☐ 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: Alexander Seifer Title: Assistant Planner

Signature: *Alexander Seifer* Phone: 503-566-4162 Date: 2/5/2024

Government Entity: Marion County

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



### Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

## NOTICE TO WATER WELL CONTRACTOR

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

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

## WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

RECEIVED

FEB 18 1975

State Well No.

65/2W-17

STATE ENGINEER

SALEM, OREGON

State Permit No.

G 6879

## (1) OWNER:

Name Hattie GollietAddress P.O. Box 847Meahama, Oregon

## (2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

## (3) TYPE OF WELL:

Rotary ☐ Driven ☐Cable ☒ Jetted ☐Aug ☐ Bored ☐

## (4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐Irrigation ☒ Test Well ☐ Other ☐

## (5) CASING INSTALLED:

Threaded ☐ Welded ☒12" Diam. from top ft. to 252 ft. Gage 250" Diam. from        ft. to        ft. Gage       " Diam. from        ft. to        ft. Gage       

## (6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.Type of perforator used Mills bladeSize of perforations 7/16 in. by 2 3/4 in.320 perforations from 101 ft. to 125 ft.1080 perforations from 190 ft. to 251 ft.perforations from        ft. to        ft.

## (7) SCREENS:

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

## (8) WELL TESTS:

Drawdown is amount water level is  
lowered below static levelWas a pump test made? ☒ Yes ☐ No If yes, by whom? DrillerYield: 300 gal./min. with 3 ft. drawdown after 3 1/2 hrs.400 " " 5 " same "500 " " 8 " same "600 " " 12 " same "700 " " 17 " same "850 " " 22 " same "Ballot test        gal./min. with        ft. drawdown after        hrs.Artesian flow        g.p.m.Temperature of water        Depth artesian flow encountered        ft.

## (9) CONSTRUCTION:

Well seal—Material used CementWell sealed from land surface to 20 ft.Diameter of well bore to bottom of seal 16 in.Diameter of well bore below seal 12 in.Number of sacks of cement used in well seal 14 sacksNumber of sacks of bentonite used in well seal        sacksBrand name of bentonite       

Number of pounds of bentonite per 100 gallons

of water        lbs./100 gals.Was a drive shoe used? ☒ Yes ☐ No Plug        Size: location        ft.Did any strata contain unusable water? ☐ Yes ☒ NoType of water?        depth of strata       Method of sealing strata off       Was well gravel packed? ☐ Yes ☒ No Size of gravel:       Gravel placed from        ft. to        ft.

## (10) LOCATION OF WELL:

County Marion Driller's well number 18751/4 1/4 Section 17 T. 6S R. 2W W.M.Bearing and distance from section or subdivision corner       

## (11) WATER LEVEL: Completed well.

Depth at which water was first found 83 ft.Static level 18 ft. below land surface. Date 2-8-75Artesian pressure        lbs. per square inch. Date       

## (12) WELL LOG:

Diameter of well below casing       Depth drilled 252 ft. Depth of completed well 252 ft.

Formation: Describe color, texture, grain size and structure of materials;  
and show thickness and nature of each stratum and aquifer penetrated,  
with at least one entry for each change of formation. Report each change in  
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Brown top soil	0	4	
Brown silty clay	4	36	
Gray Silty Clay	36	83	
Black silty sand & gravel	83	96	
Brown sand & gravel some clay	96	108	
Blue Gravelly Clay	108	110	
Brown sand & gravel	110	126	
Brown gravelly Clay	126	137	
Gray Sandy Clay	137	161	
Blue Cemented sand & gravel	161	179	
<del>Black gravelly clay</del>			
Black gravelly clay	179	186	
Blue cemented sand & gravel	186	226	
Brown cemented sand & gravel	226	252	

Received

FEB 12 2024

QWRD

Work started 1-15-75 19 Completed 2-8-75 19Date well drilling machine moved off of well 2-8-75 19

## Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.  
Materials used and information reported above are true to my  
best knowledge and belief.

[Signed] Dallas L. Reiss Date 2-10-75, 19      

(Drilling Machine Operator)

Drilling Machine Operator's License No. 752

## 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 WILLAMETTE DRILLING COMPANY

(Person, firm or corporation)

(Type or print)

Address 7641 35th Ave. NE Salem, Oregon 97303[Signed] Emil O. Reiss

(Water Well Contractor)

Contractor's License No. 2 Date 2-10-75, 19      

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45650-119

14404 -

## Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

**VOLUNTARY CANCELLATION** is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statute (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

**VOLUNTARY DIMINUTION** is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

Describe in your own words what you want to accomplish with this affidavit:

We are filing for a new transfer to add two additional wells to this water right. There is 0.5 acre that has not been irrigated in the last five years and we will voluntary cancel that acreage.

### Certificate of Water Right Information:

Certificate Number: 47935

Issued for use within the State of Oregon, County of Marion.

Issued in the name of: Hattie R. Golliet.

Rate or Volume on entire certificate: 0.74 (cubic foot per second *or* gallons per minute *or* acre-feet).

Source(s) of water on certificate: A well.

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 59.5, supplemental IR 0.0.

### Statements of Oath:

I/We (or authorized agent), Terry and Deborah Beilke,

residing at 4925 Rockdale St NE., Brooks, OR 97305,

with a mailing address of (if different) same,

and a telephone number of 503-991-6753, being first duly sworn depose and say:

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OWRD

1. I/We are the legal owners of property appurtenant to all ☒ *or* ☐ a portion (**check one box**) of the water right described above. My/Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [must include at a

**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

*minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)}.*

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here:

T6S, R2W, Section 9, SW ¼ SW ¼, SE ¼ SW ¼, and Section 16 NE ¼ NW ¼, NW ¼ NW ¼, TL 200.

T6S, R2W, Section 16, NE ¼ NW ¼, NW ¼ NW ¼, SW ¼ NW ¼, SE ¼ NW ¼, and Section 17, NE ¼ NE ¼, SE ¼ NE ¼, TL 500.

2. I/We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

☐ voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # \_\_\_\_.

☒ voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # **47935**.

☐ voluntary diminution of the ENTIRE water right Certificate # \_\_\_\_.

☐ voluntary diminution of a PORTION of water right Certificate # \_\_\_\_.

3. The appurtenant water right ☐ is or ☒ is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: \_\_\_\_.

a. The water right, or portion thereof, being ☐ cancelled or ☐ diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

\_\_\_\_\_  
Signature of district manager

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

4. Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.

I/We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

☒ A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) irrigation
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled 0.4
- In the amount of 0.005 cubic foot per second
- From the water source (s) well
- At the following location(s) (attach a larger table if needed):

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ABANDONED PORTION TO BE CANCELLED

# Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
<u>6</u>	<u>S</u>	<u>2</u>	<u>W</u>	WM	<u>16</u>	<u>66</u>	<u>NA</u>	<u>NW NW</u>	<u>0.4</u>	<u>500</u>
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

- L

ocations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled)

- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled.

## AND/OR (less common)

- ☐ One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.

- For the use of (specify irrigation, domestic, etc.) \_\_\_\_\_
- From the water source (s) \_\_\_\_\_
- Located within the \_\_\_\_\_ $\frac{1}{4}$ , Section \_\_\_\_\_, Township \_\_\_\_\_ (N ☐ or S ☐), Range \_\_\_\_\_ (E ☐ or W ☐, W.M.
- Location Description (if given on the certificate) \_\_\_\_\_

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## 5. Complete this section (Item #5a-c) for a DIMINUTION of ALL or a PORTION of the water right.

- I/We have found a more dependable source of primary water, and therefore request the water right certificate ☐ in its entirety, **or** ☐ as described in Item #6, below, (**check one box**) be diminished from a right for primary use to a right for supplemental use.
- I/We agree that if this change is approved, it is permanent and the right to the use of water from \_\_\_\_\_ (source) cannot be changed back to the primary use unless otherwise provided by law.
- I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from \_\_\_\_\_ (source of water) for primary use on these lands.

## 6. Complete this item (#6) for a DIMINUTION of a PORTION of the water right.

I/We, being the legal owners of the property described below are requesting a partial diminution of the water right certificate (identified in Item #2 above in the amount of \_\_\_\_\_ (cfs) from \_\_\_\_\_ (sources) for irrigation (if applicable) of \_\_\_\_\_ acres at the following location(s) as listed on the certificate (*attach a larger table if needed*):

PORTION TO BE DIMINISHED FROM PRIMARY TO SUPPLEMENTAL IRRIGATION										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

Signatures and Notary:

Terry Beuke

Signature of legal owner as listed on deed, or authorized agent

Printed Name Terry Beuke

Date 1-29-24

Deborah N. Beuke

Signature of legal co-owner as listed on deed (if applicable)

Printed Name DEBORAH N. BEUKE

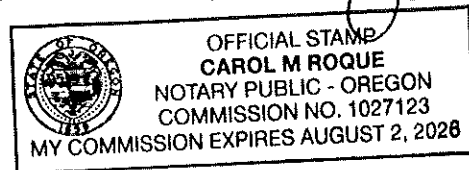
Date 1/29/24

Subscribed and Sworn to Before Me this 29th day of January, 2024

Carol M. Roque

Signature of Notary Public for Oregon

My Commission Expires 8/2/2026



REQUIRED ATTACHMENTS (LEGIBLE COPIES):

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
  - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
  - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.
- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.

**GRANTORS**

Terry and Debbie Beilke, Trustees  
PO Box 9068  
Brooks, OR 97305

**GRANTEES**

**WARRANTY DEED**

Terry Stephen Beilke and Deborah McAllister Beilke, husband and wife, "Grantors," hereby convey and warrant to Terry S. Beilke, Trustee of the Terry S. Beilke Revocable Living Trust dated January 9, 2012, as to an undivided one-half (1/2) interest as tenant in common, and to Deborah M. Beilke, Trustee of the Deborah M. Beilke Revocable Living Trust dated January 9, 2012, as to an undivided one-half (1/2) interest as tenant in common, or to such Successor Trustee of such trusts created under such instruments as may hereafter be appointed, "Grantees," the following real property, free of encumbrances except for matters of public record:

SEE THE ATTACHED EXHIBIT A.

Situs Address: No situs as property is farmland      Tax Account No: R18648 and R18649

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEES AND GRANTEES' HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTORS UNDER A STANDARD OR EXTENDED POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD. IT IS THE INTENTION OF THE GRANTORS TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTORS OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

The true consideration for this conveyance is \$0.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 and 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND

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FEB 12 2024

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After Recording, Return To:  
Melinda Leaver Roy  
Attorney at Law  
PO Box 804

Send Tax Statements to:  
Terry Beilke and Deborah Beilke, Trustees  
PO Box 9068  
Brooks, OR 97305

14404 -

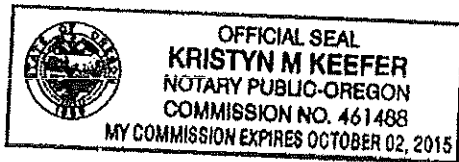
Dated this 9<sup>th</sup> day of January, 2012.

Terry Stephen Beilke  
Terry Stephen Beilke

Deborah McAllister Beilke  
Deborah McAllister Beilke

STATE OF OREGON     )  
                              )ss.  
County of Marion     )

The foregoing instrument was acknowledged before me this 9th day of January, 2012 by Terry Stephen Beilke and Deborah McAllister Beilke.



Kristyn M Keefe  
Notary Public for Oregon  
My commission expires: 10/02/15

Received  
FEB 12 2024  
OWRD

14404

Beginning at an iron pipe in the Easterly right of way line of State Highway 99E, which iron pipe is 333.47 feet South 88°51' West and 1515.57 feet South 00°41'30" West, and 71.53 feet South 33°46' West from the Section corner common to Sections 8, 9, 16, and 17, in Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, said point of beginning being the Northwest corner of that certain tract of land conveyed to Fidelity Lodge No. 54 by Deed recorded in Volume 675, Page 426, Marion County Deed Records; and running thence North 33°46' East, along said Easterly right of way line, 1102.33 feet to an iron pipe at a point of curve; thence Northeasterly continuing along said Easterly right of way line, on a 5769.58 foot radius curve left (the chord of which bears North 33°02' East, 152.66 feet), an arc distance of 152.67 feet to an iron pipe; thence South 78°16' East 1071.35 feet to an iron pipe; thence South 01°39' West 540.17 feet to an iron pipe; thence South 84°45' East 319.66 feet to an iron pipe in the East line of that certain tract of land conveyed to George A. Ramp and wife by Deed recorded in Volume 313, Page 344, Marion County Deed Records; thence South 01°39' West, along said East line, 918.20 feet to an iron rod at the Southeast corner of said Ramp Tract; thence South 87°46' West, along the South line of said Ramp Tract, 260.23 feet to an iron rod; thence North 80°14' West, continuing along said South line, 379.22 feet to an iron rod at the Southwest corner of said Ramp Tract; thence North 01°32' East 33.00 feet to an iron pipe in the South line of that certain tract of land conveyed to Merle F. Ramp by Deed recorded in Volume 424, Page 251, Marion County Deed Records; thence North 78°14' West, along the said South line, 1288.50 feet to an iron pipe at the Southeast corner of that certain tract of land conveyed to Fidelity Lodge No. 54 by Deed recorded in Volume 675, Page 426, Marion County Deed Records; thence North 33°46' East 300.00 feet to an iron pipe at the Northeast corner of said Lodge Tract; thence North 78°14' West, along the North line of said Lodge Tract, 300.00 feet to the point of beginning.

#### PARCEL 2

Beginning at an iron pipe in the Easterly right of way line of the Pacific Highway 99E, which point of beginning is 333.47 feet South 88°51' West, and 1515.57 feet South 00°41'30" West and 1030.80 feet North 33°46' East, and 152.66 feet North 33°02' East from the Section corner common to Sections 8, 9, 16, and 17 in Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; and running thence Northeasterly along said Easterly right of way line, on a 5769.58 foot radius curve left, (the chord of which bears North 30°50'30" East 284.12 feet) an arc distance of 284.15 feet to an iron pin; thence North 33°44'45" East, continuing along said Easterly right of way line, 651.81 feet to an iron rod in the Northerly line of that certain tract of land conveyed to Merle F. Ramp by Deed recorded in Volume 424, Page 251, Marion County Deed Records; thence South 69°53' East, along said Northerly line and extended, 610.43 feet to an iron rod; thence North 65°20' East along the Northerly line of that certain tract of land conveyed to George A. Ramp and wife by Deed recorded in Volume 481, Page 302, Marion County Deed Records, 345.89 feet to an iron rod; thence South 01°39' West, along the East line of said Ramp Tract, and the East line of that certain tract of land conveyed to George A. Ramp and wife by Deed recorded in Volume 313, Page 344, Marion County Deed Records, a distance of 1508.00 feet to an iron pipe; thence North 84°45' West 319.66 feet to an iron pipe; thence North 01°39' East 540.17 feet to an iron pipe; thence North 78°16' West 1071.35 feet to the point of beginning.

Received

FEB 12 2024

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14404 -

**REEL: 3378**

**PAGE: 79**

**April 25, 2012, 10:37 am.**

CONTROL #: 314554

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEE: \$ 51.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

Received  
FEB 12 2024  
OWRD

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14404 -



## Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

**VOLUNTARY CANCELLATION** is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statute (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

**VOLUNTARY DIMINUTION** is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

**Describe in your own words what you want to accomplish with this affidavit:**

We are filing for a new transfer to add two additional wells to this water right. There is 0.2 acre that has not been irrigated in the last five years and we will voluntary cancel that acreage.

**Certificate of Water Right Information:**

Certificate Number: 76800

Issued for use within the State of Oregon, County of Marion.

Issued in the name of: Terry and Deborah Beilke.

Rate or Volume on entire certificate: 0.24 (cubic foot per second *or* gallons per minute *or* acre-feet).

Source(s) of water on certificate: A well.

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 19.3, supplemental IR 0.0.

**Statements of Oath:**

I/We (or authorized agent), Terry and Deborah Beilke,

residing at 4925 Rockdale St NE., Brooks, OR 97305,

with a mailing address of (if different) same,

and a telephone number of 503-991-6753, being first duly sworn depose and say:

1. I/We are the legal owners of property appurtenant to all ☒ *or* ☐ a portion (*check one box*) of the water right described above. My/Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [*must include at a*

14404 -

**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

*minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)].*

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here:

T6S, R2W, Section 9, SW ¼ SW ¼, SE ¼ SW ¼, and Section 16 NE ¼ NW ¼, NW ¼ NW ¼, TL 200.

T6S, R2W, Section 16, NE ¼ NW ¼, NW ¼ NW ¼, SW ¼ NW ¼, SE ¼ NW ¼, and Section 17, NE ¼ NE ¼, SE ¼ NE ¼, TL 500.

2. I/We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

☐ voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # \_\_\_\_\_.

☒ voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # **76800**.

☐ voluntary diminution of the ENTIRE water right Certificate # \_\_\_\_\_.

☐ voluntary diminution of a PORTION of water right Certificate # \_\_\_\_\_.

3. The appurtenant water right ☐ is **or** ☒ is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: \_\_\_\_\_.

a. The water right, or portion thereof, being ☐ cancelled **or** ☐ diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

\_\_\_\_\_  
Signature of district manager

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

4. Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.

I/We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

☒ A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) irrigation
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled 0.2
- In the amount of 0.0025 cubic foot per second
- From the water source (s) well
- At the following location(s) (*attach a larger table if needed*):

14404

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FEB 12 2024

OWRD

revised August 2022

# Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
6	S	2	W	WM	16	66	NA	NW NW	0.2	200
				WM						
				WM						
				WM						

Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled)

- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled.

## AND/OR (less common)

- ☐ One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.

- For the use of (specify irrigation, domestic, etc.) \_\_\_\_\_
- From the water source (s) \_\_\_\_\_
- Located within the \_\_\_\_\_<sup>1</sup>/<sub>4</sub>, Section \_\_\_\_\_, Township \_\_\_\_\_ (N ☐ or S ☐), Range \_\_\_\_\_ (E ☐ or W ☐, W.M.
- Location Description (if given on the certificate) \_\_\_\_\_

Received

FEB 12 2024

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## 5. Complete this section (Item #5a-c) for a DIMINUTION of ALL or a PORTION of the water right.

- I/We have found a more dependable source of primary water, and therefore request the water right certificate ☐ in its entirety, or ☐ as described in Item #6, below, (check one box) be diminished from a right for primary use to a right for supplemental use.
- I/We agree that if this change is approved, it is permanent and the right to the use of water from \_\_\_\_\_ (source) cannot be changed back to the primary use unless otherwise provided by law.
- I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from \_\_\_\_\_ (source of water) for primary use on these lands.

## 6. Complete this item (#6) for a DIMINUTION of a PORTION of the water right.

I/We, being the legal owners of the property described below are requesting a partial diminution of the water right certificate (identified in Item #2 above in the amount of \_\_\_\_\_ (cfs) from \_\_\_\_\_ (sources) for irrigation (if applicable) of \_\_\_\_\_ acres at the following location(s) as listed on the certificate (attach a larger table if needed):

PORTION TO BE DIMINISHED FROM PRIMARY TO SUPPLEMENTAL IRRIGATION										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
				WM						
				WM						
				WM						
				WM						

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

Signatures and Notary:

Terry Beilke

Signature of legal owner as listed on deed, or authorized agent

Printed Name Terry Beilke

Date 1-29-24

Deborah H. Beilke

Signature of legal co-owner as listed on deed (if applicable)

Printed Name DEBORAH H. BEILKE

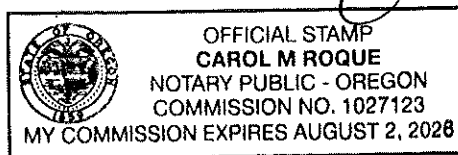
Date 1/29/24

Subscribed and Sworn to Before Me this 29th day of January, 20 24

Carol M. Roque

Signature of Notary Public for Oregon

My Commission Expires 8/2/2026



REQUIRED ATTACHMENTS (LEGIBLE COPIES):

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
  - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
  - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.
- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.

## GRANTORS

Terry and Debbie Beilke, Trustees  
PO Box 9068  
Brooks, OR 97305

## GRANTEES

### WARRANTY DEED

Terry Stephen Beilke and Deborah McAllister Beilke, husband and wife, "Grantors," hereby convey and warrant to Terry S. Beilke, Trustee of the Terry S. Beilke Revocable Living Trust dated January 9, 2012, as to an undivided one-half (1/2) interest as tenant in common, and to Deborah M. Beilke, Trustee of the Deborah M. Beilke Revocable Living Trust dated January 9, 2012, as to an undivided one-half (1/2) interest as tenant in common, or to such Successor Trustee of such trusts created under such instruments as may hereafter be appointed, "Grantees," the following real property, free of encumbrances except for matters of public record:

SEE THE ATTACHED EXHIBIT A.

Situs Address: No situs as property is farmland      Tax Account No: R18648 and R18649

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEES AND GRANTEES' HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTORS UNDER A STANDARD OR EXTENDED POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD. IT IS THE INTENTION OF THE GRANTORS TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTORS OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

The true consideration for this conveyance is \$0.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 and 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND


Received  
FEB 12 2024  
OWRD

After Recording, Return To:  
Melinda Leaver Roy  
Attorney at Law  
PO Box 804

Send Tax Statements to:  
Terry Beilke and Deborah Beilke, Trustees  
PO Box 9068  
Brooks, OR 97305

14404

Dated this 9<sup>th</sup> day of January, 2012.

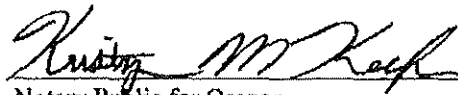
  
Terry Stephen Beilke

  
Deborah McAllister Beilke

STATE OF OREGON     )  
                                  )ss.  
County of Marion     )

The foregoing instrument was acknowledged before me this 9th day of January, 2012 by Terry Stephen Beilke and Deborah McAllister Beilke.



  
Notary Public for Oregon  
My commission expires: 10/02/15

Received  
FEB 12 2024  
OWRD

14404

Beginning at an iron pipe in the Easterly right of way line of State Highway 99E, which iron pipe is 333.47 feet South 88°51' West and 1515.57 feet South 00°41'30" West, and 71.53 feet South 33°46' West from the Section corner common to Sections 8, 9, 16, and 17, in Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, said point of beginning being the Northwest corner of that certain tract of land conveyed to Fidelity Lodge No. 54 by Deed recorded in Volume 675, Page 426, Marion County Deed Records; and running thence North 33°46' East, along said Easterly right of way line, 1102.33 feet to an iron pipe at a point of curve; thence Northeasterly continuing along said Easterly right of way line, on a 5769.58 foot radius curve left (the chord of which bears North 33°02' East, 152.66 feet), an arc distance of 152.67 feet to an iron pipe; thence South 78°16' East 1071.35 feet to an iron pipe; thence South 01°39' West 540.17 feet to an iron pipe; thence South 84°45' East 319.66 feet to an iron pipe in the East line of that certain tract of land conveyed to George A. Ramp and wife by Deed recorded in Volume 313, Page 344, Marion County Deed Records; thence South 01°39' West, along said East line, 918.20 feet to an iron rod at the Southeast corner of said Ramp Tract; thence South 87°46' West, along the South line of said Ramp Tract, 260.23 feet to an iron rod; thence North 80°14' West, continuing along said South line, 379.22 feet to an iron rod at the Southwest corner of said Ramp Tract; thence North 01°32' East 33.00 feet to an iron pipe in the South line of that certain tract of land conveyed to Merle F. Ramp by Deed recorded in Volume 424, Page 251, Marion County Deed Records; thence North 78°14' West, along the said South line, 1288.50 feet to an iron pipe at the Southeast corner of that certain tract of land conveyed to Fidelity Lodge No. 54 by Deed recorded in Volume 675, Page 426, Marion County Deed Records; thence North 33°46' East 300.00 feet to an iron pipe at the Northeast corner of said Lodge Tract; thence North 78°14' West, along the North line of said Lodge Tract, 300.00 feet to the point of beginning.

#### PARCEL 2

Beginning at an iron pipe in the Easterly right of way line of the Pacific Highway 99E, which point of beginning is 333.47 feet South 88°51' West, and 1515.57 feet South 00°41'30" West and 1030.80 feet North 33°46' East, and 152.66 feet North 33°02' East from the Section corner common to Sections 8, 9, 16, and 17 in Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; and running thence Northeasterly along said Easterly right of way line, on a 5769.58 foot radius curve left, (the chord of which bears North 30°50'30" East 284.12 feet) an arc distance of 284.15 feet to an iron pin; thence North 33°44'45" East, continuing along said Easterly right of way line, 651.81 feet to an iron rod in the Northerly line of that certain tract of land conveyed to Merle F. Ramp by Deed recorded in Volume 424, Page 251, Marion County Deed Records; thence South 69°53' East, along said Northerly line and extended, 610.43 feet to an iron rod; thence North 65°20' East along the Northerly line of that certain tract of land conveyed to George A. Ramp and wife by Deed recorded in Volume 481, Page 302, Marion County Deed Records, 345.89 feet to an iron rod; thence South 01°39' West, along the East line of said Ramp Tract, and the East line of that certain tract of land conveyed to George A. Ramp and wife by Deed recorded in Volume 313, Page 344, Marion County Deed Records, a distance of 1508.00 feet to an iron pipe; thence North 84°45' West 319.66 feet to an iron pipe; thence North 01°39' East 540.17 feet to an iron pipe; thence North 78°16' West 1071.35 feet to the point of beginning.

Received

FEB 12 2024

OWRD

14404

**REEL: 3378**

**PAGE: 79**

**April 25, 2012, 10:37 am.**

CONTROL #: 314554

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

FEE: \$ 51.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

Received  
FEB 12 2024  
OWRD

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14404

# Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # 14404

Checked by <u>  Dante  </u> Date <u>  2/14/2024  </u>	Type of Change(s) Proposed: <b>NO</b> other changes allowed other than those listed	
Fee Received: \$2860	<input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input checked="" type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$2860		How many rights to be Transferred? 2
Deficiencies and Observations: 2 Voluntary cancellations of rights involved		Certificate #(s) 47935 76800

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

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

OR:

- ☐ This application is deficient, and **CANNOT** be accepted.  
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken:

\_\_\_\_\_ date \_\_\_\_\_

# Permanent Transfer Application Checklist

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