

Regular

Name Julie & Frank Kline

Address 15500 SE Wallace Rd

Dayton, OR 97114

frank@willamette Meadows.com

Change in POA

Date Filed 12/11/2023

Initial notice date 12/19/2023

DPD issued date _____

PD issued date 7-21-2025

PD notice date 7-22-2025

Date of FO 8/29/2025 Vol 135 Page 552-555

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Boatwright Engineering, Inc.

Jeanne Boatwright jeanne@boatwrightengr.com

CWRE _____

CC's list Yamhill County

☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A well

Trib. of Willamette River

Use Irrigation County Yamhill

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

Name of ditch _____

App# G-2047 Per # G-1881 Cert # 33222 PR Date 6-16-1961

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>12-11-23</u>	<u>1840.00</u>	<u>142080</u>

FEES REFUNDED

Date	Amount	Receipt #
_____	_____	_____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

August 29, 2025

Julie and Frank Kline
15500 SE Wallace Rd
Dayton, OR 97114

REFERENCE: Transfer Application T-14368

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, Elyse Hennen, by telephone at (971) 701-5485 or by e-mail at Elyse.d.richman@water.oregon.gov.

Sincerely,

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

cc: Joel M. Plahn, Watermaster Dist. # 22 (via email)
Jeanne Boatwright, Agent
Yamhill 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
T-14368, Yamhill County	)	IN POINT OF APPROPRIATION

Authority

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

Applicant

JULIE AND FRANK KLINE
15500 SE WALLACE RD
DAYTON, OR 97114

Findings of Fact

1. On December 11, 2023, Julie and Frank Kline filed an application to change the point of appropriation under Certificate 33222. The Department assigned the application number T-14368.
2. Notice of the application for transfer was published on December 19, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 26, 2025, the Department received an amended map from the Agent correcting a scrivener's error. The Final proof map for Certificate 33222, contains a scrivener's error in the measurement description, as it appears the map shows the point of appropriation is being measured from the Northwest corner of Donation Land Claim (DLC) 56, and not from the Southwest corner of DLC 53, as indicated in the certificate. If measured from the Southwest corner of DLC 53, the location would be placed in the SE SE of Section 9 instead of the SE SW of Section 9, as authorized. The Certified Water Right Examiner submitted a revised map showing the true location of the authorized point of appropriation.

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

4. On March 26, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14368. The draft Preliminary Determination cover letter set forth a deadline of April 24, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. On July 21, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14368 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on July 22, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. The right to be transferred is as follows:

Certificate: 33222 in the name of ROBERT E. RUYLE (perfected under Permit G-1881)
Use: IRRIGATION OF 6.3 ACRES
Priority Date: JUNE 16, 1961
Rate: 0.08 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 WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	9	SE SW	53	WELL 1 - 1370 FEET NORTH AND 2600 FEET EAST FROM THE SW CORNER OF DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	9	NE SW	53	0.3
5 S	3 W	WM	9	SE SW	53	6.0
					Total	6.3

7. Transfer Application T-14368 proposes to move the authorized point of appropriation approximately 40 feet East from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	9	SE SW	53	WELL 2 - 269 FEET NORTH AND 514 FEET EAST FROM THE SE CORNER OF DLC 51

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

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14368.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other existing water rights.
14. All other application requirements are met.

Conclusions of Law

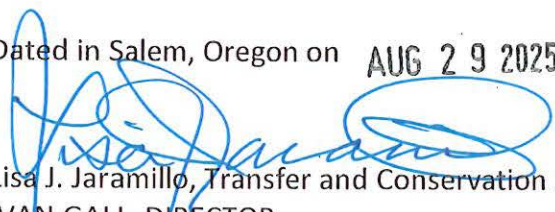
The change in point of appropriation proposed in Transfer Application T-14368 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation proposed in Transfer Application T-14368 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 33222 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
4. Water right Certificate 33222 is cancelled.
5. The quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (A Well aka Well 1).

6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. 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 change and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

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


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

Mailing Date: SEP 02 2025

TRANSFER COVER SHEET

14368
Transfer: T-14118

GR Application #: GR-

File Assigned- Transfer Specialist: Elyse Richman

Transfer Type: Regular

Reimbursement Authority? ☐

Applicants: Julie and Frank Kline 15500 SE Wallace Rd. Dayton, OR 97114	Receiving Landowner:	CWRE Agent: Jeanne Boatwright 2613 12 th St. SE Salem, OR 97302
Interested Parties: BOR (date): _____ Tribal Gov't: _____ Gov'ts: _____ County: Yamhill	Irrigation District: Check area of interest on map ☐	Additional Contact Information: _____

Key Dates & Initial Actions (Support Staff)

Type of change(s) proposed- attach additional review checklists as necessary POA			
If change is Historic or Substitution, application will go directly to Final Order. Add'l questions on last page for Historic and Gov't Action.			
Fees Pd:	\$1,840.00	WM Review request date sent - WM District: 22	12/13/2023
Received Date:	12/11/2023	WM Review - date received:	1/10/2024
Acknowledgement Letter Sent Date:	12/13/2023	GW Review - date sent:	12/13/2023
County sent cc: of Ack Letter Date:	11/16/2022	GW Review - date received:	6/25/2024
Initial Public Notice Date:	12/19/2023	ODFW Review - date sent: ODFW District:	
Comments Received:	Yes ☐ No: ☒	ODFW Review - date received:	

Water Rights Affected

File Marked	No.	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	1	G-2047	G-1881	33222	☐ Yes ☒ No	
☐	2				☐ Yes ☐ No	
☐	3				☐ Yes ☐ No	

I have confirmed that the information on this document is correct (or has been corrected): ☐ Initials

Caseworker Actions:

Assigned in WRIS: 2/24/2025	DPD Workflow updated:	WRIS Notes:
PD and RR sent to Data Entry:	Certified mail date:	
Newspaper notice needed: Yes: ☐ No: ☒	Name of Newspaper:	
PD notice email coordinator:	PD notice Request Date:	Amount Due: \$ Received date:
Last day of publication:	Affidavit received:	

DOCUMENT	Drafted		Peer Review		Policy Review		Changes		ODFW contact info: ☐ included NA: ☐
	Date	initials	Date	initials	Date	initials	Date	initials	WM contact info: ☐ included NA: ☐
DPD			3/21/25	SLH					Number of Docs for signature: 1
NOTICE									Date in Signature bin
PD									Signature date
FO			Ar/a	8/21	Tamera	8/22	EH	8/22/25	7-21-25
RR									8/29/2025

Special Issues:

Special Order Volume 135 , Pages 552-555

Withdrawal

Transfer Withdrawn? Yes: ☐ No: ☐	Refund Required? Yes: ☐ No: ☒
Withdrawal Request Rec'd: Yes: ☐ No: ☐ Date Rec'd:	Refund Request Completed? Yes: ☐ No: ☐

PERMANENT TRANSFER APPLICATION CHECKLIST

☐ RA

Transfer #: T-14368

CW	PR	Coord	
☐	☐		Save all certificates in electronic "T" folder and highlight Priority Date, Rate, Use and Limit/Duty paragraph
☐	☐	☐	☐ Supplemental checklist for transfers w/in a District (S:\groups\wr\TACS\WRISApps Templates\Transfer Checklists\SUPP_ Within District Processing Checklist 9-5-2019) If this is a Living Certificate – check with Ann Reece See Supplemental Language document for language

Transfer Application Review and Deficiencies

CW	PR	Coord			
☒	☐	☐	Are all applicants/agents listed in WRIS with email addresses, if available?	☒ Yes	☐ No
☒	☐	☐	Have all permit/certificates been entered in WRIS under Transfer #?	☒ Yes	☐ No
☒	☐	☐	Were timely Public Comments received? (if yes, enter commenter names/email on mailing list)	☐ Yes	☒ No
Add finding for any comments received (see Supplemental Language document)					

Groundwater Modification Application Review and Deficiencies

CW	PR	Coord			
			☐ N/A		
☐	☐	☐	If for a Groundwater Modification, were there any assignments? All GR Mod applicants must be the holder of record.	☐ Yes	☐ No
☐	☐	☐	Are there any past GR Modifications and/or letters documenting changes to the GR These must be accounted for in the GR Mod Order.	☐ Yes	☐ No

Review "From" and "To" Lands and/or POD/POA

CW	PR	Coord			
☒	☐	☐	Are only the authorized POD(s)/POA(s)/POU listed on the "from" map?	☐ Yes	☒ No
☒	☐	☐	Does the "from" map match the certificate map? If No, what is different? The original certificate incorrectly listed the location of the original, authorized well. This is acknowledged in the transfer map. The map shows the original, incorrect location of the well as well as the actual location of the original well.	☐ Yes	☒ No
☒	☐	☐	Compare FROM POU in application (Table 2) with certificate. Mark certificate with acres being xferred, any RR acres and any acres being cancelled.		
☒	☐	☐	Compare TO POU in Table 2 with the TO Lands on map (for accuracy)		
☒	☐	☐	Are any of the "from" lands being cancelled/diminished?	☐ Yes	☒ No
☐	☐	☐	If Yes, were cancellation/diminution affidavits submitted? (see findings and additional authority in Supplemental Language doc)	☐ Yes	☐ No
☒	☐	☐	Are any instream water rights affected? If Yes, Cert # (If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected)	☐ Yes	☒ No

Layered/Supplemental Rights

CW	PR	Coord			
			☐ N/A		
☐	☐	☐	Are there any layered irrigation rights?	☐ Yes	☐ No
☐	☐	☐	If Yes, were they included in application? If No, they must move with the primary, to a "like" primary, or they will be cancelled though the transfer process	☐ Yes	☐ No

☐	☐	☐	Layered right(s) Cert:	
☐	☐	☐	Are any supplemental rights being transferred? (verify that it is actually a supplemental right)	☐ Yes ☐ No
☐	☐	☐	If Yes, are they being transferred to a "like" primary (i.e. similar reliability)?	☐ Yes ☐ No
☐	☐	☐	Notes:	

Transfer Review Criteria				
CW	PR	Coord		
☒	☐	☐	Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture?	☒ Yes ☐ No
☒	☐	☐	☒ Evidence of use and supporting documentation ☐ Confirming (not a remaining right) cert issued within the last 5 years ☐ Rebuttal to forfeiture (ORS 540.610)	
☒	☐	☐	Ready, Willing and Able – ☒ Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right?	☒ Yes ☐ No
☒	☐	☐	Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid?	☐ Yes ☒ No
☒	☐	☐	Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?	☐ Yes ☒ No
☒	☐	☐	If injury, has WM or GW provided a list of injured water right holders? ☒ N/A	☐ Yes ☐ No
☒	☐	☐	If POD/POA/APOD/APOA change, will it be from the same source? If No, deny per OAR 690-380-2110(2) ☐ N/A	☒ Yes ☐ No
☐	☐	☐	Notes:	

Draft Preliminary Determination and Cover Letter – 12 pt. Calibri font			
CW	PR	Coord	
☐	☐	☐	Prepare ModPod workareas
☒	☐	☐	Prepare DPD (save as T-XXXXX-dpd-approve/deny (where XXXXX is the transfer number)
☒	☐	☐	Prepare DPD Cover letter (save as T-XXXXX-dpd-cov)
☒	☐	☐	Prepare Public Notice ☒ and/or ☐ newspaper notice (if required) (save as T-XXXXX-pd-notice)
☐	☐	☐	Prepare Remaining Right(s) (if applicable). Send with DPD, cover letter and notice for peer review.

Issue Draft Preliminary Determination	
CW	
☒	Copy DPD and cover letter for paper file
☒	Save DPD and cover letter as PDF
☒	Mail/email to applicant/agent/WM
☒	Add workflow item "Draft PD Issued"

Report of Ownership Information (ROI)				
CW	PR	Coord		
☒	☐	☐	Does legal description in ROI/Deed match "from" lands?	☐ Yes ☐ No
☒	☐	☐	Have all owners on the ROI/Deed signed the application?	☐ Yes ☐ No
☐	☐	☐	Has a notarized statement of consent been submitted? (if applicable) ☒ N/A	☐ Yes ☐ No

Newspaper Notice (if required)				
CW	PR	Coord		
☐	☐	☐	☒ N/A	
☐	☐	☐	Prepare/send letter to applicant/agent regarding newspaper notice cost	☐ Yes ☐ No

☐	☐	☐	TACS Support delivered receipted funds to caseworker	☐ Yes	☐ No
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Preliminary Determination and Cover Letter Preparation

CW	PR	Coord	See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\DPD to PD Conversion 12-8-2016) for more detailed instructions	
☒	☐	☐	Was application amended after DPD was issued? - Make sure amended pages were scanned to WRIS (see support staff) and make sure you mark amended (replaced) pages with SUPERSEDED. Also make findings in PD.	☒ Yes ☒ No
☐	☐	☐	If Yes, what was amended?	
☐	☐	☐	Did amendment change outcome from denial to approval? <i>If Yes, make findings in PD.</i>	☐ Yes ☐ No
☐	☐	☐	☐ If POD/POA changes or changes in "from" lands – re-review required from WM ☐ If POA changes – re-review required from GW	
<i>Note: If POD was amended and changed from a downstream move to upstream within an ISWR reach – Consent to Injury may be required.</i>				
☒			Save DPD as a new document (T-XXXXX-pd-approve/deny.doc) – 12 pt. Calibri font	
☒			Remove "Draft" from document	
☒			Unhide hidden findings (cntrl-A, select Font, uncheck "hidden" box) and add dates	
☒			If application was amended, add finding including date of amendment	
☒			Change language resulting from any amendments in response to the DPD, including language under Determination and Proposed Action	
☒			Unhide appeal (protest) language at the end of the document	
☒			Prepare PD Cover Letter (save as T-XXXXX-pd-cov)	
☒			Check email address(s) for accuracy	
☐			Notes:	
☒			Send to caseworker/coordinator for Peer Review	

Data Center Review of PD

CW	PR	Coord	
☒	☐	☐	Email PD and RR(s)(with new cert numbers) to Data* for review – indicate if file is RA *email address is in key
☒	☐	☐	Data Center will send notification that file is complete
☒	☐	☐	Make any necessary changes to PD or prepare Revised DPD (if substantive changes)

Issue Preliminary Determination

CW	
☒	Print PD and put in Manager's box for signature and issuance (support will print cover letter)
☐	Add workflow notes

Protest

CW	PR	Coor	
☐	☐	☐	Have protests been received? ☐ Yes ☐ No If YES, STOP! Coordinate with Protest section.

Final Order

CW	See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\PD to FO Conversion 12-8-2016) for more detailed instructions
Do not issue Final Order before this date: (protest period end date or 30 days after date of last newspaper publication)	
☐	If application had a newspaper notice, verify that Affidavit of Publication was received. Date:
☐	Save PD as a new document (T-XXXXX-ord-approve (or deny))
☐	Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER." Unhide hidden findings (cntrl-a, select Font, uncheck "hidden" box)
☐	Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING
☐	Replace the "judicial review/reconsideration rights" box in the first page footer for the "Final Order" judicial review language; unhide and add Special Order Volume (support will add page #)
☐	Update the hidden paragraph following the public notice and amendments findings (regarding issuance of PD)
☐	Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph
☐	Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:"
☐	Select list of conditions below "It is ORDERED" section and turn off Italics. Check numbering (start at "1").
☐	Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"
☐	Final Check: All Conclusions of Law are supported by Findings and Transfer Review Criteria

Remaining Rights

CW	PR	Coord	☐ N/A
☐	☐	☐	Make sure all RR certs have new cert numbers and are entered on the right side of the footer of each RR
☐	☐	☐	Update left side of footer to read: T-XXXXX.rr.YYYYYY.ini, where YYYYYY is original cert number and .ini stands for your initials. New certificate should be on the right.
☐	☐	☐	Print RR on certificate paper and include with Final Order for signature

Issue Final Order

CW	
☐	Pull "Working Copy" folder from file
☐	Print and put FO and RR in Manager's box for signature (manager will deliver to support for processing and issuance)
Notes:	



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July 21, 2025

VIA CERTIFIED MAIL AND E-MAIL

JULIE AND FRANK KLINE

15500 SE WALLACE RD

DAYTON, OR 97114

SUBJECT: Water Right Transfer Application T-14368

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14368. 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 971-701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-14368
Joel M. Plahn, District 22 Watermaster (*via e-mail*)
Jeanne Boatwright, 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-14368, Yamhill County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	POINT OF APPROPRIATION

Authority

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

Applicant

JULIE AND FRANK KLINE
15500 SE WALLACE RD
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1. On December 11, 2023, Julie and Frank Kline filed an application to change the point of appropriation under Certificate 33222. The Department assigned the application number T-14368.
2. Notice of the application for transfer was published on December 19, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 26, 2025, the Department received an amended map from the Agent correcting a scrivener's error. The Final proof map for Certificate 33222, contains a scrivener's error in the measurement description, as it appears the map shows the point of appropriation is being measured from the Northwest corner of Donation Land Claim (DLC) 56, and not from the Southwest corner of DLC 53, as indicated in the certificate. If measured from the Southwest corner of DLC 53, the location would be placed in the SE SE of Section 9 instead of the SE SW of Section 9, as authorized. The Certified Water Right Examiner submitted a revised map showing the true location of the authorized point of appropriation.

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

4. On March 26, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14368. The draft Preliminary Determination cover letter set forth a deadline of April 24, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. The right to be transferred is as follows:

Certificate: 33222 in the name of ROBERT E. RUYLE (perfected under Permit G-1881)
Use: IRRIGATION OF 6.3 ACRES
Priority Date: JUNE 16, 1961
Rate: 0.08 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 WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	9	SE SW	53	WELL 1 - 1370 FEET NORTH AND 2600 FEET EAST FROM THE SW CORNER OF DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	9	NE SW	53	0.3
5 S	3 W	WM	9	SE SW	53	6.0
					Total	6.3

6. Transfer Application T-14368 proposes to move the authorized point of appropriation approximately 40 feet East from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	9	SE SW	53	WELL 2 - 269 FEET NORTH AND 514 FEET EAST FROM THE SE CORNER OF DLC 51

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

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14368.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other existing water rights.
13. All other application requirements are met.

Determination and Proposed Action

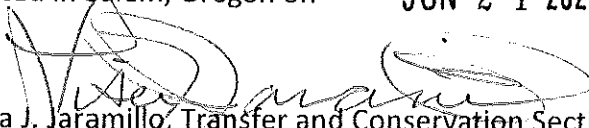
The change in point of appropriation proposed in Transfer Application T-14368 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14368 is approved, the final order will include the following:

1. *The change in point of appropriation proposed in Transfer Application T-14368 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 33222 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificate 33222 is cancelled.*
5. *The quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (A Well aka Well 1).*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *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 change and full beneficial use of the water.*

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

Dated in Salem, Oregon on JUN 21 2025


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

This Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.

Protests

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

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

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

Requests for Standing

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

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

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

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

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

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

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that

you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

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

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.

RICHMAN Elyse D * WRD

From: Jeanne Boatwright <jeanne@boatwrightengr.com>
Sent: Wednesday, March 26, 2025 11:34 AM
To: RICHMAN Elyse D * WRD; frank@willamette Meadows.com
Cc: PLAHN Joel M * WRD
Subject: RE: Frank and Julie Kline, T-14368
Attachments: T-14368-dpd CORRECTION.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi Elyse,

I have reviewed the DPD and all looks correct, except for one error caused by us. The tie is to the SE cor of DLC 51, not the SW.

I have attached an annotated copy of the DPD with the correction marked on page 2 of 3. I will deliver a replacement map to you with the correction.

Jeanne Boatwright
Boatwright Engineering, Inc.
2613 12th Street SE
Salem, Oregon 97302
ph: 503-363-9226

From: RICHMAN Elyse D * WRD <Elyse.D.RICHMAN@water.oregon.gov>
Sent: Wednesday, March 26, 2025 10:06 AM
To: frank@willamette Meadows.com; Jeanne Boatwright <jeanne@boatwrightengr.com>
Cc: PLAHN Joel M * WRD <Joel.M.PLAHN@water.oregon.gov>
Subject: Frank and Julie Kline, T-14368

Good afternoon,

Please see attached and let me know if I may be of further assistance.

Thank you,

Elyse D. Richman

she/her/hers

Transfer Specialist

725 Summer Street NE, Suite A, Salem, OR 97301

Phone: 971-701-5485



OREGON
WATER
RESOURCES
DEPARTMENT

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

RICHMAN Elyse D * WRD

From: Jeanne Boatwright <jeanne@boatwrightengr.com>
Sent: Wednesday, March 26, 2025 11:34 AM
To: RICHMAN Elyse D * WRD; frank@willamettmeadows.com
Cc: PLAHN Joel M * WRD
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Follow Up Flag: Follow up
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Good afternoon,

Please see attached and let me know if I may be of further assistance.

Thank you,

Elyse D. Richman

she/her/hers

Transfer Specialist

725 Summer Street NE, Suite A, Salem, OR 97301

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WATER
RESOURCES
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RICHMAN Elyse D * WRD

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Sent: Wednesday, March 26, 2025 10:06 AM
To: frank@willamette Meadows.com; jeanne@boatwrightengr.com
Cc: PLAHN Joel M * WRD
Subject: Frank and Julie Kline, T-14368
Attachments: T-14368-dpd-cov.pdf; T-14368-dpd.pdf

Good afternoon,

Please see attached and let me know if I may be of further assistance.

Thank you,

Elyse D. Richman

she/her/hers

Transfer Specialist

725 Summer Street NE, Suite A, Salem, OR 97301

Phone: 971-701-5485



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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

March 26, 2025

VIA E-MAIL

JULIE AND FRANK KLINE
15500 SE WALLACE RD
DAYTON, OR 97114

Reference: Water Right Transfer Application T-14368

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-14368. 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 April 24, 2025.

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 April 24, 2025, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:
[https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)

Conditions of your water right...

Please note the proposed date by which all conditions must be met: October 1, 2026. 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 April 24, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at (971) 701-5485 or at elyse.d.richman@water.oregon.gov if I may be of assistance.

Sincerely,



Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14368
Joel M. Plahn, District 22 Watermaster (via e-mail)
Jeanne Boatwright, 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-14368, Yamhill County

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)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A CHANGE IN
POINT OF APPROPRIATION

Authority

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

Applicant

JULIE AND FRANK KLINE
15500 SE WALLACE RD
DAYTON, OR 97114

Findings of Fact

1. On December 11, 2023, Julie and Frank Kline filed an application to change the point of appropriation under Certificate 33222. The Department assigned the application number T-14368.
2. Notice of the application for transfer was published on December 19, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:

Certificate:	33222 in the name of ROBERT E. RUYLE (perfected under Permit G-1881)
Use:	IRRIGATION OF 6.3 ACRES
Priority Date:	JUNE 16, 1961
Rate:	0.08 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 WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	9	SE SW	53	WELL 1 - 1370 FEET NORTH AND 2600 FEET EAST FROM THE SW CORNER OF DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	9	NE SW	53	0.3
5 S	3 W	WM	9	SE SW	53	6.0
					Total	6.3

4. Transfer Application T-14368 proposes to move the authorized point of appropriation approximately 40 feet East from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	9	SE SW	53	WELL 2 - 269 FEET NORTH AND 514 FEET EAST FROM THE SW CORNER OF DLC 51

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

5. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14368.
7. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
8. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other existing water rights.
11. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation proposed in Transfer Application T-14368 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14368 is approved, the final order will include the following:

- 1. The change in point of appropriation proposed in Transfer Application T-14368 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 33222 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
- 4. Water right Certificate 33222 is cancelled.*
- 5. The quantity of water diverted at the new point of appropriation (Well 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (A Well aka Well 1).*
- 6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 7. 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 change and full beneficial use of the water.*
- 8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

This draft Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

December 13, 2023

Julie and Frank Kline
15500 SE Wallace Rd
Dayton, OR 97114
Reference: Application T-14368

On December 11, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Receipt number 142080 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. #22, Joel M. Plahn (*via email*)
Jeanne Boatwright, Agent

Enclosure

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14368

GW Reviewer Steve Ahlquist/Travis Brown Date Review Completed: June 21, 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-14368

Applicant Name: Frank and Julie Kline

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

Reviewer(s): Steve Ahlquist

Date of Review: June 21, 2024

Date Returned to WRSD: June 25, 2024

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

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

-
1. Basic description of the changes proposed in this transfer: The applicant proposes to change the POA for Certificate 33222 which currently authorizes irrigation of 6.3 acres at a maximum rate of 0.08 cfs from one authorized POA (YAMH 6455). The transfer would change the POA to YAMH 58308 which was installed in November 2019 after YAMH 6455 was abandoned.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The authorized POA (YAMH 6455) was 126.5 feet deep and obtained water from sands and gravels of Willamette alluvial aquifer system. The proposed POA (YAMH 58308) is 138.5 feet deep and also obtains water from the Willamette 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
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.): NA

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: Based on the GPS coordinates provided on the well logs for YAMH 58307 (abandonment of YAMH 6455) and YAMH 58308, the proposed POA is not appreciably closer to other known wells. The proposed change is not likely to result in an increase in interference with another groundwater right.
- 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: NA
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 POA is located approximately 40 feet east of the authorized POA and is not appreciably closer to a surface water source. The proposed change is not likely to result in an increase in interference with another surface water source.
- 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
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: NA
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: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: NA
8. Any additional comments: NA

References Used:

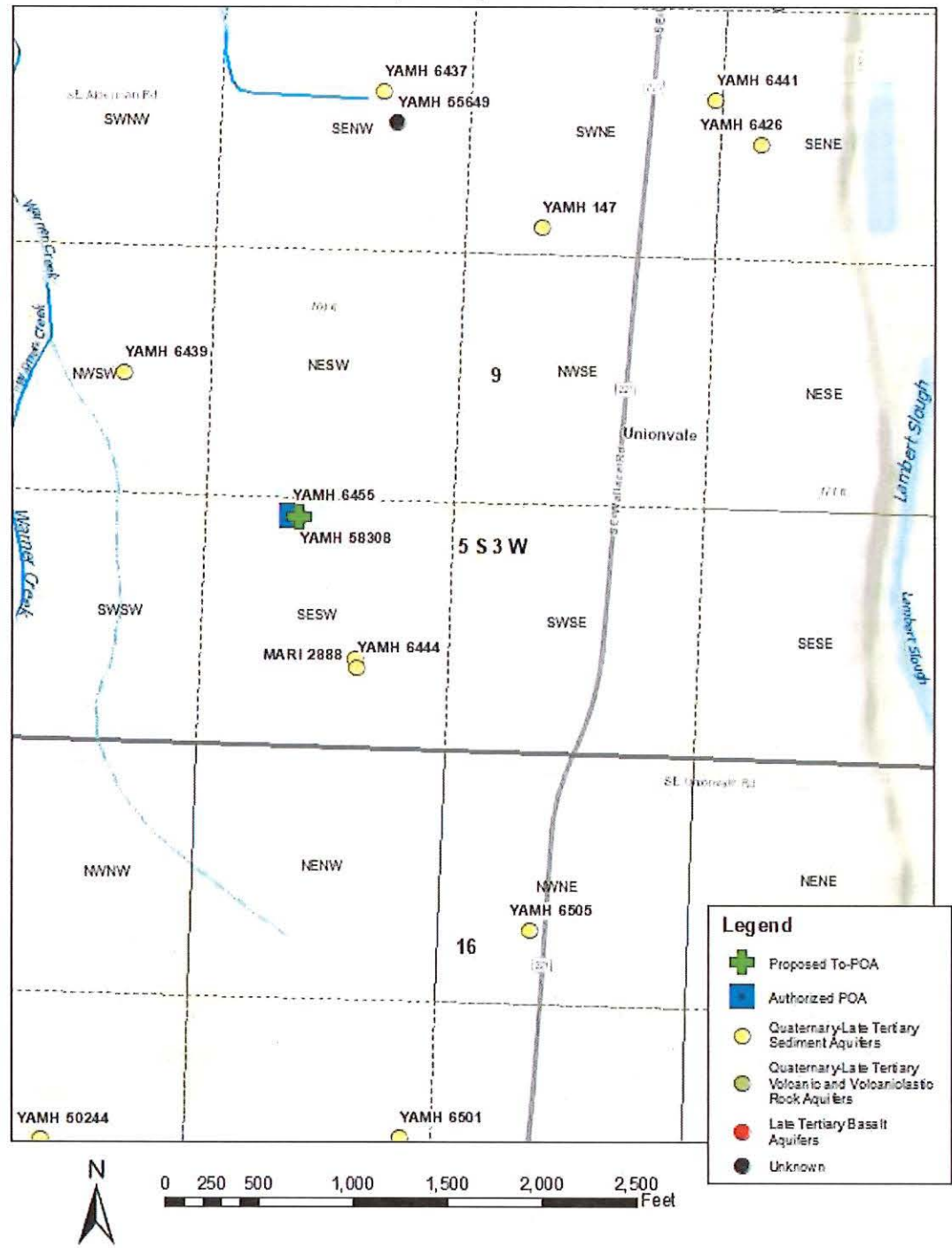
Application File: T-14368

Certificate: 33222

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

Application T14368 Frank and Julie Kline
T5S, R3W, Section 9



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

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-14368

Review Due Date:

Applicant Name: Frank & Julie Kline

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

Reviewer(s): Joel Plahn

Date of Review: 01/10/2024

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

☐

Submerged Orifice

☐

Parshall Flume

☐

Flow Restrictor

☐

Other: ____

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-

☐ In order to avoid enlargement of the right or injury to other rights, a _____ 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:

District:

Address:

City/State/Zip:

Phone:

Email:

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

SUPERSEDING

T5S R3W, WM

YAMHILL COUNTY

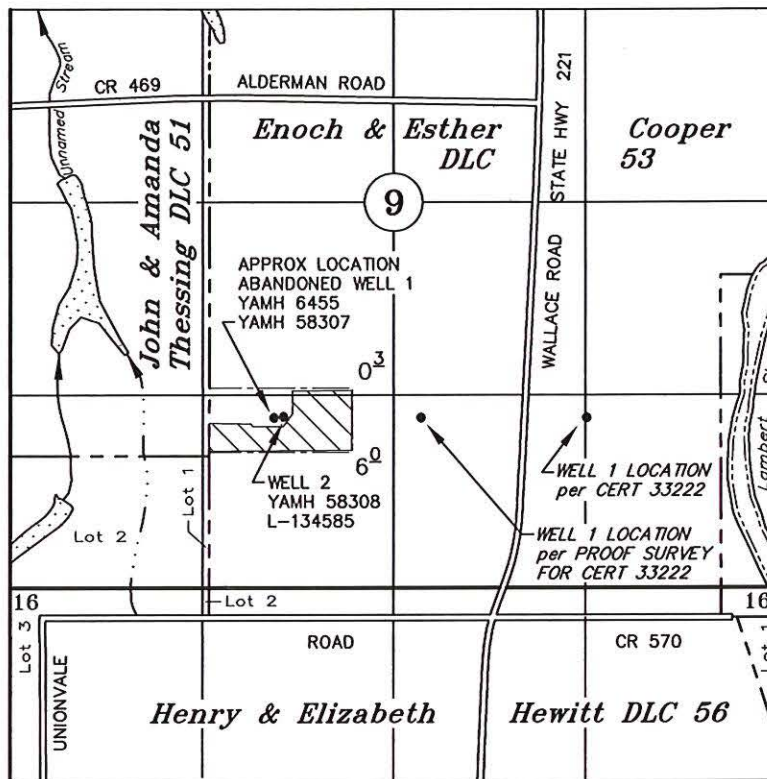
Received by OWRD

MAR 26 2025

Salem, OR



TAX LOT: 5.3.09 1000



**Andrew
Lawson
DLC 54**

● WELL

--- TAX LOT LINE

"FROM" WELL 1: 1370' N & 2600' E OF SW COR COOPER DLC 53*
"TO" WELL 2: 269' N & 514' E OF SE COR THESSING DLC 51

*** NOTE:**

Distances listed for Well 1 are record from Certificate 33222. Certificate and Final Proof Survey do not match for called DLC corner and east measurement appears to be incorrect, no matter which DLC corner is used (as shown). Well 1 was abandoned in 2019 (YAMH 58307) so no attempt was made to recover its location. Mapped "approximate location" based on lat & long from YAMH 58307.

APPLICATION FOR A PERMANENT WATER RIGHT TRANSFER

POINT OF APPROPRIATION

Certificate No. 33222

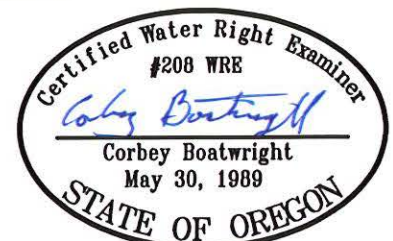
Transfer No. T-14368

Frank and/or Julie Kline

January 16, 2023
rev. March 26, 2025

SCALE: 1" = 1320'

NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.



Renews: December 31, 2025

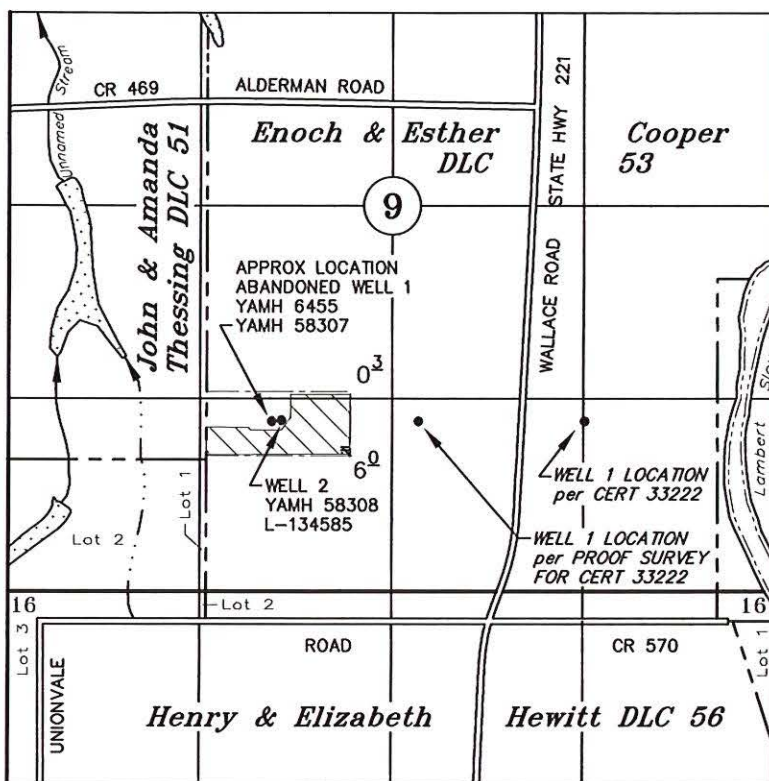
T5S R3W, WM

YAMHILL COUNTY

SUPERSEDED



TAX LOT: 5.3.09 1000



**Andrew
Lawson
DLC 54**

● WELL

--- TAX LOT LINE

"FROM" WELL 1: 1370' N & 2600' E OF SW COR COOPER DLC 53*

"TO" WELL 2: 269' N & 514' E OF SW COR THESSING DLC 51

*** NOTE:**

Distances listed for Well 1 are record from Certificate 33222. Certificate and Final Proof Survey do not match for called DLC corner and east measurement appears to be incorrect, no matter which DLC corner is used (as shown). Well 1 was abandoned in 2019 (YAMH 58307) so no attempt was made to recover its location. Mapped "approximate location" based on lat & long from YAMH 58307.

APPLICATION FOR A PERMANENT WATER RIGHT TRANSFER

POINT OF APPROPRIATION

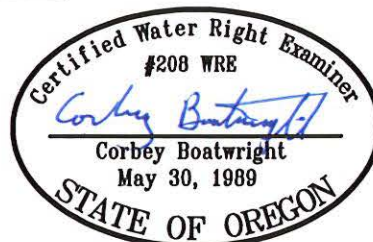
Certificate No. 33222

Transfer No. T-

Frank and/or Julie Kline

January 16, 2023

SCALE: 1" = 1320'



NOTE: This map is for the purpose of identifying the location of water rights and has no intent to dimension or locate property ownership lines.

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Renews: December 31, 2023

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**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **142080**

INVOICE # _____

RECEIVED FROM: Frank H. Kline

BY: Jule Kline

APPLICATION _____

PERMIT _____

TRANSFER T-14368

CASH: ☐ CHECK: # 1321 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1840.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 1840.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE **RECEIVED**

OBJ. CODE _____ VENDOR **OVER THE COUNTER**

DESCRIPTION _____ \$ _____

RECEIPT: **142080**

DATED: 12-11-2023 BY: m-mills

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

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

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

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

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

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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: ☐ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »	2	0
3	Number of water rights included in transfer <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 ☒ Yes: enter \$480 for the 1 st well to be added or changed <u>\$480</u> (4a) Do you propose to add or change additional wells? ☒ No: enter 0 ☐ Yes: multiply the number of additional wells by \$410 <u>0</u> (4b) Add line 4a to line 4b and enter »	4	\$480
5	Do you propose to change the place of use or character of use? ☒ No: enter 0 on line 5 ☐ 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	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1840
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ 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	\$1840

*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:

- For irrigation calculate cfs for each water right involved as follows:
 - Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
- 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> Multiply line 2b by \$480 and enter »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

14368 -

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Frank Kline and/or Julie Kline		PHONE NO. 503.930.5051 Frank	ADDITIONAL CONTACT NO. 503.930.1254 Julie
ADDRESS 15500 SE Wallace Road			FAX NO.
CITY Dayton	STATE Oregon	ZIP 97114	E-MAIL frank@willamett Meadows.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Jeanne Boatwright		PHONE NO. 503.363.9225	ADDITIONAL CONTACT NO.
ADDRESS Boatwright Engineering, Inc. 2613 12th Street SE			FAX NO.
CITY Salem	STATE Oregon	ZIP 97302	E-MAIL jeanne@boatwrightengr.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:

We attempted to have the seal of the original well, YAMH 6455, associated with our water right replaced. The well driller's "work to replace annular seal discovers inferior/faulty breached casing. Unable to repair/permanent abandonment" per well log YAMH 58307. A new well was drilled - YAMH 58308. This application intends to move the authorized POA from YAMH 6455/YAMH 58307 to YAMH 58308.

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.

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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: _____.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



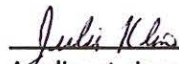
Applicant signature

Frank Kline

Print Name (and Title if applicable)

12/6/23

Date



Applicant signature

Julie Kline

Print Name (and Title if applicable)

12/6/23

Date

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

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

Check the following boxes that apply:

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

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

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

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

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

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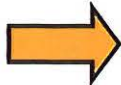
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☒ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Yamhill County	ADDRESS 535 NE 5th Street	
CITY McMinnville	STATE Oregon	ZIP 97128

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # **33222**

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Description of Water Delivery System

System capacity: **0.08** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Pentair 3hp constant velocity submersible pump, 2" pipeline, 3/4" dia. driplines.**

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	☒ Authorized ☐ Proposed	YAMH 6455 YAMH 58307	5 S	3 W	9	SE SW	53	1370' N & 2600' E SW COR DLC 53 See Additional Remarks, Page 8 of 9
WELL 2	☐ Authorized ☒ Proposed	YAMH 58308 L-134585	5 S	3 W	9	SE SW	53	269' N & 514' E SW COR DLC 51
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

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

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

☒ 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 # 33222

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			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
										POA	5	S	3	W 9 NE SW	1000	----	0.3	NA	WELL 2	1961			
										POA	5	S	3	W 9 SE SW	1000	----	6.0	NA	WELL 2	1961			
TOTAL ACRES:												TOTAL ACRES:						6.3					

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of **Marion**)

I, **Frank Kline**, in my capacity as **Owner**,
mailing address **15500 SE Wallace, Dayton OR 97114**
telephone number **503.930.5051** 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 # **33222**; OR

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

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

OR

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

(continues on reverse side)

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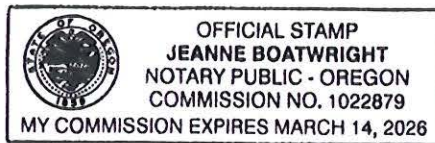
3. The water right was used for: (e.g., crops, pasture, etc.): Hazelnut Orchard

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.

Fred Kline
Signature of Affiant

12-6-2023
Date

Signed and sworn to (or affirmed) before me this 6th day of December 2023.



Jeanne Boatwright
Notary Public for Oregon

My Commission Expires: March 14, 2026

Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☒ Aerial photos containing sufficient detail to establish location and date of photograph RECEIVED DEC 11 2023 OWRD	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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The orchard was planted in the spring of 2015. As shown on the attached Google Earth photos. The drip irrigation system was installed the same year.

The first harvest was in the fall of 2019. Nuts were sold as reflected on the attached receipts.

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Merrick Bank CC.

4/24/17	Weingartz Supply	153.95
5/3	OVS	95.70
5/3	OVS	14.50

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Planted 3/2015

1 st Income	2019 - Kunze	1662.28
p2 2020	2020 - George	1341.20
	2020 -	714.-
		2055.-
	2021	6703.43



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Kline

4-17-2015

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Google Earth



300 ft

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Kline

7-23-2016

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QWRD

Google Earth

N

300 ft

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Kline

5-22-2017

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Google Earth

300 ft

N

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Kline

7-16-2018

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OVRD

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300 ft

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Kline

5-18-2019

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JUN 11 2019
CPRC

Google Earth

300 ft

N

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Kline

8-13-2020

REDEVELOP
QWRD

Google Earth



300 ft

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Kline

6-17-2021

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Google Earth



300 ft

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Kunze Orchard Printout2019 Kline

3 Acres

	Fieldweight	Dryweight
1st pick	4	2
2nd pick		
3rd pick		
Total boxes	4	2
1	1490	2386
2	400	587
3	1448	
4	1538	
Weights	4876	2973
Tote weight & debri	-800	-200
Total weight after tare	4076	2773
Field price + .83		\$ 2,301.59
dry+OCH+ debri		\$ (121.00)
Total		\$ 2,180.59
Foulke Premium .7/lb		\$ 194.11
Grand Total		\$ 2,374.70
Kline Payout 70%		\$ 1,662.29

* No Debri charges and no dockage charges for 2019

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Foulke Family Farms

Grower:	Kunze
Truck #:	1 Dayton/Klein
Date:	10/29/2019

Tote:	Gross Weight:
1	1490
2	400
3	1448
4	1538
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	

Tote:	Gross Weight:
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	

Tote:	Gross Weight:
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	

GROSS WEIGHT TOTAL (lbs)	4876
GROSS WEIGHT TOTAL (tons)	2.438

<u>Tote Tare & Debris</u>	
Debris (lbs)	0
Tote Weight	200 lbs
Tote Number	4
Tote Tare	800

Clean Field Weight (lbs)
4076

Clean Field Weight (tons)
2.04

<u>Total</u>	
Debris + Tare	800

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Foulke Family Farms

Super Sack:	Gross Weight:
1	2386
2	587
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
Dry Weight:	2973

No. of Sacks	2
Wt sack/pallet	100
Sack tare	200

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Dockage/Test	100	100	100	Total	AVG	Rate
Worms	0	0	0	0	0	0
Blanks	0	0	0	0	0.00	0.00
Shriveled/Off Color	0	0	0	0	0.00	0.00
Mold/Rancid/Decay	0	0	0	0	0.00	0.00
Total	0	0	0	0	0	0.00%

Net Dry Weight After Dockage Test (lbs)
2773.00

Net Dry Weight After Dockage Test (tons)

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Foulke Family Farms

Charges

Hauling Rate (\$/ton delivered)	\$0
Total Hauling Charge	\$0

Basic Cleaning Charge (\$/ton Delivered)	40
Cleaning Charge:	\$ 97.52

Debris Adjustment:

Percent Debris of Delivered Weight:	0.00
Debris Charge Rate (\$/1% delivered weight)	1.55
Adjusted Debris Rate (\$/ton delivered)	0.00
Debris Charge	0

OHC Assessment Charge (\$/lb Net Dry Weight)	0.0085
OHC Charge	\$ 23.57

Field Price (per lb)	\$0.830
Net Weight After Drying and Dockage	2773.00
Total Charges	\$121
Total Due to Grower Before Premium	2,180.50
Foulke Family Farms Premium Rate	\$0.07
Foulke Family Farms Premium	\$194.11

Net Payment Due To Grower	\$ 2,374.61
----------------------------------	--------------------

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FIELD INCOMING

FOULKE FAMILY FARMS

12145 Elkins Rd Monmouth, OR 97361

Date 10-29-19 # of Totes 4 Bulk Load Full WT _____

Drivers Name Ervin Received By Ryan

Incoming from Dayton / Klein Load # 1

In Shell Sample 100 Nuts	Average
Worms _____	_____
Blank _____	_____
Shrivel _____	_____
Mold _____	_____
Other _____	_____

Stein Average of 3	
Stein	<u>16.3</u>
Stein	<u>16.5</u>
Stein	<u>16.7</u>

Debris
Plastic tote full _____
Plastic tote empty _____
Net Debris _____

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A - Empty wood totes #	<u>4</u>
TOTAL Empty WT	<u>800</u>

WT Tote 1 full <u>1490</u>	WT Tote 19 full _____
WT Tote 2 full <u>400</u>	WT Tote 20 full _____
WT Tote 3 full <u>1448</u>	WT Tote 21 full _____
WT Tote 4 full <u>1538</u>	WT Tote 22 full _____
WT Tote 5 full _____	WT Tote 23 full _____
WT Tote 6 full _____	WT Tote 24 full _____
WT Tote 7 full _____	WT Tote 25 full _____
WT Tote 8 full _____	WT Tote 26 full _____
WT Tote 9 full _____	WT Tote 27 full _____
WT Tote 10 full _____	WT Tote 28 full _____
WT Tote 11 full _____	WT Tote 29 full _____
WT Tote 12 full _____	WT Tote 30 full _____
WT Tote 13 full _____	WT Tote 31 full _____
WT Tote 14 full _____	WT Tote 32 full _____
WT Tote 15 full _____	WT Tote 33 full _____
WT Tote 16 full _____	WT Tote 34 full _____
WT Tote 17 full _____	WT Tote 35 full _____
WT Tote 18 full _____	WT Tote 36 full _____

B - Totes TOTAL Full WT	<u>4,876</u> ✓
-------------------------	----------------

C - Debris NET WT	_____
-------------------	-------

D - Green Field Run	<u>4076</u> ✓
---------------------	---------------

Signature [Signature]

**SUPERSACK DRIED
FOULKE FAMILY FARMS**

12145 Elkins Rd Monmouth, OR 97361

Date 10-31-19

of Sacks/Pallets filled 2

Dryer SOUTH

Dayton / Klein

Avg Wt. Sack/Pallet _____

Stein Average of 3:

Stein 9.2

Stein 9.4

Stein 9.5

WT Sack 1 full 2386

WT Sack 13 full _____

WT Sack 2 full 587

WT Sack 14 full _____

WT Sack 3 full _____

WT Sack 15 full _____

WT Sack 4 full _____

WT Sack 16 full _____

WT Sack 5 full _____

WT Sack 17 full _____

WT Sack 6 full _____

WT Sack 18 full _____

WT Sack 7 full _____

WT Sack 19 full _____

WT Sack 8 full _____

WT Sack 20 full _____

WT Sack 9 full _____

WT Sack 21 full _____

WT Sack 10 full _____

WT Sack 22 full _____

WT Sack 11 full _____

WT Sack 23 full _____

WT Sack 12 full _____

WT Sack 24 full _____

Total Gross WT _____

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Total Gross WT

TOTAL 2,973

Wt. Sack/Pallet/Tare

EMPTY 100 PER / 200

Merchantable WT

This Load 2,773

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Signature _____

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JUN 16 1961

WATER WELL REPORT

STATE OF OREGON

State Well No.

State Permit No.

STATE ENGINEER
SALEM, OREGON

G2047

(1) OWNER:

Name Robert Ruyie
Address Dayton, Ore.

(2) LOCATION OF WELL:

County Yamhill Owner's number, if any—
SE 1/4 SW 1/4 Section 9 T. 55 R. 3W W.M.

Bearing and distance from section or subdivision corner

1135.6 ft North
810.4 ft West from

SW corner of Sec 9.

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
When abandoned, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

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

(5) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒

6" Diam. from 0 ft. to 119 1/2 ft. Gage 13#

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Torch

SIZE of perforations 12 in. by 1/4 in. 6
168 perforations from 91 1/2 ft. to 119 1/2 ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS:

Well screen installed ☐ Yes ☐ No

Manufacturer's Name

Type Model No.

Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4 P-

Gravel placed from 17 ft. to 119 1/2 ft.

Was a surface seal provided? ☒ Yes ☐ No To what depth? 17 ft.

Material used in seal—Cement Grout & Puddled Clay

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level ft. below land surface Date

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] Robert Ruyie Date June 16, 1961
(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☐ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " "

" " " "

Compressor Baller test 140 gal./min. with 55 ft. drawdown after 6 hrs.

Artesian flow g.p.m. Date

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

(12) WELL LOG:

Diameter of well 10 inches.

Depth drilled 126 ft. Depth of completed well 119 1/2 ft.

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

MATERIAL	FROM	TO
Top Soil	0	2
Brown Silty Clay	2	34
Blue Silty Clay	34	61
Compacted Fine Sand w/wood	61	69
Tuff Blue Clay	69	78
Fine Black Sand	78	91
Sandy Blue Clay	91	108
Sand & Gravel	108	114
Gravel w/ wood	114	126

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Work started May 31 1961 Completed June 5, 61

(13) PUMP:

Manufacturer's Name

Type: H.P.

Well Driller's Statement:

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

NAME WILCOX DRILLING CO.

(Person, firm, or corporation) (Type or print)

Address P.O. Box 569 McMinnville, Ore.

Driller's well number

[Signed] James H. Wilcox By J. L. M.
(Well Driller)

License No. 53 Date June 6, 1961

WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

YAMH 58307

11/20/2019

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Map of Hole

STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301
(503)986-0900



LOCATION OF WELL

Latitude: 45.1471684840 Datum: WGS84

Longitude: -123.06623045587

Township/Range/Section/Quarter-Quarter Section:

WM 5S 3W 9 SESW

Address of Well:

15500 SE WALLACE RD, DAYTON, OR 97114

Startcard: 1045449

Printed: November 2, 2019

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor



14368 -

STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765 & OAR 690-205-0210)

YAMH 58308

11/20/2019

WELL I.D. LABEL# 1

START CARD #

ORIGINAL LOG #

134585

1045461

(1) LAND OWNER

Owner Well I.D. 3243

First Name FRANKLast Name KLINE

Company _____

Address 15500 SE WALLACE RDCity DAYTONState ORZip 97114**(2) TYPE OF WORK**☒ New Well ☐ Deepening ☐ Conversion☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)**(2a) PRE-ALTERATION**

Casing: Dia + From To Gauge Stil Plstc Wld Thrd

Material From To Amt sacks/lbs

Seal: _____

(3) DRILL METHOD☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____**(4) PROPOSED USE**☐ Domestic ☒ Irrigation ☐ Community☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering☐ Thermal ☐ Injection ☐ Other _____**(5) BORE HOLE CONSTRUCTION**Special Standard ☐ (Attach copy)Depth of Completed Well 138.50 ft.**BORE HOLE**

Dia	From	To	Material	SEAL	From	To	Amt	sacks/
10	0	40	Bentonite Chips	0	40	25	S	
8	40	138.5		Calculated		20		
				Calculated				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E☒ Other POUR/PROBE/HYDRATE

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____**(5a) ABANDONMENT USING UNHYDRATED BENTONITE**

Proposed Amount

Actual Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stil	Plstc	Wld	Thrd
☒	☒	6	☒	1.5	138.5	.25	☒	☒	☒	☒

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____Temp casing ☒ Yes Dia 10 From +1 To 19**(7) PERFORATIONS/SCREENS**Perforations Method drive down

Perf/	Casing/	Screen	Screens	Type	Material	Scr/slot	Slot	# of	Tele/
Screen	Liner	Dia	From	To	width	length	slots	pipe size	
Perf	Casing	6	121	134	.2	1	209		

(8) WELL TESTS: Minimum testing time is 1 hour☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
90		136	4
45		116	2

Temperature 54 °F Lab analysis ☐ Yes By _____Water quality concerns? ☐ Yes (describe below) TDS amount 143 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)County YAMHILL Twp 5.00 S N/S Range 3.00 W E/W WMSec 9 SE 1/4 of the SW 1/4 Tax Lot 1000

Tax Map Number _____ Lot _____

Lat _____ " or 45.14716092 DMS or DDLong _____ " or -123.06606416 DMS or DD☒ Street address of well ☐ Nearest address15500 SE WALLACE RD, DAYTON, OR 97114**(10) STATIC WATER LEVEL**

Existing Well / Pre-Alteration	Date	SWL(psi)	+	SWL(ft)
Completed Well	<u>11/4/2019</u>			<u>72</u>

Flowing Artesian? ☐ Dry Hole? ☐**WATER BEARING ZONES**Depth water was first found 72.00

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
<u>11/4/2019</u>	<u>72</u>	<u>134</u>	<u>90</u>			<u>72</u>

(11) WELL LOG

Ground Elevation _____

Material	From	To
Top soil	0	5
Clay, brown silty	5	27
Clay, blue/gray	27	45
Clay, gray w/some sand	45	56
Sand, fine black w/clay	56	62
Sand, black med w/wood and clay	62	70
Clay, gray sandy	70	73
Clay, blue/green w/some sand	73	76
Sand, poorly sorted w/occ clay	76	81
same, w/some silt	81	86
Sand/silt/ w/some fine gravel and clay	86	92
Clay, gray/green w/sand	92	95
Sand, coarse black w/fine gravel	95	121
Coarse sand/coarse gravel	121	134
Clay, gray/green dense	134	138.5

Date Started 10/30/2019Completed 11/4/2019**(unbonded) Water Well Constructor Certification**

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

License Number 1977Date 11/4/2019Signed JOSE ESTRADA (E-filed)**(bonded) Water Well Constructor Certification**

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

License Number 1438Date 11/4/2019Signed DAVID PAYSINGER (E-filed)Contact Info (optional) bluewaterdrilling.com || 503 868 7878

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:

14368

WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

YAMH 58308

11/20/2019

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Map of Hole

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STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301
(503)986-0900



LOCATION OF WELL

Latitude: 45.1471609171 Datum: WGS84

Longitude: -123.06606415891

Township/Range/Section/Quarter-Quarter Section:

WM 6S 2W 34 NWNW

Address of Well:

15500 SE WALLACE RD, DAYTON, OR 97114

Well Label: 134585

Printed: November 4, 2019

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor



F203P.147



JAMES D. SHANNON and BETTY L. SHANNON, husband and wife

Grantor,

SEE 'LEGAL DESCRIPTION' ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

Property is zoned or classified for farm use, any disqualification will subject property to additional taxes or penalties and interest,

Dated this 29 day of May 19 86

Notary Public for Oregon
My commission expires:

This Space Reserved for Recorder's Use

GRANIOR

STATE OF OREGON) 03847
County of Yamhill) ss.

I hereby certify that the within was received and duly recorded by me in Yomhill County records;

Title No.. 36-65-301

CHARLES STERN, COUNTY CLERK

INDEXED



Ticor Form No. 137 Statutory Warranty Deed 8/85

14368 -

1986 MAY 30 AM 10:06

F203P1472

—Beginning at a point on the West boundary line of the Enoch Cooper Donation Land Claim, Notification No. 1490, Claim No. 53 in Township 5 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, at a point 23.52 $\frac{1}{3}$ chains North of the Southwest corner of said Donation Land Claim; thence running East 15 chains to a stake; thence South 6.64 $\frac{2}{3}$ chains to a stake; thence West 15 chains to the West line of said Donation Land Claim; thence North along the West line of said Donation Land Claim to the place of beginning.

TOGETHER WITH a right of way 16 feet wide to the County Road running Easterly from the aforesaid 10 acre tract above described and such right of way to be 16 feet wide along the North line of Lot 4 in County Survey No. 1463 of Yamhill County, Oregon.—

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Reference No.	
1986-03847 B203 P1471	C
B150 P1293	C
1984-05711 B188 P0300	C

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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): **Frank Kline and/or Julie Kline**

Mailing Address: **15500 SE Wallace Road**

City: **Dayton**

State: **Oregon** Zip Code: **97114**

Daytime Phone: **503-930-5051**

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:
5S	3W	9	NE-SW	5.3.09 1000	AFLH/EF-80	☐ Diverted	☒ Conveyed	☒ Used	Farming
5S	3W	9	SE-SW	5.3.09 1000	AFLH/EF-80	☒ Diverted	☒ Conveyed	☒ Used	Farming
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Yamhill 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: **0.08** ☒ 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:

Transfer water right to a new well.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

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Name: Desiree Lundeen Title: Associate Planner

Signature: [Signature] Phone: 503.534.7516 Date: 1/25/2023

Government Entity: Yamhill County Planning and Development Department

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Frank Kline and/or Julie Kline

15500 SE Wallace Rd, Dayton, OR 97114

Transaction Type: Transfer

Fees Received: \$ 1321 1840⁰⁰

☐ Cash ☒ Check: Check No. 1321

Name(s) on Check: Frank H. Kline

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by: [Signature]
(Name of OWRD staff)

Instructions for OWRD staff:

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

Permanent Transfer Application Intake Checklist

Transfer # T-14368

Reviewer ARLA Date 12/12/23	Type of Change(s) Proposed: ☐ POU ☐ POD ☐ APOD ☐ POA ☐ APOA ☐ USE ☐ Substitution ☐ Gov't Action ☐ Sup to Primary ☐ SW to GW
Calculated Fee \$1840.00 Use fee calculator on back of this form	
Fee Received \$1840.00	
Certificate(s): 33222	Check <u>all</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	
☐ YES ☐ NO ☐ N/A	
Notes:	

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

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

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

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