

T-10350

T-10350

TEMPORARY

Name Melvin Kaufman

By \_\_\_\_\_

Address 1155 KaufmanSilverton, OR 97381503 873-4052Change in POYDate filed 3-21-07

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

Date of order 5-8-07 Vol. 72, page 15

Date for application of water \_\_\_\_\_

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT

Name of stream Pudding RiverTrib. of Molalla R. County of MarionUse Ir

Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_

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

Date of priority 8/3/1949In name of JN Adams

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 523976 Per. No. 519098 Cert. No. 22660

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

| Date          | Amount          | Receipt No.  |
|---------------|-----------------|--------------|
| <u>4-2-07</u> | <u>\$196.00</u> | <u>86900</u> |
| TOTAL . . .   |                 |              |
|               | Cert. Fee       |              |

## FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
|      |        |           |

## REMARKS

CLO: Alfred Kuenzi 102.32 Howell Prairie Rd Silverton, OR 97381RLO: Arlene M Harris-Trust PO Box 391 Silverton OR 97381VOID/NO CWRE

# Water Right Transfer Completion Checklist

T-10350

Transfer Specialist: Sue

## Water Rights Affected

| App File No. | Permit No. | Certificate No. | RR/CR Needed                                                        | RR/CR Nos. |
|--------------|------------|-----------------|---------------------------------------------------------------------|------------|
| 19098        | 23976      | 22660           | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |            |

## Copies Needed

Watermaster District: 16

CWRE No.: NA-temp

Irrig Dist Name/Address: NA

Commentors Name/Address: NA

## Preliminary Determination

- |                                                    |                                                    |
|----------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Electronic Files uploaded | <input type="checkbox"/> File Folder updated       |
| <input type="checkbox"/> Preliminary Determination |                                                    |
| <input type="checkbox"/> PD Cover letter           | <input type="checkbox"/> Fee Refund Due            |
| <input type="checkbox"/> Public Notice             | <input type="checkbox"/> Newspaper Notice required |
| <input type="checkbox"/> Remaining Rights          |                                                    |

Initial  
Notice  
4-3

FO due  
5-3

Comments/Special Issues:

| DPD Review (Optional)                                         | PD Review (Salem)                                             | Final Order Review (Salem)                                                              |
|---------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Reviewer: _____ Date: _____<br>Coordinator: _____ Date: _____ | Reviewer: _____ Date: _____<br>Coordinator: _____ Date: _____ | Reviewer: <u>DGP</u> Date: <u>5/8/07</u><br>Coordinator: <u>DGP</u> Date: <u>5/8/06</u> |

Comments/Special Issues: temp transfer - 21 acres place of use only - reverts 2011

Special Order Volume: 70, Pages 15

Final Order Signature Date: 5-8-07

☐ WRIS clone correction needed

Susan





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

May 11, 2007

MELVIN KAUFMAN  
11155 KAUFMAN ROAD NE  
SILVERTON OR 97381

Reference: Temporary Transfer 10350

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

The change shall be effective at the end of the 2006 irrigation season. The use shall revert to the authorized place of use at the end of the 2011 irrigation season.

Sincerely,

*Sarah Henderson*

*for* Doug Parrow  
Natural Resource Specialist

DP:sh

cc: Watermaster #16

Enclosure

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

|                                       |   |                              |
|---------------------------------------|---|------------------------------|
| In the Matter of Transfer Application | ) | FINAL ORDER APPROVING A      |
| T-10350, Marion County                | ) | TEMPORARY CHANGE IN PLACE OF |
|                                       | ) | USE                          |

**Authority**

ORS 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

Melvin Kaufman  
11155 KAUFMAN ROAD NE  
SILVERTON OR 97381

**Findings of Fact**

**Background**

1. On March 21, 2007, Melvin Kaufman filed an application to temporarily change the place of use under Certificate 22660 for a period of five years. The Department assigned the application number T-10350.

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

**Certificate:** 22660 in the name of J. N. Adams (perfected under Permit S-19098)

**Use:** IRRIGATION of 21.0 ACRES

**Priority Date:** AUGUST 3, 1949

**Rate:** 0.26 CUBIC FOOT PER SECOND (cfs)

**Limit/Duty:** ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

**Source:** PUDDING RIVER, tributary to MOLALLA RIVER

**Authorized Point of Diversion:**

| Twp | Rng | Mer | Sec | Q-Q   | DLC          |
|-----|-----|-----|-----|-------|--------------|
| 6 S | 1 W | WM  | 8   | NE NW | PARKER DL 49 |

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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.

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |     |       |
|------------|-----|-----|-----|-------|-----|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | DLC | Acres |
| 6 S        | 1 W | WM  | 7   | SE NE | 49  | 5.50  |
| 6 S        | 1 W | WM  | 8   | NW NW | 49  | 8.50  |
| 6 S        | 1 W | WM  | 8   | SW NW | 49  | 7.00  |

3. Application T-10350 proposes to change the place of use of the right to:

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 6 S        | 1 W | WM  | 7   | NE SE | 10.0  |
| 6 S        | 1 W | WM  | 7   | SE SE | 11.0  |

3. Notice of the application for temporary transfer was published on April 3, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
4. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
5. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
6. The proposed change would not result in enlargement of the right.
7. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

**Conclusions of Law**

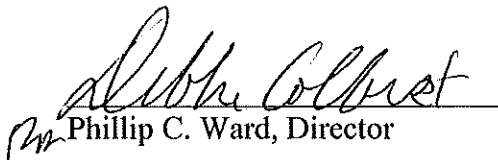
The temporary change in place of use proposed in application T-10350 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

**Now, therefore, it is ORDERED:**

1. The change in place of use proposed in application T-10350 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2007, 2008, 2009, 2010 and 2011 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2011 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

5. A subsequent application for permanent transfer of Certificate 22660 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 22660.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water right described by Certificate 22660 shall continue to be in accordance with the terms and conditions of Certificate 22660.

Dated at Salem, Oregon this 8<sup>th</sup> day of May 2007.

  
Phillip C. Ward, Director

Mailing Date: MAY 14 2007

# Transfer Processing Log (Div 380)

Reviewer's Name: Gue

Date: 4/9/07

|                                                                                                                |                                      |                        |  |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------|--|
| Transfer #:                                                                                                    | Type of Change: <u>Apou</u>          |                        |  |
| Originating Certificate: <u>22660</u>                                                                          | (Appl #: <u>23976</u> )              | Permit #: <u>19098</u> |  |
| Date filed: <u>3-21-07</u>                                                                                     | IPN = <u>4/3/07</u>                  |                        |  |
| County: <u>Marion</u>                                                                                          | WM District: <u>16 - Mike McCord</u> |                        |  |
| Applicant's Name & Mailing Address: <u>Melvin Kaufman</u><br><u>1155 Kaufman</u><br><u>Silverton, OR 97381</u> |                                      |                        |  |
| CWRE: <u>ENA</u>                                                                                               |                                      |                        |  |

**Transfer Workflow Maintenance:** Has file been assigned to me? Y ☒ N ☐ (If No, Update Transfer Workflow.)

## Check Application

- ☒ Type of change indicated clearly? Apou
- ☒ Signed by applicants?
- ☒ Are fees due or to be refunded? OK ☐ If to be refunded, generate Request for Refund to be sent to WRD with Final Order.
- ☒ Does the land use form match affected tax lots and is it signed by proper official?
- ☒ If a ditch company or district is involved, send them a copy of the application and map.
- ☐ If a POD is moving to a ditch owned by a company or organization, applicant may need to show permission from the ditch owner.

## Check Ownership

- ☒ Check that deed/lot book report matches the "from" lands. from T-10154
- ☒ Get current tax lot map. (If transfer application is several years old, contact assessor's office for current landowner)
- ☒ Is the applicant the owner of the "from" lands? (Update mailing address of applicant/owner if needed)
- ☒ Have all owners on the deed/lot book report signed the application?
- ☒ Is there a notarized, signed statement of consent from any landowners other than applicant?
- ☒ Is there a copy of written notification of transfer to each lien holder identified on deed/lot book report?
- ☐ Verify agent authority if applicant has not specifically signed a statement giving authorization for agent to work on his behalf.

## Check Application Map

- ☐ Does it have an original CWRE signature?
- ☒ Is the size and scale accurate and appropriate as per OAR 690-380-3100(1)(b)(c)&(d)? All work
- ☒ Are all authorized and proposed POD's/POA's and POU's shown and clearly labeled?
- ☒ Do the metes and bounds for the POD's/POA's properly describe the location on the map?
- ☒ Do map acres match the tabulation on the certificate?
- ☒ Pull final proof maps for the rights. Does application map match certificate FPS maps?
- ☒ Pull aerial photos, if needed (and available).
- ☒ Do the POD/POA dimensions match the location on map?
- ☒ Do the POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions?

## Is Application complete?

- |                                                      |                                                 |                                                     |                                        |
|------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------|----------------------------------------|
| <input checked="" type="checkbox"/> application form | <input checked="" type="checkbox"/> map         | <input checked="" type="checkbox"/> evidence of use | <input type="checkbox"/> land-use form |
| <input checked="" type="checkbox"/> deed             | <input checked="" type="checkbox"/> certificate | <input type="checkbox"/> fees paid                  | <input type="checkbox"/> well logs     |

Reviews/comments received?

☒ Watermaster ☐ ODFW ☐ GW

POU only

**Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)**

- ☐ Are *only* the authorized POD's/POA's and POU's to be transferred listed?
- ☐ Do application & certificate tabulations match? (check off on application and certificate copies and note corrections needed)
- ☐ Mark on certificate copy which acreage is being transferred and what will remain in each 1/4 1/4.

**Is right valid and subject to transfer by applicant?**

- ☐ Certificate \_\_\_\_\_ -or- Proof accepted "to the satisfaction...." \_\_\_\_\_
- ☐ Has the right been exercised according to terms & conditions of certificate?
- ☐ Compare delivery system capacity against with the rate/duty of the right.
- ☐ Print plat card report. Are there conflicting water rights? \_\_\_\_\_
- ☐ Is newspaper notice required? If so, generate a draft of the notice.
- ☐ Are there any rights that need to be canceled or diminished to supplemental? If so prepare an affidavit.

**Deficiencies to be resolved:**

- ☐
- ☐

**Injury Determination**

- |                                      |                                                               |                                                                   |
|--------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Watermaster | Injury: Y <input type="checkbox"/> N <input type="checkbox"/> | Conditions: Y <input type="checkbox"/> N <input type="checkbox"/> |
| <input type="checkbox"/> ODFW        | Injury: Y <input type="checkbox"/> N <input type="checkbox"/> | Conditions: Y <input type="checkbox"/> N <input type="checkbox"/> |
| <input type="checkbox"/> GW          | Injury: Y <input type="checkbox"/> N <input type="checkbox"/> | Conditions: Y <input type="checkbox"/> N <input type="checkbox"/> |

- ☐ Will the "from" lands be able to be dried up? Yes ☐ No ☐
- ☐ Use Interactive Mapping to check for intervening PODs: No ☐ Yes ☐ \_\_\_\_\_
- ☐ Check relation to instream water rights: ☐ Moves into or within ISWR ☐ No problem
- ☐ Check movement related to reduction of flows to junior rights

- Determination: Enlargement? ☐ Yes ☐ No  
Injury? ☐ Yes ☐ No
- ☐ Approve -or- ☐ Reject

**Conditions requested:**

- Measurement devices: ☐ Required prior to use -or- ☐ "When in the judgment..."
- ☐ Fish screen (see ODFW comments)
  - ☐ Other:

**Remarks:**





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

## Watermaster Review Form: Water Right Transfer

Transfer Application: T-10350

Review Due Date: 4/26/07

Applicant Name: Melvin Kaufman

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

Reviewer(s): M. Mccord

Date of Review: Apr. 3, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?  
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: \_\_\_\_\_
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: The Pudding R. is regulated most years for the ISWR. The water right involved in this transfer is senior to the ISWR.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:  
\_\_\_\_\_
4. Are there upstream water rights that would be affected by the proposed change?  
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: \_\_\_\_\_
5. 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: \_\_\_\_\_
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?  
☐ Yes ☒ No If "Yes", explain: \_\_\_\_\_
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: However, it will be field checked this summer.
8. For POU or USE changes, 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: \_\_\_\_\_
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: \_\_\_\_\_

10. What alternatives may be available for addressing any issues identified above: \_\_\_\_\_

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No

12. What water control and measurement conditions should be included in the transfer:

|                            |                                                            |                                                                                  |                                                         |
|----------------------------|------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------------------------------------------|
| <b>Measurement Devices</b> | <input type="checkbox"/> Present and should be maintained. | <input checked="" type="checkbox"/> Should be required prior to diverting water. | <input type="checkbox"/> May be required in the future. |
| <b>Headgates</b>           | <input type="checkbox"/> Present and should be maintained. | <input type="checkbox"/> Should be required prior to diverting water.            | <input type="checkbox"/> May be required in the future. |

STATE OF OREGON  
COUNTY OF     MARION  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** J. N. ADAMS

of     Route 1, Brooks     , State of     Oregon     , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Pudding River a tributary of     Molalla River     for the purpose of irrigation under Permit No.     19098     of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from     August 3, 1949

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.81 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Parker D1C #49, Section 8, Township 6 South, Range 1 West, W. M.

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 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year;

0.24 on temp

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows: 5.5 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected within Parker D1C #49

0.0125/ac

Section 7

4.0 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Parker D1C #49  
0.1 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Johnson D1C #56  
13.8 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Parker D1C #49  
30.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Parker D1C #49  
11.0 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Parker D1C #49  
0.4 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Johnson D1C #56

64.8

Section 8  
Township 6 South, Range 1 West, W. M.

Land on which water is to be used is part of that described as follows:  
Beg. at a point in the center of the city rd. 9.33 chs. W. & 2.81 chs. N. 23°40' E. from the most southerly re-entrant corner in the S. line of the Wm. Parker D1C in T. 6 S., R. 1 W., W.M., Marion County, Ore.; thence N. 21°28' E. 7.73 chs. along the center of the city rd.; thence N. 79°20' E. 54.26 chs. to the SE corner of land described in deed recorded in Vol. 145, Page 337, Deed Records for Marion County, Ore.; thence up Pudding River to the most easterly corner of land deeded to Serena Manning by H.D. Manning, described in V. 242, P. 113, Deed Records for Marion County, thence along the N. line of land of S. Manning, N. 81°38' W. 40.72 chs. thence W. 18.36 chs. to place of beg. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 12th day of     June     , 19 57 .

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 16 , page 22660.



**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 # **86900**

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

RECEIVED FROM: Melvin Kaufman

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

CASH: ☐ CHECK: # 9354 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

|             |                |
|-------------|----------------|
| APPLICATION |                |
| PERMIT      |                |
| TRANSFER    | <u>T-10350</u> |

TOTAL REC'D \$ 196.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_

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

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ \_\_\_\_\_

0410 RESEARCH FEES \$ \_\_\_\_\_

0408 MISC REVENUE: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_

0205 TRANSFER \$ 196.00

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_

LANDOWNER'S PERMIT \$ \_\_\_\_\_

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

**RECEIVED  
OVER THE COUNTER**

|                  |
|------------------|
| <b>EXAM FEE</b>  |
| \$ _____         |
| \$ _____         |
| \$ <u>196.00</u> |
| <b>EXAM FEE</b>  |
| \$ _____         |

|                   |
|-------------------|
| <b>RECORD FEE</b> |
| \$ _____          |
| \$ _____          |

|                    |
|--------------------|
| <b>LICENSE FEE</b> |
| \$ _____           |
| \$ _____           |

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

0211 WELL CONST START FEE \$ \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_

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

|        |       |
|--------|-------|
| CARD # | _____ |
| CARD # | _____ |

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD) \$ \_\_\_\_\_

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

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

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

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

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

RECEIPT: **86900**

DATED: 4/2/07

BY: Kaufman





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

# Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

| Please check one                                       |                                            |
|--------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> Permanent Transfer            | <input type="checkbox"/> Instream Transfer |
| <input checked="" type="checkbox"/> Temporary Transfer | <input type="checkbox"/> Permanent         |
| • total number of years: <u>1</u>                      | <input type="checkbox"/> Time-Limited      |
| (begin year: <u>2007</u> )                             | <input type="checkbox"/> Drought Transfer  |
| (end year: <u>2008</u> )                               | <input type="checkbox"/> Other             |

## 2. APPLICANT INFORMATION

Name: MELVIN KAUFMAN  
First Last  
Address: 11155 KAUFMAN  
SILVERTON OR 97381  
City State Zip  
Phone: 503-8734052 Same  
Home Work Other  
Fax: 503 8734052 E-Mail address: \_\_\_\_\_

## 3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: \_\_\_\_\_  
First Last  
Address: \_\_\_\_\_  
City State Zip  
Phone: \_\_\_\_\_  
Home Work Other  
Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

- If an agent is listed above, please check one of the following:
- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
  - ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

MAR 21 2007

#### 4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

|    | Application / Decree | Permit / Previous Transfer | Certificate |
|----|----------------------|----------------------------|-------------|
| 1. | 523976               | 519098                     | 22660       |
| 2. |                      |                            |             |
| 3. |                      |                            |             |
| 4. |                      |                            |             |
| 5. |                      |                            |             |
| 6. |                      |                            |             |

- Check **all** proposed change(s) included in this transfer application:

- ☒ Place of Use      ☐ Point of Diversion      ☐ Additional Point of Diversion  
☐ Character of Use      ☐ Point of Appropriation      ☐ Additional Point of Appropriation  
☐ Instream Transfer      ☐ Surface Water source to Ground Water source

- Reason(s) for change(s): Rented neighbor farm to the south need to rotate to irrigated crop

#### 5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

*The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.*

40 Hp Centrifugal 280 gallons appt per min

- System capacity: 81 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

## 6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
  - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
  - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
  - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
  - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

## 7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is 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? ☐ Yes ☒ No

*If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:*

\_\_\_\_\_  
NA  
\_\_\_\_\_

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

\_\_\_\_\_  
NA  
\_\_\_\_\_

## 8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☐ No

*If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:*

Names of Current Landowner(s): ALFRED KUENZ  
First Last  
Address: 10232 Howell Prairie  
SILVERTON OR 97381  
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☐ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

*If "No", provide the following information:*

Names of Receiving Landowner(s): ARLENE M. HARRIS TRUST  
First Last  
Address: PO Box 391  
SILVERTON OR 97381  
City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)



## 9. ATTACHMENTS

Check each of the following attachments included with this application.  
The application will be returned if all required attachments are not included.

### Supplemental Form A –

#### Description of Proposed Change(s) to a Water Right

- ☐ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

### Supplemental Form B –

#### Evidence of Use Affidavit(s)

- ☐ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☐ The Evidence of Use Affidavit must be accompanied by supporting documentation.

### Map

- ☐ *Water Right Transfer*  
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*  
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

### Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

### Land Use Information Form:

- ☐ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ❶ In EFU zone or irrigation district,
  - ❷ Change in place of use only,
  - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
  - ❹ Irrigation only.

### Fees:

- ☐ Amount enclosed: \$ \_\_\_\_\_  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

### Instream Water Right Transfers, also include:

### Supplemental Form C –

#### Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

### Temporary Transfers, also include:

### Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved.

### Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

**10. SIGNATURES**

- Check one of the following, as appropriate, and sign the application in the signature box below:

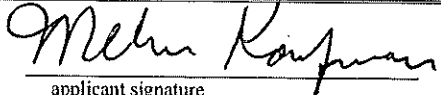
☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

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

|                                                                                     |                |        |
|-------------------------------------------------------------------------------------|----------------|--------|
|  | MELVIN KAUFMAN | 2-8-07 |
| applicant signature                                                                 | name (print)   | date   |
|                                                                                     |                |        |
| applicant signature                                                                 | name (print)   | date   |

## Water Right Transfer Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 22660

### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

| Point of Diversion or Appropriation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Place of Use                                                                                                                                                                                                                                                                                                                                                                                 | Character of Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.)<br><input type="checkbox"/> <b>Additional</b> (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)<br><input type="checkbox"/> <b>Historic Point of Diversion or Appropriation Change</b> (Unauthorized point of diversion or appropriation used for more than 10 years.)<br><input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.)<br><input type="checkbox"/> <b>Point of Diversion Change due to Government Action</b> (The old point of diversion or appropriation can no longer be used due to government action.)<br><input type="checkbox"/> <b>Exchange</b> (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.) | <input type="checkbox"/> <u>All</u> of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)<br><input checked="" type="checkbox"/> Only a <u>portion</u> of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) | Proposed new use:<br><input type="checkbox"/> Irrigation<br><input type="checkbox"/> Municipal<br><input type="checkbox"/> Quasi-municipal<br><input type="checkbox"/> Commercial<br><input type="checkbox"/> Industrial<br><input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i> )<br><input type="checkbox"/> Domestic (indicate number of households) _____<br><input type="checkbox"/> Other _____<br><br><input type="checkbox"/> <b>Substitution</b> (A supplemental ground water right will be substituted for a primary surface water right.)<br><input type="checkbox"/> <b>Supplemental Use to Primary Use</b> (Primary water right shall be cancelled and the supplemental water right will change to primary use.) |

## 2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

|                                                                              |                                    |                                                    |
|------------------------------------------------------------------------------|------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Certificated Right                                  | <u>22600</u><br>Certificate Number | _____<br>Permit Number or Decree Name              |
| <input type="checkbox"/> Adjudicated,<br>Non-certificated Right              | _____<br>Name of Decree            | _____<br>Page Number                               |
| <input type="checkbox"/> Permit for which Proof has<br>been Approved         | _____<br>Permit Number             | _____<br>Date Claim of Beneficial Use<br>Submitted |
| <input type="checkbox"/> Transferred Right for which<br>Proof has been Filed | _____<br>Previous Transfer Number  | _____<br>Date Claim of Beneficial Use<br>Submitted |

- Name on Permit, Certificate, or Decree: JN ADAMS
- County: Marion
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): 8-3-1949

*If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: pudding River

Tributary to: MOALLA River

*If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

### For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☒ Yes    ☐ No    ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? \_\_\_\_\_

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).*

▪ Certificate Number or other identifying number: 22660

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

| If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L- ) | Source and Priority Date | Township | Range | Mer | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Survey Coordinates (coordinates from a recognized survey corner) |
|----------------------------------------------------------------|--------------------------|----------|-------|-----|-----|-------|---------------------------|------------------------------------------------------------------|
|                                                                |                          | 6S       | 1W    |     | 8   | NE NW |                           |                                                                  |
|                                                                |                          |          |       |     |     |       |                           |                                                                  |
|                                                                |                          |          |       |     |     |       |                           |                                                                  |

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

**Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)**

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

| OWRD Well No. as identified in table above | Diameter | Type and size of casing | No. of feet of casing | Intervals casing is perforated (in feet) | Seal depth | Est. depth to water | Est. depth to water bearing stratum | Type of access port or measuring device | Total well depth |
|--------------------------------------------|----------|-------------------------|-----------------------|------------------------------------------|------------|---------------------|-------------------------------------|-----------------------------------------|------------------|
|                                            |          |                         |                       | NA                                       |            |                     |                                     |                                         |                  |
|                                            |          |                         |                       |                                          |            |                     |                                     |                                         |                  |
|                                            |          |                         |                       |                                          |            |                     |                                     |                                         |                  |



▪ Certificate Number or other identifying number: 22660

*The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

*Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.*

**Location of Existing Authorized Place of Use to be Affected:**

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

▪ Certificate Number or other identifying number: 22 66 0

### 3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

#### Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

| Source | Township | Range | Mer. | Sec | ¼ ¼<br>Section | Tax Lot,<br>DLC or<br>Gov't Lot | Survey Coordinates<br>(coordinates from a recognized survey<br>corner) |
|--------|----------|-------|------|-----|----------------|---------------------------------|------------------------------------------------------------------------|
|        |          |       |      |     |                |                                 |                                                                        |
|        |          |       |      |     |                |                                 |                                                                        |
|        |          |       |      |     |                |                                 |                                                                        |
|        |          |       |      |     |                |                                 |                                                                        |

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

#### Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

| Well<br>already<br>built?<br>(Yes/No) | If an existing<br>well, OWRD<br>Well Log ID No.<br>(or Well ID Tag<br>No. L- ) | Diameter | Type and<br>size of<br>casing | No. of<br>feet of<br>casing | Intervals<br>casing is<br>perforated<br>(in feet) | Seal<br>depth | Est.<br>depth to<br>water | Est.<br>depth<br>to water<br>bearing<br>stratum | Type of<br>access<br>port or<br>measuring<br>device | Total<br>well<br>depth |
|---------------------------------------|--------------------------------------------------------------------------------|----------|-------------------------------|-----------------------------|---------------------------------------------------|---------------|---------------------------|-------------------------------------------------|-----------------------------------------------------|------------------------|
|                                       |                                                                                |          |                               |                             |                                                   |               |                           |                                                 |                                                     |                        |
|                                       |                                                                                |          |                               |                             |                                                   |               |                           |                                                 |                                                     |                        |
|                                       |                                                                                |          |                               |                             |                                                   |               |                           |                                                 |                                                     |                        |
|                                       |                                                                                |          |                               |                             |                                                   |               |                           |                                                 |                                                     |                        |

▪ Certificate Number or other identifying number: 22660

*Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.*

**Location of Proposed Place of Use:** (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer  
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

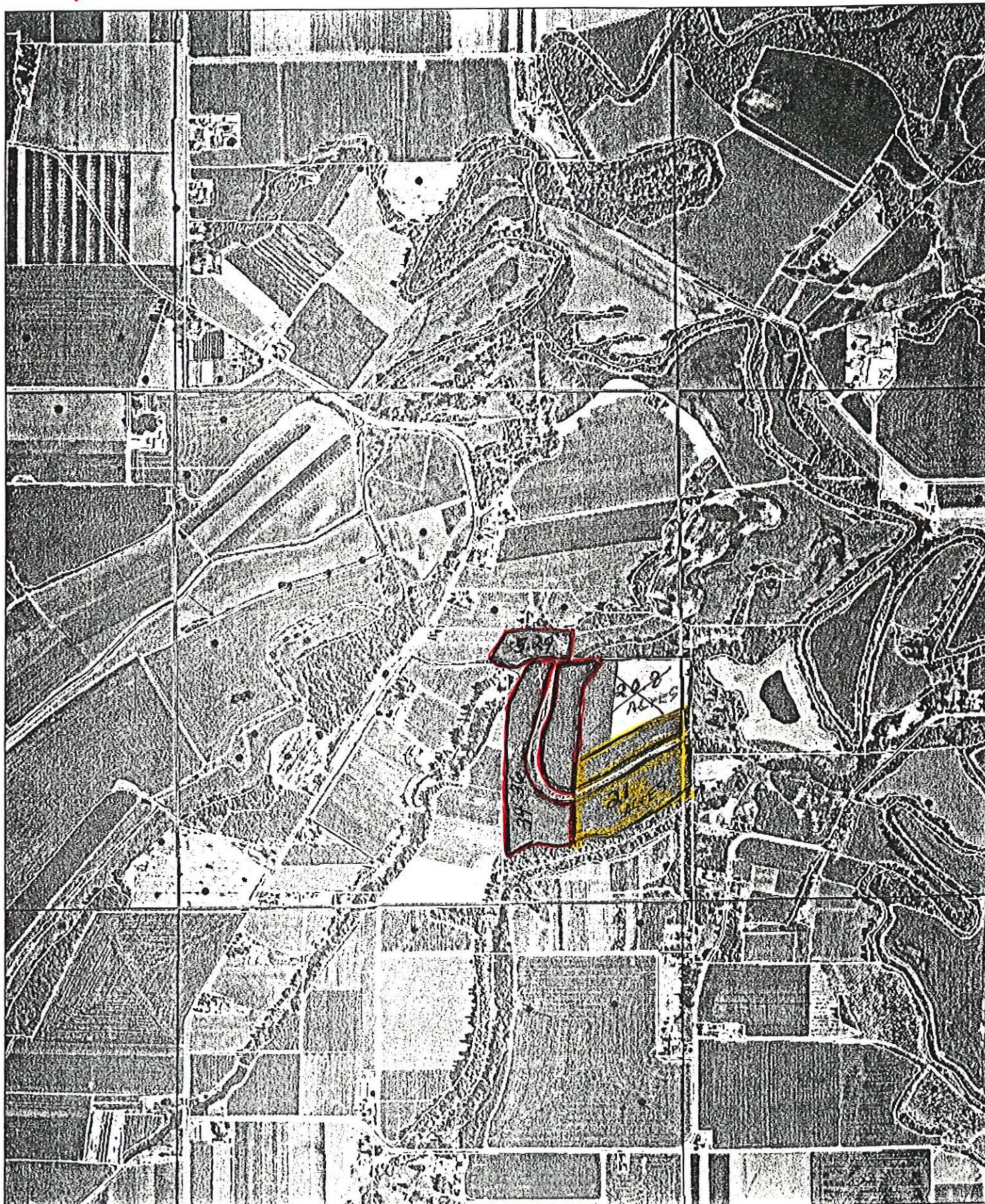
| Source | Township | Range | Mer | Sec | ¼ ¼<br>Section | Tax Lot,<br>DLC or<br>Gov't Lot | Acres<br>(if applicable) |
|--------|----------|-------|-----|-----|----------------|---------------------------------|--------------------------|
|        | 6S       | 1W    |     | 7   | NESE           |                                 | 10.0                     |
|        | 6S       | 1W    |     | 7   | SESE           |                                 | 11.0                     |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |
|        |          |       |     |     |                |                                 |                          |

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



GR Mod #1

T0



□ = GR Mod

■ = Temp Transfer of Cert 22660

1" = 1296'

This acreage is for FSA program purposes only. No warranty is made for any other use.

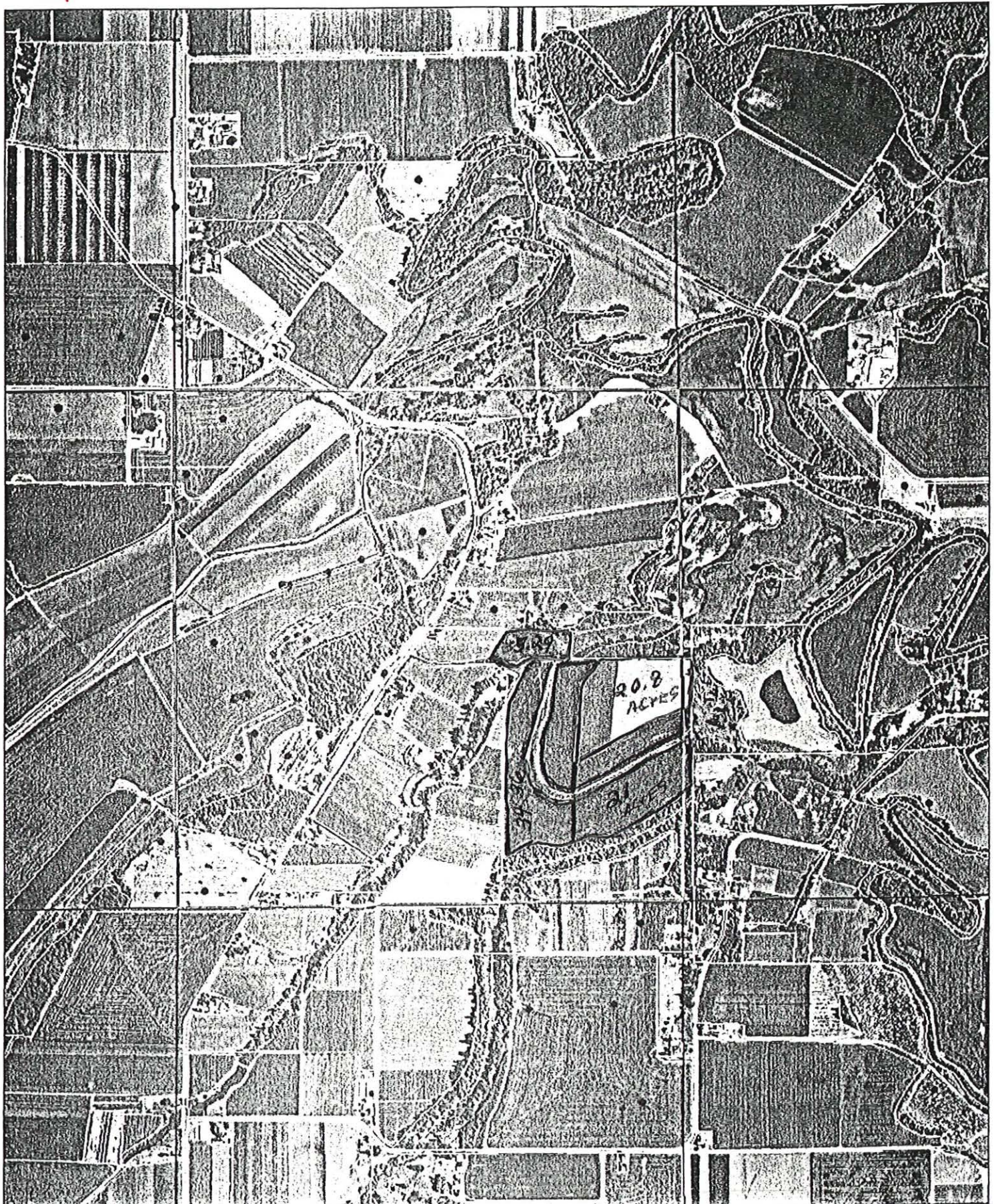
1 10350





GR Mod #2

TO FROM



1"=1296'

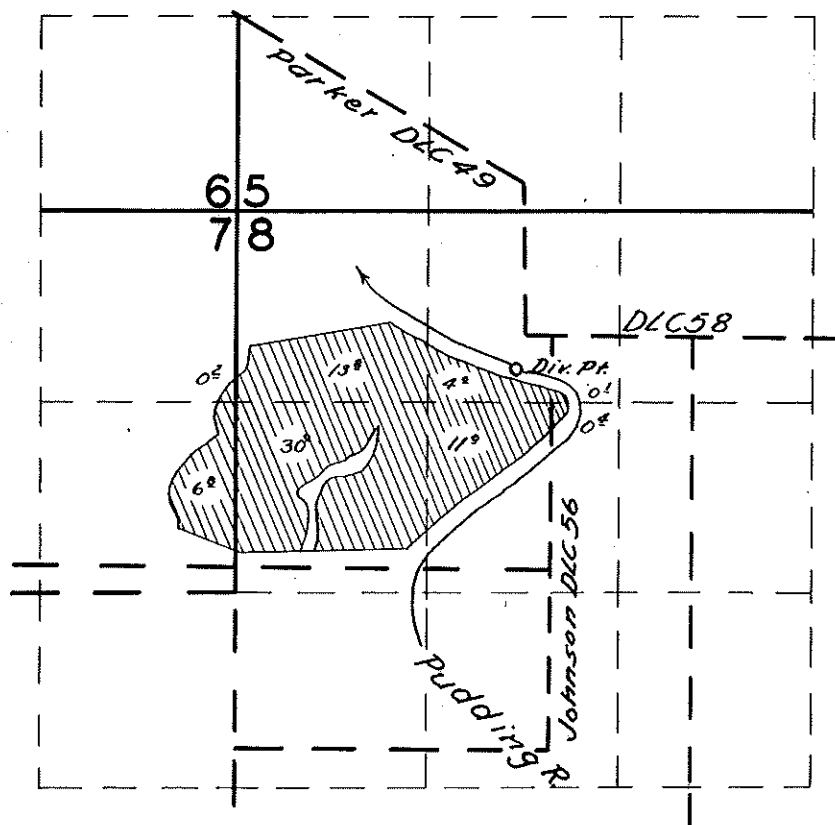
This acreage is for FSA program purposes only. No warranty is made for any other use.

10350





T. 6 S. R. 1 W. W. M.



**FINAL PROOF SURVEY**  
UNDER

Application No. 23976 Permit No. 19098  
IN NAME OF

J. N. Adams

Surveyed May 25, 1956, by C. O. Bartels



RECEIVED  
APR 02 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

To Whom It May Concern:

Melvin Kaufman has our permission to transfer water rights from our 37 acres which has a groundwater right # GR 638 to the property to the south which is Arlene M. Harris Trust property for crop year 2007. He agrees to file a new application to move back to the original place of being, which is Alfred and Elaine Kuenzi property.

Also, Melvin Kaufman has our permission to transfer 21 acres of surface water from application # 22660 to the property to the south which is Arlene M. Harris Trust property for the 2007 irrigation season only. This will automatically revert back to the original place of use after the 2007 irrigation season.

We further certify that Melvin Kaufman has used the water rights on these acres in the last five years.

Signed

Date

Alfred G Kuenzi

3-26-07

Elaine R Kuenzi

3-26-07

State of Oregon  
County of Marion

This instrument was acknowledged before me on  
March 26, 07 by Alfred G Kuenzi and Elaine R Kuenzi.

Juanita Estella Porras  
Notary Signature





# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

March 27, 2007

MELVIN KAUFMAN  
11155 KAUFMAN ROAD NE  
SILVERTON OR 97381

Reference: Temporary Transfer 10350

On March 21, 2007 we received your water right transfer application requesting place of use change for use of water from PUDDING RIVER, tributary to MOLALLA RIVER.

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

Pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be transferred and the land to which the right is to be transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #16  
Karen Hans, ODFW  
Alfred Kuenzi, Landowner  
Arlene Harris Trust, Landowner

enclosure



# Oregon

Theodore R. Kulongoski, Governor

## Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

### Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 04/03/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: MARION  
Transfer: 10350  
Water Right: CERT 22660  
Priority Date: 08/03/1949  
Name: MELVIN KAUFMAN  
Address: 11155 KAUFMAN; SILVERTON OR 97381  
Change: POU  
Source: PUDDING RIVER  
Authorized POU: T6S R1W 7, 8  
Proposed POU: T6S R1W 7

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.

# TRANSFER CHECK OFF LIST

TRANSFER FILE #

DATE RECEIVED

DATE MONEY SLIPPED

DATE RECEIPTED

VALID WATER RIGHT?

TEMP ALT AC

TEMP Div 15

IRR DIST

PERM AMEND

DIV 15

ISWR

LETTER FROM ATTORNEY YES (PUT INFO ON FRONT COVER)

NO

FOLDER FILLED OUT\*

ENTERED IN DB

CONTENTS MARKED

COLOR CODED

4 COPIES MADE & STAMPED

CERTIFICATE MARKED

CERTIFICATE COPIED

PULL APPLICATIONS

APP FOLDER MARKED

FINAL PROOF MAP COPIED

PERMIT MARKED

PERMIT COPIED

PERMIT MAP COPIED

DECREE MARKED

DECREE COPIED

ADJUDICATION MAP COPIED

ENTRIES CHECKED

PUBLIC NOTICE DATE

LETTER SENT

COPY TO WM

BLUE FORM TO WM

COPY TO GW

BLUE FORM TO GW

COPY TO CWRE

LETTER TO ODFW

ANSWER SENT TO:

CHECKED BY INIT FOLDER

(PREPARED & COPIED)

Irrigation District (copy of app & map)

Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his

POA, APOA, or [SW TO GW ONLY(as POD)]

Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his

ALL Surface water POU/USE (POD and APOD FISH SCREENS)

SW --- NCR --- SCR --- BR

SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER