

Regular

Name St. Jory Vineyard, LLC
Greg Fries
Address 4676 Commercial St SE #64
Salem, OR 97302
greg@friesvineyards.com

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Unnamed Stream

Trib. of Neil Creek

Use Storage, Recreation, Wildlife County Marion

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

Name of ditch _____

App# R 83906 Per # R12732 Cert # 91454 PR Date 8-11-1998

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

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

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

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

Change in USE
Date Filed 11/9/2023
Initial notice date 11/21/2023
DPD issued date _____
PD issued date 10/13/2025
PD notice date 10/14/2025
Date of FO 1/7/2026 Vol 138 Page 306-308

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Jeanne Boatwright
jeanne@boatwright engr.com

CWRE _____

CC's list _____

- Oversized map - Location

FEES PAID		
Date	Amount	Receipt #
<u>11-9-2023</u>	<u>\$1,360.00</u>	<u>141882</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

January 7, 2026

Greg Fries
4676 Commercial St. SE #64
Salem, OR 97302

REFERENCE: Transfer Application T-14353

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

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

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

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

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

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Jeanne Boatwright, Agent

Enclosure

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

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-14353, Marion County) A CHANGE IN CHARACTER OF USE

Authority

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

Applicant

ST. JORY VINEYARD, LLC
GREG FRIES, MEMBER
4676 COMMERCIAL ST. SE #64
SALEM, OR 97302

Findings of Fact

1. On November 9, 2023, Greg Fries, member of St. Jory Vineyard, LLC filed an application to change the character of use under Certificate 91454. The Department assigned the application number T-14353.
2. Notice of the application for transfer was published on November 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 27, 2025, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14353 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 27, 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.

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 October 13, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14353 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 October 14, 2025, and in the Statesman Journal newspaper on November 10 and 17, 2025 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

Certificate: 91454 in the name of EGM, LLC (perfected under Permit R-12732)
Purpose or Use of Stored Water: RECREATION, WILDLIFE, WETLAND ENHANCEMENT, AND TO BE APPROPRIATED UNDER PERMIT S-53601 FOR IRRIGATION
Priority Date: AUGUST 11, 1998
Maximum Storage Volume: 77.0 ACRE-FEET EACH YEAR. WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30
Source: AN UNNAMED CREEK, a tributary of NEIL CREEK

The dam location is located as follows:

Twsp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	3 W	WM	35	SE SW	THE DUCK POND - 190 FEET NORTH AND 1385 FEET EAST FROM THE SW CORNER OF SECTION 35

Area submerged by this Reservoir:

RECREATION, WILDLIFE, AND WETLAND ENHANCEMENT AND TO BE APPROPRIATED UNDER PERMIT S-53601 FOR IRRIGATION				
Twsp	Rng	Mer	Sec	Q-Q
8 S	3 W	WM	35	SW SW
8 S	3 W	WM	35	SE SW

6. Transfer Application T-14353 proposes to change the character of use to Multipurpose.

MULTIPURPOSE				
Twsp	Rng	Mer	Sec	Q-Q
8 S	3 W	WM	35	SW SW
8 S	3 W	WM	35	SE SW

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

7. Water has been used within the last five years. 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-14353.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other existing water rights.
12. All other application requirements are met.

Conclusions of Law

The change in character of use proposed in Transfer Application T-14353 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore it is ORDERED:

1. The change in character of use proposed in Transfer Application T-14353 are 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 91454 and any related decree.
3. Water right Certificate 91454 is cancelled.
4. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. 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.
5. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **JAN 07 2026**


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

Mailing Date: JAN 08 2026

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14353

Transfer Specialist: *Joan*

Transfer Type: Regular Transfer

Reimbursement Authority?

Applicant: Greg Fries 4676 Commercial St SE #64 Salem, OR 97302	Agent: Jeanne Boatwright 2613 12th St SE Salem, OR 97302	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts:	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<i>R-03906</i>	<i>R-12732</i>	<i>91451</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: November 9, 2023	Proposed Action(s): USE	
Fees Pd: 1360.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice: 11/21/2023	County sent cc: of Ack Letter <input type="checkbox"/>	County: MARION
WM District: 16 Gregory J. Wacker	WM Review request sent: <i>NO DENIES</i>	WM Review date received: <i>12-17-23</i>
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

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

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>6/6/24</i> Initials: <i>Joan</i>	Date: <i>6/11/24</i> Initials: <i>Scott</i>	Date: _____ Initials: <i>Sarah</i>	Date: <i>2/22/25</i> Initials: <i>Joan</i>	CW Sent: <i>2/22/25</i> WM Sheet: <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <i>10/2/25</i> Initials: <i>Joan</i>	Date: <i>10/3/25</i> Initials: <i>Scott</i>	Date: <i>10/9/25</i> Initials: <i>Kerri</i>	Date: _____ Initials: _____ Data Review Date: _____	Date: <i>10/9/25</i>	Date: <i>10/13/25</i>
FO	Date: <i>10/14/25</i> Initials: <i>Joan</i>	Date: <i>10/15/25</i> Initials: <i>Elyse</i>	Date: <i>10/17/25</i> Initials: <i>Kerri</i>	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: <i>1/7/2026</i>

Special Issues: *A use of Res to Multipurpose Drafts-Print-*

Special Order Volume: Vol. *138* Pages *306-308*

needs affidavit!!

**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 # **146161**

INVOICE # _____

RECEIVED FROM: Fries Vineyards LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14363

CASH: CHECK:# 3157 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 785.28

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 785.28
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **146161**

DATED: 10-6-25 BY: (Signature)

AFFIDAVIT OF PUBLICATION

RESOURCES OREGON DEPT OF WATER
Tacs-Pn
Oregon Dept Of Water Resources
725 Summer ST NE # A
Salem OR 97301-1266

STATE OF WISCONSIN, COUNTY OF BROWN

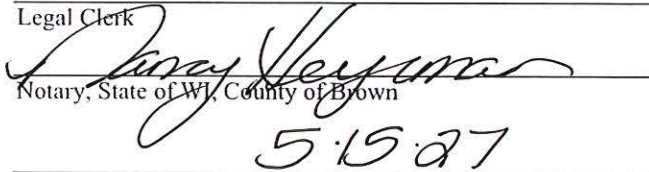
The Statesman Journal, of general circulation as defined by Sections 193.010 to 193.110, Oregon revised Statutes; printed and Published in Salem in Marion County, Oregon; and that this Govt Public Notices is printed copy of which is hereby annexed was Published in said newspapers in the issue:

11/10/2025, 11/17/2025

and that the fees charged are legal.
Sworn to and subscribed before on 11/17/2025



Legal Clerk


Notary, State of WI, County of Brown
5.19.27

My commission expires

Publication Cost:	\$640.08	
Tax Amount:	\$0.00	
Payment Cost:	\$640.08	
Order No:	11715097	# of Copies:
Customer No:	1124180	1
PO #:	T-14353	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

PUBLIC NOTICE

**Notice of Preliminary
Determination for
Water Right Transfer
T-14353**

T-14353 filed by St. Jory Vineyard, LLC/Greg Fries, Member, 4676 Commercial St. SE #64, Salem, OR 97302, proposes a change in use under Certificate 91454. The right allows the use of 77.0 acre-feet from an unnamed creek in Sec. 35, T8S, R3W, WM for recreation, wildlife, and wetland enhancement within Sec. 35, T8S, R3W, WM. The applicant proposes to change the character of use to multi-purpose. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 11/17/2025. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Statesman Journal
November 10, 17, 2025

Received

NOV 21 2025

OWRD

NANCY HEYRMAN
Notary Public
State of Wisconsin



Oregon

Tina Kotek, Governor

October 13, 2025

VIA CERTIFIED MAIL AND E-MAIL

ST. JORY VINEYARD LLC
GREG FRIES, MEMBER
4676 COMMERCIAL ST SE #64
SALEM, OR 97302

SUBJECT: Water Right Transfer Application T-14353

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14353. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

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

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14353
Gregory J. Wacker, District 16 Watermaster (via e-mail)
Jeanne Boatwright, Agent for the applicant (via e-mail)

encs

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

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14353, Marion County)	APPROVING A CHANGE IN
)	CHARACTER OF USE

Authority

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

Applicant

ST. JORY VINEYARD, LLC
GREG FRIES, MEMBER
4676 COMMERCIAL ST. SE #64
SALEM, OR 97302

Findings of Fact

1. On November 9, 2023, Greg Fries, member of St. Jory Vineyard, LLC filed an application to change the character of use under Certificate 91454. The Department assigned the application number T-14353.
2. Notice of the application for transfer was published on November 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 27, 2025, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14353 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 27, 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.

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

4. The right to be transferred is as follows:

Certificate: 91454 in the name of EGM, LLC (perfected under Permit R-12732)

Purpose or Use

of Stored Water: RECREATION, WILDLIFE, WETLAND ENHANCEMENT, AND TO BE APPROPRIATED UNDER PERMIT S-53601 FOR IRRIGATION

Priority Date: AUGUST 11, 1998

Maximum Storage

Volume: 77.0 ACRE-FEET EACH YEAR. WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30

Source: AN UNNAMED CREEK, a tributary of NEIL CREEK

The dam location is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	3 W	WM	35	SE SW	THE DUCK POND - 190 FEET NORTH AND 1385 FEET EAST FROM THE SW CORNER OF SECTION 35

Area submerged by this Reservoir:

RECREATION, WILDLIFE, AND WETLAND ENHANCEMENT AND TO BE APPROPRIATED UNDER PERMIT S-53601 FOR IRRIGATION				
Twp	Rng	Mer	Sec	Q-Q
8 S	3 W	WM	35	SW SW
8 S	3 W	WM	35	SE SW

5. Transfer Application T-14353 proposes to change the character of use to Multipurpose.

MULTIPURPOSE				
Twp	Rng	Mer	Sec	Q-Q
8 S	3 W	WM	35	SW SW
8 S	3 W	WM	35	SE SW

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

- Water has been used within the last five years. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14353.
- The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 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 character of use proposed in Transfer Application T-14353 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-14353 is approved, the final order will include the following:

1. *The change in character of use proposed in Transfer Application T-14353 are 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 91454 and any related decree.*
3. *Water right Certificate 91454 is cancelled.*
4. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. 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.*
5. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **OCT-13 2025**


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

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

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition 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 \$720 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$1425 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.

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-14353

Review Due Date: 12/17/2023

Applicant Name: ST. JORY VINEYARD LLC

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): G. Wacker

Date of Review: 11/27/2023

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

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

N/A

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

N/A

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

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

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

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

Yes No If "Yes", explain:

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

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

Yes No If "Yes", explain:

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

Yes No If "Yes", answer the following:

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

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

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

- iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe:

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

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

- i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain:

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

Yes No If "Yes", explain:

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

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

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

A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

Weir

Submerged Orifice

Parshall Flume

Flow Restrictor

Other: ___



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

November 17, 2023

Greg Fries
4676 Commercial St SE #64
Salem, OR 97302
Reference: Application T-14353

On November 9, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 141882 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 Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

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

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

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

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

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

Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)
Jeanne Boatwright, Agent

Enclosure

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # 14353

Checked by <u> Dante </u> Date <u> 11/16/2023 </u>	Type of Change(s) Proposed: NO other changes allowed other than those listed		
Fee Received: \$1360	<input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input checked="" type="checkbox"/> USE		
Calculated Fee: \$1360	<table style="width: 100%; border: none;"> <tr> <td style="width: 70%;"></td> <td style="text-align: right; vertical-align: top;"> <i>How many rights to be Transferred?</i> 1 </td> </tr> </table>		<i>How many rights to be Transferred?</i> 1
	<i>How many rights to be Transferred?</i> 1		
Deficiencies and Observations:	<table style="width: 100%; border: none;"> <tr> <td style="width: 70%;"></td> <td style="text-align: right; vertical-align: top;"> <i>Certificate #(s)</i> 91454 </td> </tr> </table>		<i>Certificate #(s)</i> 91454
	<i>Certificate #(s)</i> 91454		

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

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

- 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

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

Actions taken:

_____ date _____

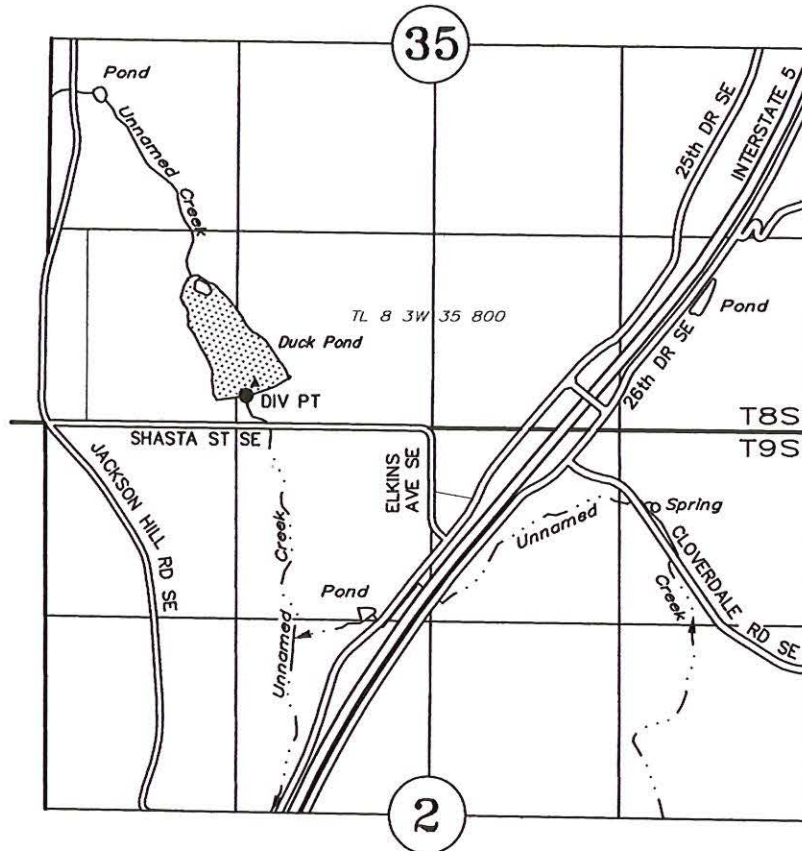
T8S & T9S R3W WM

MARION COUNTY

RECEIVED

NOV 09 2023

OWRD



TAX LOT:
8 3W 35 800

▲ STAFF GAGE

DIV PT: 190' NORTH AND 1385' EAST OF SW CORNER OF SECTION 35
STAFF GAGE: 240' NORTH AND 1435' EAST OF SW CORNER OF SECTION 35

Application for a Permanent Transfer

(CHARACTER OF USE, ONLY)

Certificate No. 91454

St. Jory Vineyard, LLC

November 2, 2023

SCALE 1" = 1320'

NOTE: This map is for the purpose of identifying the location of water rights and has not intent to dimension or locate property ownership lines.



RENEWAL DATE: 12-31-2023

14353 -

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 # **141882**

INVOICE # _____

RECEIVED FROM: Fries Vineyards LLC
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-14353</u>

CASH: CHECK:# 2574 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1,360.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ _____ RECORD FEE \$ _____
 0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 1,360.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

**RECEIVED
 OVER THE COUNTER**

RECEIPT: **141882** DATED: 11/19/2023 BY: [Signature]

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.

RECEIVED

NOV 09 2023

OWRD

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 91454**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME St. Jory Vineyard, LLC Greg Fries, Member		PHONE NO. 503.710.1263	ADDITIONAL CONTACT NO.
ADDRESS 4676 COMMERCIAL ST SE #64			FAX NO.
CITY SALEM	STATE OREGON	ZIP 97302	E-MAIL greg@friesvineyards.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:

Change the use to multipurpose to allow for filing for other secondary use permit(s) using the stored water.

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

Check One Box

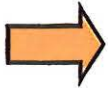
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **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.

RECEIVED
NOV 09 2023
OWRD

By my signature below, I confirm that I understand:

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

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




 Applicant signature

 Greg Fries, member,
 St. Jory Vineyard, LLC

11-7-2023
 Date

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

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

Check the following boxes that apply:

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

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

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

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

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

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

RECEIVED

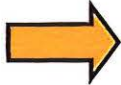
NOV 09 2023

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 MARION COUNTY PLANNING DIVISION	ADDRESS 5155 SILVERTON ROAD NE	
CITY SALEM	STATE OREGON	ZIP 97305

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

14353 -

RECEIVED

NOV 09 2023

OWRD

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 # 91454

Description of Water Delivery System

System capacity: **NA** cubic feet per second (cfs) **OR**
NA 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. **Reservoir is located on channel. There is no delivery system**

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)
DIV PT The Duck Pond	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	8	S	3	W	35	SE	SW	83W35-800	190' N & 1385' E, SW COR SEC 35
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

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

RECEIVED

14353 -

NOV 09 2023

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 # 91454 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
													USE	8	S	3	W	35	SW	SW	800	---	NA	MULTI-PURPOSE	DIV PT The Duck Pond	1998	
													USE	8	S	3	W	35	SE	SW	800	---	NA	MULTI-PURPOSE	DIV PT The Duck Pond	1998	
TOTAL ACRES:											TOTAL ACRES:										NA						

Additional remarks: **Proposed change of use only affects stored water.**

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 **NA**

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

RECEIVED

14353 -

NOV 09 2023

OWRD

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, **Greg B. Fries, member manager, St. Jory Vineyard, LLC**, in my capacity as **Owner**,
 mailing address **4676 Commercial Street SE #64 Salem, Oregon 97302**
 telephone number **503.710.1263**, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the entire place of use for Certificate # **91454**; 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)

RECEIVED
 NOV 09 2023

(continues on reverse side)

OWRD

Photo: 7-13-2022

Jackson Hill Rd SE

Jackson Hill Rd SE

Shasta St SE

Shasta St SE

Elkins Ave SE

Sunnyside Rd



1000 ft

14353

Google Earth

RECEIVED
NOV 09 2023
OWRD

VED

4 2023

VED

Photo: 7-26-2016

RECEIVED
NOV 09 2023
OWRD

Jackson Hill Rd SE

Shasta St SE

Shasta St SE

Jackson Hill Rd SE

Elkins Ave SE

Sunnyside Rd

Enchanted Way SE

Google Earth

1000 ft

14353 -

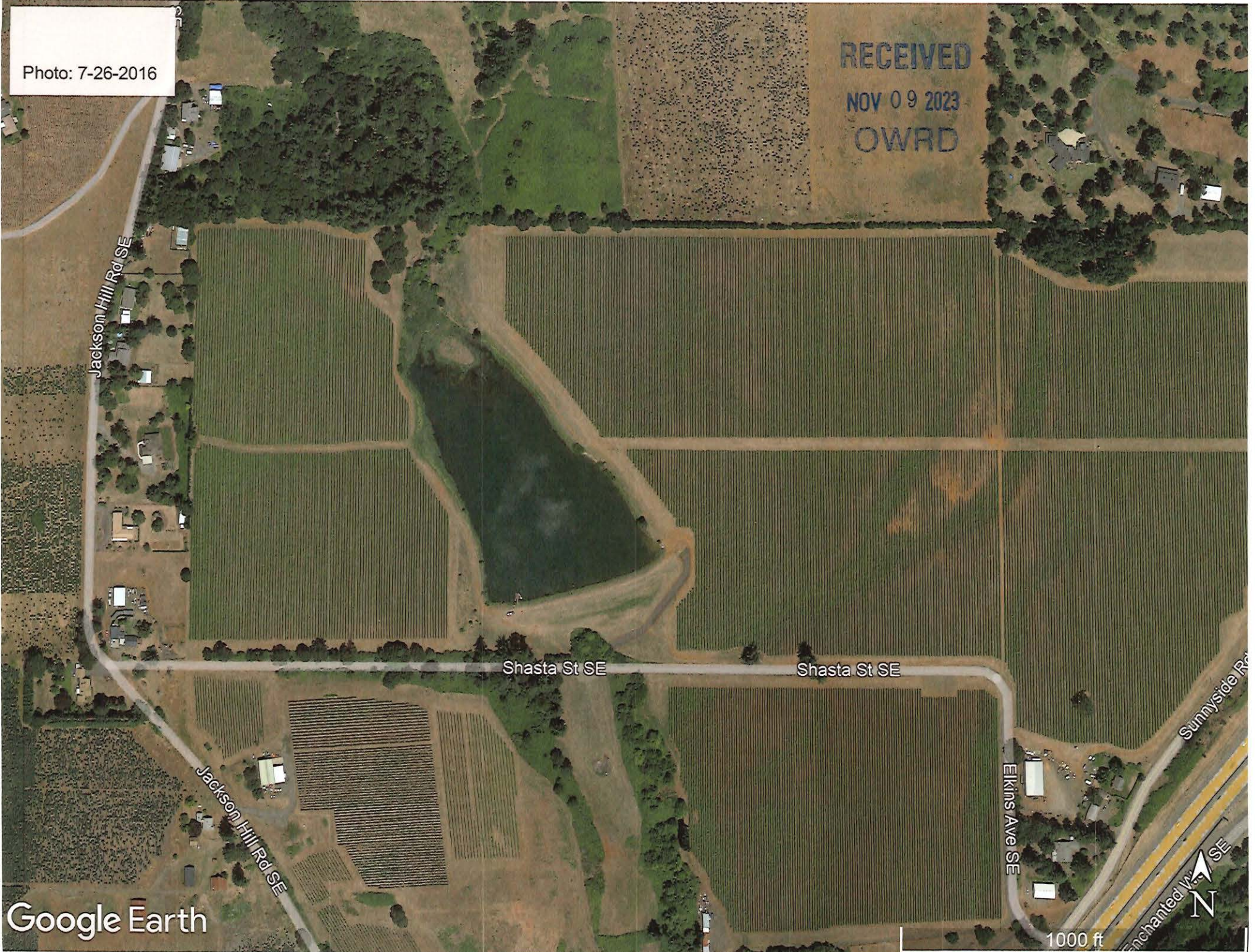


Photo: 8-01-2011

RECEIVED
NOV 09 2023
OWRD

Rd SE

Jackson Hill Rd SE

Shasta St SE

Shasta St SE

Elkins Ave SE

Sun



1000 ft

Google Earth

Image USDA/FPA ©/GEO

14353 =

Jackson

Center Way

Photo: 6-16-2006

RECEIVED
NOV 09 2023
OWRD

Jackson Hill Rd SE

Ird SE

Shasta St SE

Shasta St SE

Elkins Ave SE

Google Earth

Irrage USDA/FFA C/GEO

Jackson



1000 ft

14353 -

Sunn

United Way

Photo: 6-15-2003

RECEIVED
NOV 09 2023
OWRD

IRd SE

Jackson Hill Rd SE

Shasta St SE

Shasta St SE

Elkins Ave SE

Sum



1000 ft

Google Earth

Image USDA/FPA/C/GEO

14353 -

Land Use Information Form



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

RECEIVED
NOV 09 2023
OWRD

Applicant(s): **St. Jory Vineyard LLC**

Mailing Address: **4676 Commercial Street SE**

City: **Salem**

State: **Oregon**

Zip Code: **97302**

Daytime Phone: **503.710.1263**

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:
8S	3W	35	SW-SW	8 3 35 800	PRIMARY AG/EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	FARMING
8S	3W	35	SE-SW	8 3 35 800	PRIMARY AG/EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	FARMING
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

MARION COUNTY

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) **Unnamed Creek, trib of Neil Creek River**

Estimated quantity of water needed: **77.0** 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:

We are requesting a change of use of certificated water rights within the reservoir to Multipurpose use within the reservoir; allowing flexibility on any future filings for secondary use permits of the water outside of the reservoir.



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. →

14353 -

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

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

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

Name: John Speckman Title: Assistant Planner

Signature: *John Speckman* Phone: 503.588.5038 Date: 11-6-2023

Government Entity: **Marion County Planning Division**

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.

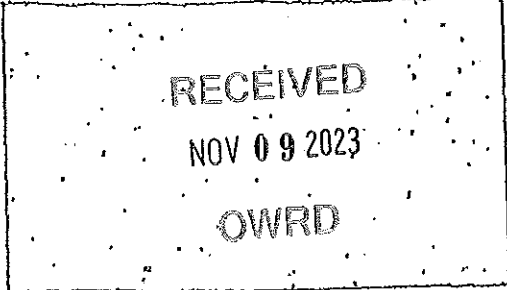
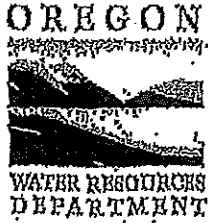
Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

RECEIVED
NOV 09 2023
OWRD



Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: St. Jory Vineyard, LLC

4676 Commercial St SE #64

Transaction Type: Perm. Transfer

Fees Received: \$ 1360.00

Cash Check: Check No. 2578

Name(s) on Check: Eric Vineyard LLC

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

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

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

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

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie Lovrien
(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.

14353 -