

GR MOD

Name Case Family LLC

Address 33010 Dever Conner RD NE  
Albany Oregon 97321

Change in POD, USE, APOA

Date Filed 4/28/2021

Initial notice date 5/11/2021

DPD issued date \_\_\_\_\_

PD issued date 8-18-2025

PD notice date 8-19-2025

Date of FO 11/18/2025 Vol 138 Page 75-79

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Well

Trib. of Crooks Creek

Use Irrigation County linn

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

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

App# GR 2289 Per # \_\_\_\_\_ Cert # GR 2184 PR Date 12/31/951

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>4-28-2021</u>	<u>\$1,250.00</u>	<u>135113</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent Will McGill Surveying

CWRE \_\_\_\_\_

CC's list linn county



# Oregon

Tina Kotek, Governor

**Water Resources Department**

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

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

November 18, 2025

Case Family LLC  
33010 Dever Conner Rd NE  
Albany, OR 97321

REFERENCE: Groundwater Registration Modification Application T-13693

Enclosed is a copy of the final order approving recognition of your Groundwater Registration Modification application.

If you have any questions related to the approval of this application, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at [Arla.L.Davis@water.oregon.gov](mailto:Arla.L.Davis@water.oregon.gov).

Sincerely,

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

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

Enclosure

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

In the Matter of Groundwater	)	FINAL ORDER
Registration Modification Application	)	APPROVING RECOGNITION OF
T-13693, Linn County	)	ADDITIONAL POINTS OF APPROPRIATION,
	)	MODIFICATION IN PLACE OF USE, AND
	)	MODIFICATION OF CHARACTER OF USE

**Authority**

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

**Applicant**

CASE FAMILY LLC  
33010 DEVER CONNER RD NE  
ALBANY, OR 97321

**Findings of Fact**

1. On April 28, 2021, Case Family LLC filed a groundwater registration modification for additional points of appropriation, modification in the place of use, and modification in character of use under Groundwater Registration Application 2289 (Certificate of Registration GR-2184). The Department assigned the application number T-13693.
2. On May 4, 2021, Groundwater Registration Application 2289 (Certificate of Registration GR-2184) was assigned from M.C. Case to Case Family LLC.
3. Notice of the application for groundwater registration modification was published on May 11, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

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

4. On August 1, 2023, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to deny Groundwater Registration Modification T-13693. The application is incomplete as the application map does not meet the requirements of OAR 690-382-0400(11). The application map does not show the direction of flow for Crooks Creek. The application map needs to include the use type, not just the Agriculture/Industrial use, and priority date. The application map should also show existing roads and the delivery system for irrigation. The draft Preliminary Determination cover letter set forth a deadline of August 30, 2023, for the applicant to respond.
5. On August 9, 2023, the agent for the applicant submitted an amended map to the Department, satisfying the deficiency and allowing Groundwater Registration Modification T-13693 to be approved. 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.
6. On, October 25, 2023, and March 18, 2024, the Department sent the applicant deficiency letters regarding deficiencies in the Report of Ownership information received from the applicant, specifically, the report did not include a prepared by date to identify when the title company prepared the report and does not indicate clearly if the Case Family is the owner of Tax Lot 700.
7. On April 22, 2024, and On May 14, 2024, the agent for the applicant provided amended Report of Ownership information and notarized consent forms.
8. On March 27, 2025, the Department met with the applicant's agent to clarify information contained in the Report of Ownership information satisfying the deficiencies outlined in the DPD cover letter, allowing T-13693 to be approved.
9. On August 18, 2025, the Department issued a Preliminary Determination proposing to approve GR-Mod Application T-13693 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on August 19, 2025, and in the Albany Democratic Herald newspaper on August 16, and 23, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. (No) protests were filed in response to the notice.
10. The portion of the groundwater registration to be modified is as follows:

**Registration:** Application GR-2289 (Certificate of Registration GR-2184), in the name of M. C. CASE (*assigned to Case Family LLC*)

**Use:** IRRIGATION OF 19.0 ACRES

**Tentative**

**Priority Date:** 1951

**Rate:** 200.0 GALLONS PER MINUTE (GPM)

**Duty:** 57.0 ACRE-FEET (AF)

**Source:** PUMP WELL NO. 4 in the CROOKS CREEK BASIN

**Original Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	PUMP WELL NO. 4: NORTH 68 DEGREES 20 MINUTES WEST 26 CHAINS FROM THE SE CORNER OF THE NE 1/4 CORNER OF SECTION 8

**Original Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	SW NE	13.8
10 S	3 W	WM	8	SE NE	2.0
10 S	3 W	WM	8	NE SE	1.1
10 S	3 W	WM	8	NW SE	2.1
Total Acres					19.0

11. Groundwater Registration Modification Application T-13693 proposes three additional points of appropriation approximately 0.20 to 0.26 mile from the original well:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 1: NORTH 61 DEGREES 30 MINUTES W, 41 CHAINS FROM THE SE CORNER OF THE NE 1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SW NE	WELL 2: NORTH 75 DEGREES 10 MINUTES W, 39 CHAINS FROM THE SE CORNER OF THE NE 1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	NW SE	WELL 3: SOUTH 81 DEGREES 5 MINUTES W, 38.25 CHAINS FROM THE NE CORNER OF THE SE 1/4 CORNER OF SECTION 8

12. Groundwater Registration Modification Application T-13693 also proposes to modify the location of the place of use on 15.3 acres of Irrigation use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	SW NE	2.2
10 S	3 W	WM	8	NW SE	12.2
10 S	3 W	WM	8	NE SW	3.1
Total Acres					17.5

13. Groundwater Registration Modification Application T-13693 proposes to modify the place of use and character of use on 1.5 acres of Irrigation use to:

AGRICULTURAL/INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	SW NE	1.5
10 S	3 W	WM	8	NW SE	0.0

***Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0100(10), 690-382-0700(2), 690-382-1000(1), 690-380-2110(2), 690-380-2200, and 690-380-2300]***

14. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which stream flows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
15. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
16. The proposed modifications would not result in enlargement of the groundwater registration, with the following limitations:
  - a) Use of water for Agriculture/Industrial use shall be limited to the time period March 1 through October 31 of each year.
  - b) Use of water for Agriculture/Industrial use shall be limited to no more than 16.0 GPM and 4.5 AF annually. The remaining balance of water under Groundwater Registration GR-2289 (184.0 GPM and 52.5 AF), continues to be available for 17.5 acres of Irrigation use.
17. The proposed modifications to the groundwater registration would not result in injury to other water rights.
18. All other application requirements are met.

**Conclusions of Law**

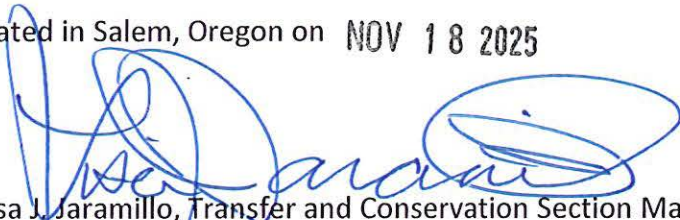
The additional points of appropriation, modification in place of use, and modification in character of use proposed in Groundwater Registration Modification T-13693 is consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000.

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

1. The modifications to Registration Application GR-2289 (Certificate of Registration GR-2184) proposed in Groundwater Registration Modification Application T-13693 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.
2. 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 Registration Application GR-2289 (Certificate of Registration GR-2184) and any related decree.
3. Approval of this groundwater registration modification application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.
4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

5. The combined quantity of water diverted at the proposed additional points of appropriation (Wells 1, 2, and 3), together with that diverted at the original point of appropriation (Pump Well No. 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (Pump Well No. 4).
6. The use of water for the proposed agricultural/industrial use shall be limited to a rate of diversion of 16.0 GPM and shall be further limited to a total volume diverted of 4.5 AF during the time period from March 1 to October 31 of each year.
7. The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.

Dated in Salem, Oregon on NOV 18 2025



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

Mailing date: NOV 19 2025

**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 # **145745**

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

RECEIVED FROM: Will McCall Surveying, LLC  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	T-13693

CASH:  CHECK:#  2438 OTHER: (IDENTIFY)

TOTAL REC'D \$ 506.93

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 4618 \$ \_\_\_\_\_  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 506.93

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 \_\_\_\_\_ \$ \_\_\_\_\_

**RECEIVED  
OVER THE COUNTER**

RECEIPT: **145745**

DATED: 7-31-25 BY: [Signature]

**AFFIDAVIT OF PUBLICATION**

See Proof on Next Page

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

State of Florida, County of Orange, ss:

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

**PUBLICATION DATES:**

Sep. 27, 2025

Oct. 4, 2025

NOTICE ID: 5MaEbr4CzOkobg9SuqXN

PUBLISHER ID: COL-OR-101386

NOTICE NAME: T-13693

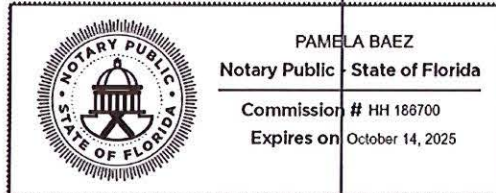
Publication Fee: \$422.44

*Edmar Corachia*

(Signed)

**VERIFICATION**

State of Florida  
County of Orange



Subscribed in my presence and sworn to before me on this: 10/06/2025

Notary Public

Notarized remotely online using communication technology via Proof.

**T-13693**

**Notice of Preliminary Determination for**

**Groundwater Registration Modification T- 13693**

T-13693 filed by Case Family LLC, 33010 Dever Corner RD NE, Albany, OR 97321, proposes additional points of appropriation, a modification in place of use, and a modification in character of use under Groundwater Registration GR-2289 (Certificate of Registration GR-2184. The registration allows the use of 177 gallons per minute from Well 4 in Sec. 8, T 10S, R3W, W, for irrigation in Sec. 8. The applicant proposes additional points of appropriation in Sec. 8, T10S, R3W, WM, to change the place of use within Sec. 8, T10S, R3W, WM, and to partially change the character of use to agriculture/industrial use. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-392-1000.

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, 10/04/2025. 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.  
9/27, 10/4 COL-OR-101386



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

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

August 18, 2025

VIA CERTIFIED MAIL AND E-MAIL

### Applicant

CASE FAMILY LLC

33010 DEVER CONNER RD NE

ALBANY, OR 97321

SUBJECT: Groundwater Registration Modification T-13693

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13693. This document is an intermediate step in the approval process; water may not be used legally as proposed in the groundwater registration modification 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 Albany Democrat Herald 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 Department's notice or 30 days after the last date of newspaper publication, whichever is later.

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 do not hesitate to contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov) if I may be of assistance.

Sincerely,

*Arla L Davis*

Arla L Davis

Groundwater Registration Modification Specialist

Transfers and Conservation Section

cc: GR Modification application file T-13693, T-13697, and T-13626  
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)  
Will McGill Surveying LLC, Agent for the applicant (*via e-mail*)

enc

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

In the Matter of Groundwater	)	PRELIMINARY DETERMINATION
Registration Modification Application	)	PROPOSING APPROVAL OF RECOGNITION
T-13693, Linn County	)	OF ADDITIONAL POINTS OF
	)	APPROPRIATION, MODIFICIATION IN
	)	PLACE OF USE, AND MODIFICATION OF
	)	CHARACTER OF USE

**Authority**

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

**Applicant**

CASE FAMILY LLC  
33010 DEVER CONNER RD NE  
ALBANY, OR 97321

**Findings of Fact**

1. On April 28, 2021, Case Family LLC filed a groundwater registration modification for additional points of appropriation, modification in the place of use, and modification in character of use under Groundwater Registration Application 2289 (Certificate of Registration GR-2184). The Department assigned the application number T-13693.
2. On May 4, 2021, Groundwater Registration Application 2289 (Certificate of Registration GR-2184) was assigned from M.C. Case to Case Family LLC.
3. Notice of the application for groundwater registration modification was published on May 11, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.
4. On August 1, 2023, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to deny Groundwater Registration Modification T-13693. The application is incomplete as the application map does not meet the requirements of OAR 690-382-0400(11). The application map does not show the direction of flow for Crooks Creek. The

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.

application map needs to include the use type, not just the Agriculture/Industrial use, and priority date. The application map should also show existing roads and the delivery system for irrigation. The draft Preliminary Determination cover letter set forth a deadline of August 30, 2023, for the applicant to respond.

5. On August 9, 2023, the agent for the applicant submitted an amended map to the Department, satisfying the deficiency and allowing Groundwater Registration Modification T-13693 to be approved. 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.
6. On, October 25, 2023, and March 18, 2024, the Department sent the applicant deficiency letters regarding deficiencies in the Report of Ownership information received from the applicant, specifically, the report did not include a prepared by date to identify when the title company prepared the report and does not indicate clearly if the Case Family is the owner of Tax Lot 700.
7. On April 22, 2024, and On May 14, 2024, the agent for the applicant provided amended Report of Ownership information and notarized consent forms.
8. On March 27, 2025, the Department met with applicant's agent to clarify information contained in the Report of Ownership information satisfying the deficiencies outlined in the DPD cover letter, allowing T-13693 to be approved.
9. The portion of the groundwater registration to be modified is as follows:

**Registration:** Application GR-2289 (Certificate of Registration GR-2184), in the name of M. C. CASE (*partially assigned to Case Family LLC*)

**Use:** IRRIGATION OF 19.0 ACRES

**Tentative**

**Priority Date:** 1951

**Rate:** 200.0 GALLONS PER MINUTE (GPM)

**Duty:** 57.0 ACRE-FEET (AF)

**Source:** PUMP WELL NO. 4 in the CROOKS CREEK BASIN

**Original Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	PUMP WELL NO. 4: NORTH 68 DEGREES 20 MINUTES WEST 26 CHAINS FROM THE SE CORNER OF THE NE¼ CORNER OF SECTION 8

**Original Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	SW NE	13.8
10 S	3 W	WM	8	SE NE	2.0
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10 S	3 W	WM	8	NW SE	2.1
Total Acres					19.0

10. Groundwater Registration Modification Application T-13693 proposes three additional points of appropriation approximately 0.20 to 0.26 mile from the original well:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 1: NORTH 61 DEGREES 30 SECONDS 41 CHAINS FROM THE SE CORNER OF THE NE 1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SW NE	WELL 2: NORTH 75 DEGREES 10 SECONDS 39 CHAINS FROM THE SE CORNER OF THE NE 1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	NW SE	WELL 3: SOUTH 81 DEGREES 5 SECONDS 38.25 CHAINS FROM THE NE CORNER OF THE SE 1/4 CORNER OF SECTION 8

11. Groundwater Registration Modification Application T-13693 also proposes to modify the location of the place of use on 15.3 acres of Irrigation use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	SW NE	2.2
10 S	3 W	WM	8	NW SE	12.2
10 S	3 W	WM	8	NE SW	3.1
Total Acres					17.5

12. Groundwater Registration Modification Application T-13693 proposes to modify the place of use and character of use on 1.5 acres of Irrigation use to:

AGRICULTURAL/INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Q-Q	
10 S	3 W	WM	8	SW NE	
10 S	3 W	WM	8	NW SE	

**Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0100(10), 690-382-0700(2), 690-382-1000(1), 690-380-2110(2), 690-380-2200, and 690-380-2300]**

13. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which stream flows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
14. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
15. The proposed modifications would not result in enlargement of the groundwater registration, with the following limitations:
  - a) Use of water for Agriculture/Industrial use shall be limited to the time period March 1 through October 31 of each year.
  - b) Use of water for Agriculture/Industrial use shall be limited to no more than 16.0 GPM and 4.5 AF annually. The remaining balance of water under Groundwater Registration GR-2289 (184.0 GPM and 52.5 AF), continues to be available for 17.5 acres of Irrigation use.
16. The proposed modifications to the groundwater registration would not result in injury to other water rights.
17. All other application requirements are met.

## Determination and Proposed Action

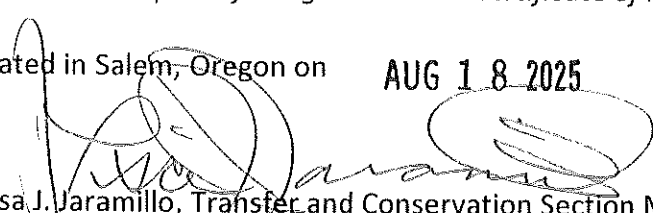
The additional points of appropriation, modification in place of use, and modification in character of use proposed in Groundwater Registration Modification T-13693 appear to be consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900 the modification will be approved.

*If Groundwater Registration Modification Application T-13693 is approved, the final order will include the following:*

- 1. The modifications to Registration Application GR-2289 (Certificate of Registration GR-2184) proposed in Groundwater Registration Modification Application T-13693 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.*
- 2. 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 Registration Application GR-2289 (Certificate of Registration GR-2184) and any related decree.*
- 3. Approval of this groundwater registration modification application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.*
- 4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 5. The combined quantity of water diverted at the proposed additional points of appropriation (Wells 1, 2, and 3), together with that diverted at the original point of appropriation (Pump Well No. 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (Pump Well No. 4).*
- 6. The use of water for the proposed agricultural/industrial use shall be limited to a rate of diversion of 16.0 GPM and shall be further limited to a total volume diverted of 4.5 AF during the time period from March 1 to October 31 of each year.*
- 7. The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.*

Dated in Salem, Oregon on

**AUG 18 2025**

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

This Preliminary Determination was prepared by Arla L Davis. If you have questions about the information in this document, you may reach me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)

## **Protests**

Under the provisions of ORS 540.520(6) & (7) and OAR 690-382-0900, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-382-0800, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the groundwater registration application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. 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 690-382-0900, 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 690-382-0900]. and 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 690-382-0900(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-382-0100(8) 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 690-382-0900, 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 690-382-0900. In accordance with OAR 690-382-1100, 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 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 Service Members:** Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act, 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number for the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <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 503-986-0801.

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

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



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 29, 2025

CASE FAMILY LLC  
33010 DEVER CONNER RD NE  
ALBANY, OR 97321

SUBJECT: Groundwater Registration Modification Application T-13693

Your water right Groundwater Registration Modification is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

### Items needed before the next phase of processing...

At this time you need to:

1. submit a check for **\$506.93** (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write **"for T-13693 NOTICE"** on the front of your check, and submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than August 29, 2025.**

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

**If we do not receive payment for newspaper notice by August 29, 2025, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov), if I may be of assistance.

Sincerely,

*Arla L Davis*

Arla L Davis  
Groundwater Registration Modification Specialist  
Transfer and Conservation Section

cc: GR Modification application file T-13693  
Gregory Wacker, District 16 Watermaster (via e-mail)  
William E. McGill, Agent for the applicant (via e-mail)

✂

-----  
**Attached** is a check for \$506.93 (PCA #46118) for Newspaper Notice for GR MOD T-13693 made out to Oregon Water Resources Department ( or WRD)

- **"for T-13693 NOTICE" written on front of check**

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

Caseworker: ARLA



Received by OWRD  
JUL 31 2025  
Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Case Family LLC  
33010 Deven Conner Rd NE Albany, OR 97321

Transaction Type: Newspaper Notice

Fees Received: \$ 506.93

Cash

Check:

Check No. 2438

Name(s) on Check: Will McGill Surveying

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

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

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

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

Sincerely,  
OWRD Customer Service Staff

Submission received by: Sarah Benham  
(Name of OWRD staff)

### Instructions for OWRD staff:

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



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

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

October 25, 2023

VIA Email

CASE FAMILY LLC  
33010 DEVER CONNER RD NE  
ALBANY, OR 97321

REFERENCE: Groundwater Registration Modification Application T-13693

We are examining your groundwater registration modification application and Report of Ownership. There are some issues that need to be resolved before we can continue processing your application.

1. The Report of Ownership provided to the Department on August 10, 2023, needs to show the following information:
  - a. Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet. The report did not identify who prepared the report and did not include a date on which the report was prepared. 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.
  - b. As identified in the Draft Preliminary Determination cover letter dated August 1, 2023, the Report of Ownership must be:
    - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
    - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
    - iii. Have a **prepared date** showing ownership at the time a water right conveyance agreement was recorded.
  - c. Additional Report of Ownership issues:
    - i. Tax Lot 700 (Case Family):
      1. The Report of Ownership identifies that the property is/was owned by the Case Family on an unknown date.
  - d. A revised Report of Ownership must be provided including:
    - i. A "prepared by" statement on the cover page of the Report of Ownership.
    - ii. The names of all current legal owners of Tax Lot 700.
    - iii. The date the report was prepared on the cover page of the report.
    - iv. A legal description consistent with the footprint of Tax Lot 700.

- v. If Case Family LLC no longer owns the property, then consent to the Groundwater Modification Application would need to be obtained from the new landowners.
- e. Please also provide copies of any deeds referenced in the Report of Ownership and/or in any legal description, if not already included as part of the Report of Ownership or previously provided as part of the Groundwater Modification Application.

**If the Department does not receive the above requested materials by November 27, 2023, a Preliminary Determination may be issued denying the application as incomplete.**

Please submit the requested information to Transfer and Conservation Section (Laura Wilke), Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266. If you have any questions, please call contact at 971-375-7492 or [Laura.K.Wilke@water.oregon.gov](mailto:Laura.K.Wilke@water.oregon.gov). Please be aware that I currently work part time. If you are unable to reach me, please contact Kelly Starnes at 503-979-3511 or [Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov).

Sincerely,

*Laura Wilke*

Laura Wilke  
Water Rights Transfer Specialist

cc: GR Modification application file T-13693  
Greg Wacker, District 16 Watermaster (*via e-mail*)  
Will McGill Surveying LLC, agent for the applicant (*via e-mail*)

**GROUNDWATER REGISTRATION MODIFICATION CASEWORKER COMPLETENESS CHECKLIST  
DRAFT PRELIMINARY DETERMINATION**

Transfer #: 13693			Applicant: Case Family LLC		GR- 2289	Caseworker: Laura W
PR	CW	Coord	County: Linn	Previous GR-Mod? T-none be sure to consider & include any previous modification(s) made to the Groundwater Registration		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Type of Modification: <input type="checkbox"/> POA <input checked="" type="checkbox"/> APOA <input checked="" type="checkbox"/> POU <input checked="" type="checkbox"/> USE			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Name on Groundwater Registration***? M.C. Case is name on the GR. GR has been assigned from M.C. Case to Case Family LLC. Case Family LLC is the GR Mod applicant. See assignment letter from the Department dated May 4, 2021.</p> <p>There is also a recorded water right conveyance agreement to convey the GR from William and Gail Case to Case Family LLC. This document was recorded 7/9/2008 and given doc number 2008-13725.</p> <p><b>** THE GROUNDWATER REGISTRATION MUST BE IN THE APPLICANT'S NAME or A REQUEST FOR ASSIGNMENT MUST ACCOMPANY THE GR-MOD APPLICATION</b></p>			

File Completeness – Arranging Originals – Place in file underneath the Working File							
PR	CW	Coord	Order of documents	Is it in the hard file?			Notes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Watermaster Review	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A	No issues identified.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Groundwater Review	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A	No issues or conditions identified.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Complete Application – including amended pages	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes		No amendments yet, as of 4/27/2023.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Application Map	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Comments	<input type="checkbox"/> No	<input type="checkbox"/> Yes		no comments received.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved Assignment? Date Approved 5/4/2021 GR Assigned to? Case Family LLC	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved Land Use	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A	uses are allowed outright per Linn County
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Well Logs	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes		4 well records were included with the GR Mod application. One for the authorized well and 3 for the additional POA's requested.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supplemental Form D	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Superseded Application Pages	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	no superseded pages as of 4/27/2023
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Misc. Receipts, Ack Letter, etc.	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A	

Working File – on top of originals							
PR	CW	Coord	Is it in the working file?			Notes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of Table 1 – show your work	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes		one authorized well and three proposed wells. Authorized well matches that of GR-2289. The

						<p>other three additional wells match with existing wells, as shown on highlighted GR map, associated with three other Gr's in same QQ's - GR-2286, 2287, and 2288.</p> <p>All four wells are the same as those proposed for New POA's under T-13626.</p> <p>Well locations match to maps and coordinates appear to line up with locations shown on application map.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of Table 2 – show your work	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<p>Acres for modification do not match the TO lands. FROM lands do not match the application map. Map shows 16.8 acres for modification. FROM lands described in application total 19 ac, the full GR.</p> <p>Discrepancy appears to be 2.2 acres shown on map as not being modified.</p> <p>TO lands ac total is 17.5 ac - does not match FROM lands 16.8 acres, going by the transfer map. Application identifies that 1.5 acres is being changed to Ag/Ind, which accounts for the discrepancy between the 19 acres described as FROM lands and the 17.5 ac described for the TO lands. No acres are described on the TO lands with a number of acres in the table. See Additional Remarks below Table 1.</p> <p>Assuming the application map is correct, 1.5 acres of the 16.8 are proposed for transfer to AG/Ind use, total acres at the new TO lands should be 16.8 ac, being 15.3 ac for irrigation and 1.5 ac equivalent for Ag/Industrial.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of App. Map - show your work	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<p>TO and FROM lands shown on single map.</p> <p>Acreage does not match the application. Assuming map correctly reflects intent of application.</p> <p>Map needs to include creek and direction of flow.</p> <p>Map should also include roads.</p> <p>Map should show which 1.5 acres are to be transferred to AG/Ind???</p>

							<p>Map needs to show delivery system.</p> <p>For POU changes, priority date and use type (IR) should be shown on the map for the from lands.</p> <p>Coordinates for wells includes chains. OK to use. Appears to match with original POA for GR-2289 and the additional 3 POA's appear to be consistent and match existing wells used for GR-2286, 2287, and 2288.</p> <p>The existing and additional POA's coordinates appear to line up with those shown in application and on application map.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of GR Cert – indicate quantity of water proposed for transfer	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes		<p>Modifying 16.8 ac of IR use, 15.3 to Irrigation at new POU and 1.5 acres for Ag/Ind on POU previously covered by IR from GR-2289.</p> <p>GR is for 200 GPM (0.45 CFS) &amp; 57 AF. If proportion equally = 15.3 ac IR = 161 GPM &amp; 45.9 AF 2.2 ac IR remaining = 23 GPM (0.05 CFS) &amp; 6.6 AF 1.5 ac IR converted to AG/Ind = 16 GPM (0.04 CFS) &amp; 4.5 AF</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Approved Assignment	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> N/A	combined with 2008 recorded water right conveyance agreement for Case Family LLC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Comments	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Well Logs	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes		

WM Review – Date Received: 6/24/2021						
Review complete & in the hard file?? <input checked="" type="checkbox"/> Yes			Digital File? <input checked="" type="checkbox"/> Yes		Copy in Working File? <input checked="" type="checkbox"/> Yes	
PR	CW	Coord			Notes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Enlargement?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Injury?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Same Source?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	n/a
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GW Measurement Conditions? If yes, detach the WM contact sheet & send to applicant with the DPD	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	did not identify any additional conditions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Conditions?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	

GW Review - Date Received:						
Review complete & in the hard file?? <input type="checkbox"/> Yes			Digital File? <input type="checkbox"/> Yes		Copy in Working File? <input type="checkbox"/> Yes	
PR	CW	Coord				Notes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Enlargement?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Injury?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Same Source?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	all in the same shallow alluvium
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Conditions to avoid Injury and/or Enlargement?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	No issues or conditions identified by GW

**Draft Preliminary Determination – formatted in Calibri 12pt font**

**Findings of Fact – in chronological order by date**

PR	CW	Coord				Notes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public Notice	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	no comments received
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Assignment(s)	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Deficiencies and resolution	<input type="checkbox"/> No	<input type="checkbox"/> Yes	map needs modification - see notes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Amended Application	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	not at this point in process
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public Comments	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	no comments
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Layering	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	no layered rights/registrations associated with TO and FROM lands.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	From Lands – verify limit/duty	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	GR is for 200 GPM and 57 AF - Irrigation of 19 acres. Transferring 16.8 acres, being 15.3 acres for Irrigation and 1.5 acres for Ag/Industrial use. Remaining will be 2.2 acres of Irrigation. If at 1/80 <sup>th</sup> CFS/acre and 2.5 AF/acres, rate & volume would be 85.8 gpm (38.25 AF) for Irrigation of 15.3 ac & 8.4 GPM (3.75 AF) for 1.5 acre equivalent for AG/Ind annually. If proportioned based on GR, 161 GPM (45.9 AF) for irrigation of 15.3 ac & 16 GPM (4.5 AF) for 1.5 ac equivalent for Ag/Ind. The proportioned volume works out to be 3.0 Af/ac.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	To Lands	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	see above notes. TO and FROM lands are not located within or above a SWW. Nor do they appear to be located within an identified Irrigation District.

**“FROM and TO” Lands - Tables should be formatted in Calibri 10pt font**

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	POA/APOA - Measurement(s) in table from <u>ALL</u> authorized point(s) involved in transfer to proposed points	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	See notes from T-13626. All measurements for existing and additional POA's all line up with their locations shown on the transfer map and on GR maps. and match to those described in the transfer application.
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	POU - Header description on both "FROM and TO" POU tables; include total number of acres	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	USE – Season of use	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	No season of use specified on the GR Standard IR Season for GW use in the Willamette Basin is March 1 through October 31 - see OAR 690-502-0040(6) Use is not located within a GW limited area or other GW restricted area
<b>Special Findings</b>						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Change in character of use – conditions to prevent enlargement	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Needs rate and volume limit to prevent any enlargement. Also confined to the Irrigation Season. change of IR to AG/Ind.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cancellation(s)	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	No cancellations are part of this transfer.
<b>Determination and Proposed Action</b>						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Includes proposed changes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Correct ORS/OAR	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cancellation/Abandonment	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	No cancellation or abandonment - no layering issues for the TO and FROM lands.
<b>Conclusions of Law</b>						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	POA/APOA – Correct finding that identifies point(s) of appropriation	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Adding three wells to the existing well. Total of 4 wells.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	POU - delete finding if a change in POU is not proposed	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Change in POU is proposed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	USE – delete finding if a change in USE is not proposed	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Change in use for 1.5 acres of irrigation is proposed as part of this GR Mod. Propose to change use to AG/Industrial.

<b>Cover Letter - formatted in Calibri 12pt font</b>						
PR	CW	Coord				Notes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dated	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	30-day deadline updated	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Newspaper notice	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Report of Ownership	<input type="checkbox"/> No	<input type="checkbox"/> Yes	required - not yet received
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WM Conditions	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	none identified by WM. None identified by GW.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CC – Agent and WM	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	

<b>Public/Newspaper Notice - formatted in Calibri 12pt font</b>						
PR	CW	Coord				Notes
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Saved as non-Macro Document	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Newspaper notice is required for change in character of use. Existing well and additional POA's are fairly close together - don't see any intervening wells inbetween well locations. Although, well Well #1, per GW review, will be

						within 115 feet of another well. See GW review and map.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Include with DPD Peer Review	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	

## Notes for GR Mod T-13693

## Notes for GR Mod T-13693

### Map Checklist review

- Single map for both TO and FROM lands.
- There is a stream shown adjacent to the TO lands but no flow direction is identified – is that needed considering that this is a GR Mod – it is in the checklist requirements.
- There is also a road identified (along the north side of the FROM lands) on the map but faint and hard to see.
- Delivery system features are not shown on the application map.
- For POU changes, the priority date and use type are to be included on the map. Since this only involves a single GR, this could be included in the legend with the appropriate hachuring.
- For the new wells, coordinates are provided using distance and chains. Options when not using distance and bearing, are to use GPS coordinates. Use of chains is not one of the examples provided. However, per Transfer Lead, chains can be used even though old method. One chain = 66 feet.
- 

### Application checklist review

- Fees – \$1250.00 – correct fee for change in POU and POA.
- Application, page 6, lists priority date as 1951 (which matches with well construction and completion date listed on GR. However, use has been continuous (per the GR) since 1953, which is the correct priority date.
- Application is signed by Gale Case, who appears to be a partner in the Case Family LLC.
- Assignment of GR-2289 complete as identified in letter from Department dated May 4, 2021. From MC Case to Case Family LLC. M.C. Case is original name on GR-2289.
- See issues identified under Changes Proposed.

### PLAT Card Check – FROM lands

- No layered GR's or other water rights.
  - Pulled GR files – found map in GR-2291 that showed location of other GR's in same section and associated properties. No layering with other GR's in same FROM lands.
  - Printed out cert/permits in same section and QQ and associated maps – no overlap with FROM lands.

### PLAT Card Check – TO Lands

- Compared POU to other three transfers (T-13697 & T-12636) – no overlap between the transfers.
- No layered GR's or other water rights in same section and QQ as TO lands.
  - Copy of GR maps showing multiple GR locations in with review materials. Also printed and reviewed cert/permit and associated maps in same Section and QQ as TO lands. No overlap.
  - Other rights in same QQ's include
    - GR-2286 – while in same tax lot, no overlap with existing and proposed POU.

## Notes for GR Mod T-13693

- GR-2287 – while located on same tax lot, no overlap with existing and proposed POU.
- GR-2288 – located on same tax lot but no overlap with existing and proposed POU.
- GR-2290 – no overlap with existing and proposed POU – is located on opposite side of Crooks Creek.
- GR-2291 – no overlap with existing and proposed POU – located on opposite side of Crooks Creek.
- Certificate 32462 – no overlap with existing and proposed POU – located on opposite side of Crooks Creek and appears to be layered with GR-2290.
- GW Permit G-18152 – no overlap with existing and proposed POU – located on an adjacent property to the west.

### Land ownership review

- Applicant has identified that they are the owner of the FROM lands.
- An assignment was completed to assign GR from M.C. Case to Case Family Trust.
- Deed from GR file identifies Case Family LLC (transfer applicant) as owner of lots 700, 701, 703 and 704. This covers the subject property for the FROM and TO lands for T-13693.
  - Needs to be verified with ROI.

### Land Use Eval

- For TO lands, Linn County identifies that use of water for irrigation at the new POU, including additional well locations and use for ag/industrial, is allowed outright.

### Changes proposed

- Additional POA – GR identifies a single well – the application proposes to add 3 additional wells. All four wells located in same section.
- Wells proposed to be used include the existing well identified for GR-2289 and three additional existing wells, which appear to be part of GR-2286, GR-2287, and GR-2288.
- Change in POU. Change location of 15.3 acres of irrigation from Lot 700 to Lot 800.
- And Change in Character of Use from irrigation to agriculture and industrial use.
- Acreage FROM lands appears to match GR-2289. However, the acreage on the application for the FROM lands is more than shown on the transfer map. Application identifies 19.0 acres to be changed/moved. Application map only identifies 16.8. Believe difference is the 2.2 acres shown on the map as remaining in the SW NE of Section 8.
- TO lands for irrigation are not the same number of acres as FROM lands.
  - The applicant identifies that this is due to change in character of use for part.
  - Based on application map, appears changing place of use for 16.8 acres of irrigation to 15.3 acres of irrigation and remaining 1.5 acres to agricultural/industrial use. This is assumed.
- Identified original well appears to match GR-2289.
- Additional wells appear to match the transfer application.

## Notes for GR Mod T-13693

- Applicant does not clearly identify how many acres to transfer to irrigation and for agriculture/industrial.

### Tax Lot Map Review:

- Tax lot 703 is 83.07 acres in size.
  - There are four GR's, including GR-2289 proposed for transfer, in lot 703
  - GR-2286 = 17 ac of irrigation
  - GR-2287 = 21.6 acres of irrigation
  - GR-2288 = 11.6 acres of irrigation, &
  - GR-2289 = 19 acres of irrigation.
  - Total of 69.2 acres of irrigation in lot 703, which is less than the size of the tax lot.
- Lot 703 is also the TO Lands lot for AG/industrial use. Appears that the applicant intends to spread this use over most of the former footprint of acres proposed for transfer.
- Tax Lot 800 (TO Lands lot) is 140.66 acres.
- Amount proposed for transfer to the TO Lands appears to be 15.3 acres, based on the transfer map. Much smaller than the size of the tax lot.
  - Does not appear that there are any other existing rights in this same lot location.

### Use issues – if any.

- Portion of existing irrigation use is adjacent to Crooks Creek and may remain green even after the transfer is complete. Not sure if there was beneficial use of any GR water near the creek.
- Also, majority of footprint of the GR appears to be a graveled area with several buildings.
- Appears that approx. 2.9 ac (rough measurement) may be irrigated based on recent aerial via Department interactive mapping tool.

### Quantity of water for transfer

- The GR lists the use of 200 GPM (equivalent to 0.11 CFS) with 57 AF annual volume identified for 19 acres of irrigation. Pumping equipment is listed as having a capacity of 250 GPM.
- AS noted above, there application has discrepancy in number of acres to be transferred. The map also does not match the application. However, the applicant appears to be proposing to transfer 16.8 acres out of a total of 19.0 acres. Remaining would be 2.2 acres – if assumptions are correct. The transfer application identifies 19 acres for transfer, while the map only shows 16.8 acres. This is a discrepancy of 2.2 acres, which are shown on the map as not being transferred.
- The applicant also appears to be requesting that out of the acres proposed for transfer that 1.5 acres of irrigation be converted to agriculture/industrial.
- Proportionally, if transferring 16.8 acres based on info provided in the registration and 1.5 ac of that being used for ag/industrial, use would be:
  - Rate
  - Irrigation: 0.36 CFS to transfer for 15.3 acres (equivalent to 161 GPM)
  - Conversion to AG/Industrial: 0.04 CFS to transfer for 1.5 acres (equivalent to 16 GPM)
  - 0.05 CFS remaining for 2.2 acres (equivalent to 23 GPM)
  - Total GPM = 200 GPM

## Notes for GR Mod T-13693

### Volume:

- The GR identifies use of 57 AF annually, which is equivalent to 3.0 AF per acre. At this volume, use would be:
  - Irrigation of 15.3 acres transferred = 45.9 AF
  - Industrial/AG use from transfer of 1.5 acres = 4.5 AF
  - Remaining for 2.2 acres of irrigation = 6.6 AF
  - Total of 57 AF
- Use, if at a standard 1/80<sup>th</sup> cfs per acre and 2.5 AF per acre, for irrigation of 15.3 acres would be 0.19 CFS (86 GPM) & 38.25 AF annually.
- Rate and volume/duty, as identified in the GR, are higher than standards for gw use on west side of Cascades.

### GW Section Review

- No interference issues of note.

### WM Review:

- No injury or enlargement issues identified. No conditions specified to be added.

### SWW review:

- TO and FROM lands are not within or above a state scenic waterway.



Search Criteria

Meridian: Willamette Township: 10 South Range: 3 West Section: 8 Records per Page: 10 Search

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[Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	qq(40): q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
<a href="#">Select</a> Claim:GR 833 *		5/10/1944	IRRIGATION						13															
Additional Info: WALTER L HARNISCH Claim: GR833																								
<a href="#">Select</a> Claim:GR 889 *		5/12/1939	IRRIGATION										15.5											
Additional Info: ALBERT HARNISCH Claim: GR889																								
<a href="#">Select</a> Claim:GR 890 *		5/7/1945	IRRIGATION										12.5											
Additional Info: ALBERT HARNISCH Claim: GR890																								
<a href="#">Select</a> Claim:GR 919 *		12/31/1941	IRRIGATION						11.5															
Additional Info: HENRY HARNISCH Claim: GR919																								
<a href="#">Select</a> Claim:GR 920 *		12/31/1942	IRRIGATION					20	9															
Additional Info: HENRY HARNISCH Claim: GR920																								
<a href="#">Select</a> Claim:GR 921 *		12/31/1945	IRRIGATION					12.3																
Additional Info: HENRY HARNISCH Claim: GR921																								
<a href="#">Select</a> Claim:GR 922 *		12/31/1938	IRRIGATION					4.1																
Additional Info: HENRY HARNISCH Claim: GR922																								
<a href="#">Select</a> Claim:GR 2286 *		12/31/1946	IRRIGATION						10.4					6.6										
Additional Info: M CASE Claim: GR2286																								
<a href="#">Select</a> Claim:GR 2287 *		12/31/1945	IRRIGATION						9.9					6.3	2.1						3.3			
Additional Info: M CASE Claim: GR2287																								
<a href="#">Select</a> Claim:GR 2288 *		12/31/1941	IRRIGATION											4.5								7.1		
Additional Info: M CASE Claim: GR2288																								

T-13693  
To & From

No legend'd GR's or other rights on To & From parcels

Truc 2286  
Bldg 5  
2nd fl

From  
To

NIC

NIC

NIC



Search Criteria

Meridian: Willamette Township: 10 South Range: 3 West Section: 8 Records per Page: 10 Search

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	ac(100)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
<a href="#">Select</a> Claim:GR 2289 *	T13693	12/31/1951	IRRIGATION							13.8	2									1.1	2.1			
Additional Info: CASE FAMILY LLC Claim: GR2289		<i>subject GR</i>																						
<a href="#">Select</a> Claim:GR 2290 *		12/31/1949	IRRIGATION								24													
Additional Info: M CASE Claim: GR2290		<i>N/C</i>																						
<a href="#">Select</a> Claim:GR 2291 *		12/31/1935	IRRIGATION								7										13			
Additional Info: M CASE Claim: GR2291		<i>N/C</i>																						
<a href="#">Select</a> Cert:29751 OR CN		12/17/1956	IRRIGATION CN																					
Additional Info: MARVIN W/HELEN FLETCHER App: G528 Permit: G429 Cert: 29751																								
<a href="#">Select</a> Cert:32462 OR *		5/3/1961	IRRIGATION								10													
Additional Info: M CASE App: G2008 Permit: G1844 Cert: 32462		<i>N/C</i>																						
<a href="#">Select</a> Cert:37444 OR *		10/26/1966	IRRIGATION																					
Additional Info: MARVIN W FLETCHER App: G3712 Permit: G3511 Cert: 37444																								
<a href="#">Select</a> Claim:GR 2960 *		5/31/1948	IRRIGATION																					
Additional Info: GOLDIE BURTON Claim: GR2960																								
<a href="#">Select</a> Claim:GR 2961 *		12/31/1955	IRRIGATION																					
Additional Info: GOLDIE BURTON Claim: GR2961																								
<a href="#">Select</a> Permit: G 17532 CN	T13064	5/21/2015	IRRIGATION CN																					
Additional Info: MAYFIELD FARMS LLC App: G18090 Permit: G17532																								
<a href="#">Select</a> Permit: G 17854 CN	T12768	3/4/2015	IRRIGATION CN																					
Additional Info: GARY BURTON App: G18010 Permit: G17854																								

*Top of best  
Side of Creek*



Search Criteria

Meridian:   
 Township:    
 Range:    
 Section:   
 Records per Page:   

[Platcards Maps!](#)  
[Learn about](#) \* [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
<a href="#">Select</a> Permit: G 18152 * Additional Info: MAYFIELD FARM LLC App: G18010 Permit: G18152		3/4/2015	IRRIGATION											29.15	26.8	27.1	26.6	6.4	27.1					
<a href="#">Select</a> Permit: G 18188 * Additional Info: NORTHWEST FARM CREDIT SERVICES FLCA App: G18090 Permit: G18188		5/21/2015	IRRIGATION														6.9	28.6						

Acreage Legend:  
 12.25 Regular acreage  
 -12.25 Acreage is on a canceled right  
 (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)  
 [12.25] Acreage has been suspended  
 \* Acreage is not specified

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

**This Is to Certify, That** H. C. CASE

of Route 2, Box 204, Albany, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Crooks Creek (Santiam River) for the purpose of irrigation of 10.0 acres

under Permit No. G-1844 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 3, 1961

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.13 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8, T. 10 S., R. 3 W., W. M. Well located 540 feet S. & 20 feet W. from SE corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8;

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

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

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

10.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 8  
T. 10 S., R. 3 W., W. M.

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

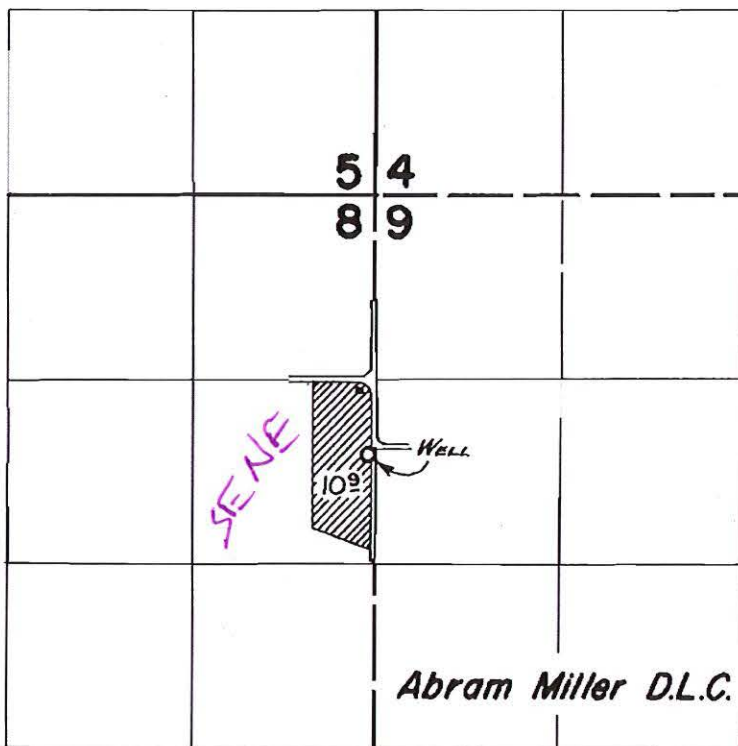
WITNESS the signature of the State Engineer, affixed

this date. September 27, 1965

.....CHRIS L. WHEELER.....

State Engineer

T.10S.R.3 W.W.M.



layered w/  
ER-2290

N/C for  
T-13693

on opposite side  
of Crooks creek

**FINAL PROOF SURVEY**  
UNDER

Application No. ~~6-2006~~ Permit No. ~~6-1844~~  
IN NAME OF

M. C. CASE

Surveyed April 29 1964, by

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GARY L. BURTON  
GARY L. BURTON LIVING TRUST  
4980 MATNEY RD  
MONMOUTH, OR 97361

This superseding permit is issued to describe an amendment for a change in point of appropriation proposed under Permit Amendment Application T-12768 and approved by Special Order Vol. 112, Page 210, entered January 8, 2019. This permit supersedes Permit G-17854.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-18010

SOURCE OF WATER: WELL 1 (LINN 58202/L92435), WELL 2, AND WELL 4 IN CROOKS CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 143.15 ACRES

MAXIMUM RATE: 1.79 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 4, 2015

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NW	WELL 2 (Original) - 980 FEET NORTH AND 250 FEET EAST FROM THE W1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SE NW	WELL 1 (LINN 58202/L92435) (Original) - 1200 FEET NORTH AND 1710 FEET EAST FROM THE W1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SE NW	WELL 4 - 1050 FEET NORTH AND 1470 FEET EAST FROM THE W1/4 CORNER OF SECTION 8

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

**THE PLACE OF USE IS LOCATED AS FOLLOWS:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	SW NW	29.15
10 S	3 W	WM	8	SE NW	26.8
10 S	3 W	WM	8	NE SW	27.1
10 S	3 W	WM	8	NW-SW	26.6
10 S	3 W	WM	8	SW SW	6.4
10 S	3 W	WM	8	SE SW	27.1
Total					143.15

**Permit Amendment T-12768 Conditions:**

The quantity of water diverted at the new point of appropriation (Well 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 3).

**Water use measurement conditions:**

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of appropriation.
- 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.

Water shall be acquired from the same aquifer as the original point of appropriation.

**Original Permit Conditions:****Measurement Devices, and Recording/Reporting of Annual Water Use Conditions:**

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.

- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

### Static Water Level Conditions

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water-level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

#### **Before Use of Water Takes Place**

##### Initial and Annual Static Water Level Measurements

The Department requires the permittee to report an initial water-level measurement in the month specified above once well construction is complete, and annually thereafter until use of water begins; and

#### **After Use of Water has Begun**

##### Seven Consecutive Annual Static Water Level Measurements

Following the first year of water use, the user shall report seven consecutive annual static water-level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report additional annual static water-level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement;
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The Department may require the discontinuance of groundwater use, or reduce the rate or volume of withdrawal, from the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or

- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Groundwater production shall be only from the alluvial groundwater reservoir.

Well Identification Tag Condition:

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

### STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well(s) shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times. If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.


This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The original permit was issued September 19, 2017. Completion of construction and application of the water to the use shall be made on or before September 19, 2022. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued JAN 08 2019;

  
\_\_\_\_\_  
Dwight French, Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department



Enter appropriate info into blue boxes.  
 Information shown in purple boxes show calculation results.

transfer Calculator		
Application number	Certificate #	Priority Date
T-13693	GR-2289	1951
# acres transferred		
15.30	Irrigation	
Enter rate/acre (ie 1/80)		
0.0125		
Total CFS in Cert	Total Acres in Cert	CFS for cancelled acres
0.446	19.00	0.36
Enter duty/acre	max volume if needed	
3.00	45.90	

RR Cert Calculator		
Application number	Certificate #	Priority Date
T-13697	GR-1486	1950
# rr acres		
2.20		
Enter rate/acre (ie 1/80)		
0.0125		
Total CFS in Cert	Total Acres in Cert	CFS for remaining acres
0.446	19.00	0.05
Enter duty/acre	max volume if needed	
3.00	6.60	

Total Cert CFS
0.411 (x-fercfs + rr cfs)
Total Acres
19.00 (x-fer acre + rr acres)

CFS to GPM conversion	GPM
0.36 CFS for TO Lands	161 GPM for transfer to Irrigation
0.05 CFS for Remaining Lands	23 GPM remaining
0.04 CFS for AG/Industrial	16 GRM for transfer to AG/Industrial
0.45 CFS Total	200 GPM Total

Portion also proposed to be converted to AG/Ind

1.5 ac		
4.5 AF available for transfer		
16 GPM Available for transfer	equivalent	0.04 CFS
applicant requested 15.8 GPM (rounding)		

Enter appropriate info into blue boxes.  
 Information shown in purple boxes show calculation results.

transfer Calculator		
Application number	Certificate #	Priority Date
T-13693	GR-2289	1951
# acres transferred		
15.30		
Enter rate/acre (ie 1/80)		
0.0125		
Total CFS in Cert	Total Acres in Cert	CFS for cancelled acres
0.446	19.00	0.36
Enter duty/acre	max volume if needed	
3.00	45.90	

RR Cert Calculator		
Application number	Certificate #	Priority Date
T-13697	GR-1486	1950
# rr acres		
2.20		
Enter rate/acre (ie 1/80)		
0.0125		
Total CFS in Cert	Total Acres in Cert	CFS for remaining acres
0.446	19.00	0.05
Enter duty/acre	max volume if needed	
3.00	6.60	

Total Cert CFS
0.411 (x-fercfs + rr cfs)
Total Acres
19.00 (x-fer acre + rr acres)

CFS to GPM conversion	GPM
0.36 CFS for TO Lands	161 GPM for transfer to Irrigation
0.05 CFS for Remaining Lands	23 GPM remaining
0.04 CFS for AG/Industrial	16 GRM for transfer to AG/Industrial
0.45 CFS Total	200 GPM Total

Portion also proposed to be converted to AG/Ind  
 1.5 ac  
 4.5 AF available for transfer  
 16 GPM Available for transfer equivalent 0.04 CFS  
 applicant requested 15.8 GPM (rounding)



**Oregon Water Resources Department  
Water Rights Mapping Tool**

725 Summer St NE, Salt Lake City, UT 84143  
Return Contact Us

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim: GR 2289

Transfer:

POD Source: Equals

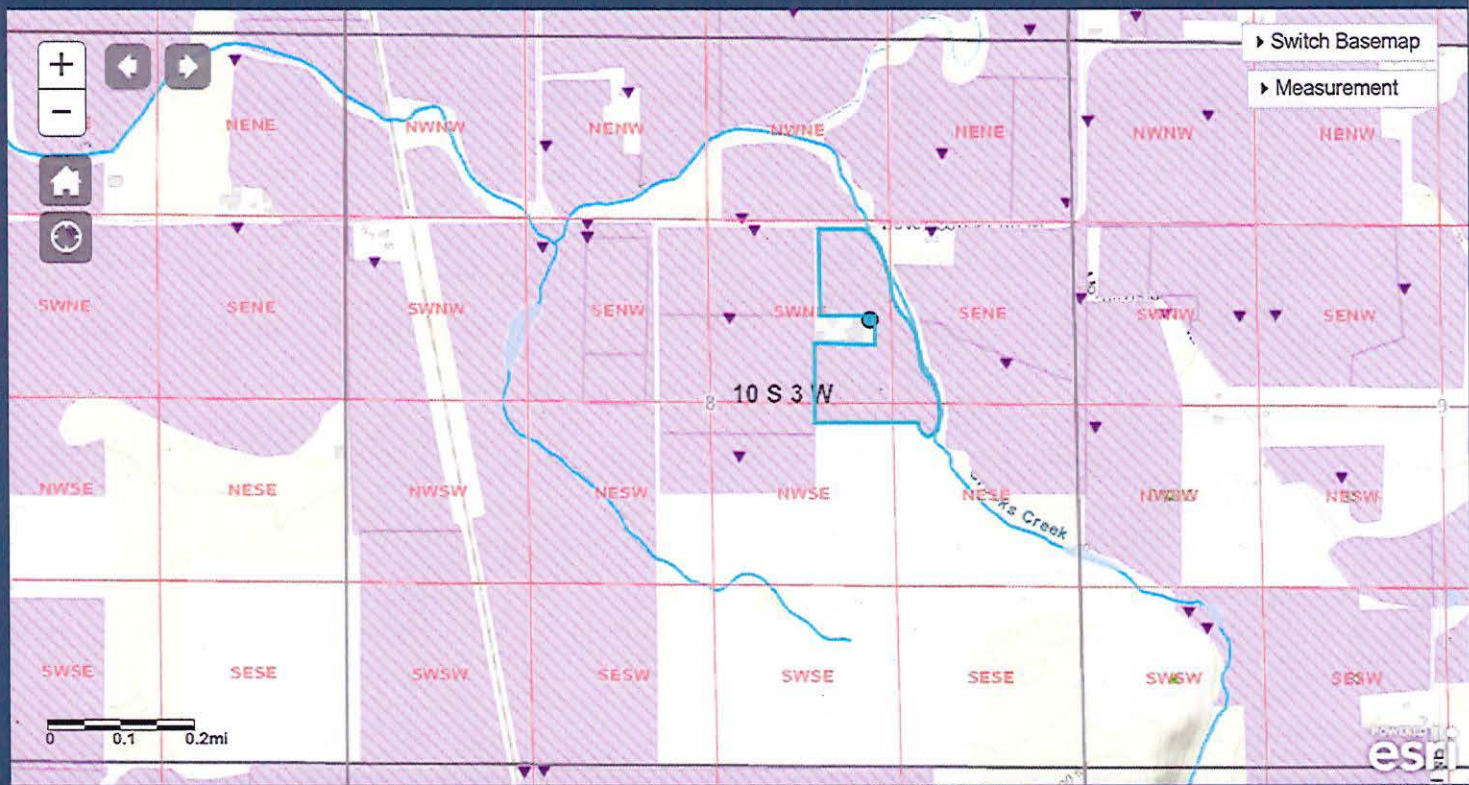
Include Municipal:

(Draw box on map.)

Places of Diversion: (Count: 1)

Places of Use: (Count: 1)

- Identify Non-Water Right Features
- Tax Lots
- Layers
- Tools



Switch Basemap  
Measurement



Oregon Water Resources Department  
Water Rights Mapping Tool

725 Summer St NE, Sale  
Return Contact Us

Search

Search: Water Right by File

Application: [v] [input] [magnifying glass]

Permit: [v] [input] [magnifying glass]

Certificate: [input] [magnifying glass]

Claim: GR 2289 [magnifying glass]

Transfer: [v] [input] [magnifying glass]

POD Source: Equals [input] [magnifying glass]

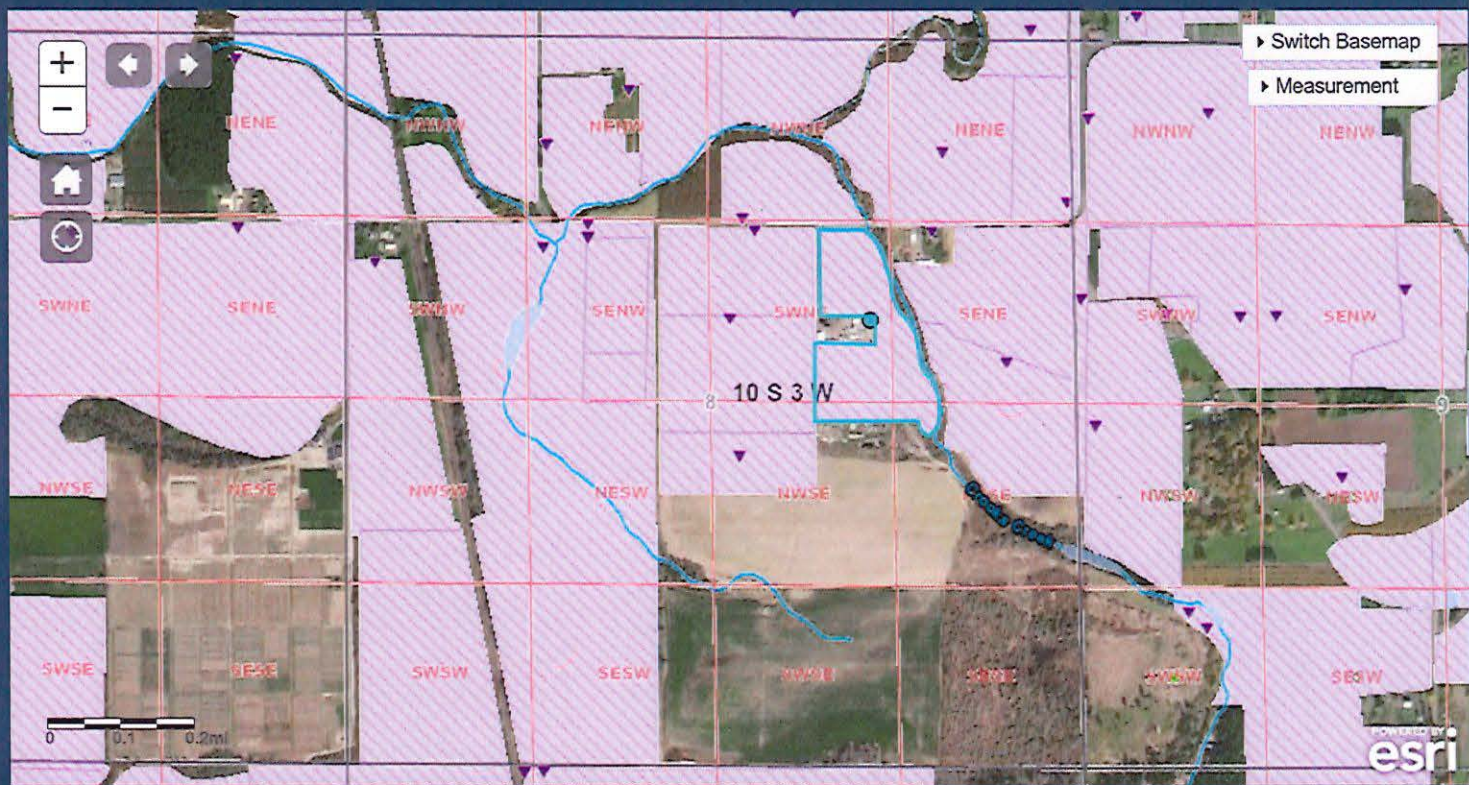
Include Municipal:

[magnifying glass] [red X] [blue i] (Draw box on map.)

Places of Diversion: (Count: 1)

Places of Use: (Count: 1)

- Identify Non-Water Right Features
- Tax Lots
- Layers
- Tools



Switch Basemap  
Measurement





Oregon Water Resources Department  
Water Rights Mapping Tool

725 Summer St NE, Salem  
Return Contact Us

Search

Identify Non-Water Right Features

Tax Lots

Layers

- Water Rights by Type
- Water Rights by Use
- Water Rights by Type-Use
- Water Rights by Prim./Suppl
- Water Rights - Municipal Only
- Administrative Boundaries
- Rules
- Surface Water
- Hydrography/River miles

Tools

POD POU



Switch Basemap

Measurement

Acres

---

**Measurement Result**

2.85 Acres





# Oregon Water Resources Department Water Rights Mapping Tool

725 Summer St NE, Sale  
Return Contact Us

Search

Identify Non-Water Right Features

Tax Lots

Layers

- Water Rights by Type
- Water Rights by Use
- Water Rights by Type-Use
- Water Rights by Prim./Suppl
- Water Rights - Municipal Only
- Administrative Boundaries
- Rules
- Surface Water
- Hydrography/River miles
- Transportation
- Stream Gages
- PODs by Source Type



Switch Basemap  
Measurement





# Oregon Water Resources Department Water Rights Mapping Tool

725 Summer St NE, Sale  
Return Contact Us

Search

Identify Non-Water Right Features

Tax Lots

Layers

- Water Rights by Type
- Water Rights by Use
- Water Rights by Type-Use
- Water Rights by Prim./Suppl
- Water Rights - Municipal Only
- Administrative Boundaries
- Rules
- Surface Water
- Hydrography/River miles

Tools

POD

POU



# Registration Statement

## OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

I, M. C. Case  
of Route 2, Box 383, Albany County of Linn  
(Mailing address)

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

- 1. Source from which water is withdrawn is Pump Well No. 4  
(Flowing well, pump well, infiltration trench, or tunnel)
- 2. Location is: 4 miles West of Jefferson, Oregon  
(Approximate distance and direction, from nearest city, or town)

and is more particularly described as follows:

- (a) N. 68° 20' W. 26 chains from SE corner of NE 1/4 of S. 8, T. 10 S., R. 3 W.  
(Give distance and bearing to corner of section or other legal subdivision)  
being within SE 1/4 of NE 1/4 of Sec. 8 Twp. 10 S. Rge. 3 W.  
(Smallest legal subdivision) (N. or S.) (E. or W.)
- or (b) within limits of recorded platted property, town or city:

in Lot \_\_\_\_\_ Block \_\_\_\_\_ of \_\_\_\_\_  
(Name of plat or addition)  
County of Linn  
(If within city or town, give name)

3. Construction Work was begun on 1951 was completed on 1951  
(Date) (Date)  
and the ground water claimed was first used for the purposes set out below on 1951  
(Date)  
since which time the water has been used continuously  
(Continuously or Intermittently)  
from 1951 to Present time  
(Date) (Date)

4. Quantity of water claimed and used is 200 gallons per minute; 47557 acre feet per year.

5. Purpose or Purposes for which water is used Irrigation  
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth 22 feet. Type Drilled  
(Dug or drilled)  
diameter 8 inches. Elevation of ground at well site 190 feet, mean sea level.  
(As near as known)  
Depth to water table 7 feet.

7. Capacity of Well: 400 g.p.m. with 5 feet drawdown.  
\_\_\_\_\_ g.p.m. with \_\_\_\_\_ feet drawdown.

Date of test Estimated - not tested

If Flowing Well, Measured discharge \_\_\_\_\_ g.p.m. on \_\_\_\_\_  
(Date)

Shut-in pressure at ground surface \_\_\_\_\_ lbs. per sq. in. on \_\_\_\_\_  
(Date)

Water is controlled by \_\_\_\_\_  
(Cap, valve, etc.)





Township 10 S. Range 3 W. W.M.  
North


Locate well and acreage of irrigated land on plat.  
Scale: 2" = 1 Mile

STATE OF OREGON

County of Marion } ss.

I, M. C. Case, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

M. C. Case  
(Signature of Registrant)

Subscribed and sworn to before me this 15 day of July, 1958.

My commission expires NOTARY PUBLIC, FOR OREGON  
My Commission Expires April 19, 1960

Wm B. Little  
(Notary Public)

(SEAL)

**CERTIFICATE OF REGISTRATION**

STATE OF OREGON } ss.

County of Marion

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 18th day of July, 1958, at 8:00 o'clock A.M. and has been duly recorded in said office in Book No. 10 of Registration Statements on page GR-2184

Witness my hand this 10th day of March, 1959.

Laura G. Stanley  
(State Registrar)

By \_\_\_\_\_  
(Deputy)

GR-2184

Township 10<sup>s</sup>S. Range 3<sup>W</sup> W.M.

North

					8	
					8	

Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON

County of ~~LEWIS~~ Marion } ss.

I, M. C. Case, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

M. C. Case  
(Signature of Registrant)

Subscribed and sworn to before me this 15 day of July, 1958

My commission expires NOTARY PUBLIC FOR OREGON  
My Commission Expires April 19, 1960

W. B. Smith  
(Notary Public)

(SEAL)

**CERTIFICATE OF REGISTRATION**

STATE OF OREGON } ss.  
County of Marion

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 18<sup>th</sup> day of July, 1958, at 8.00 o'clock AM and has been duly recorded in said office in Book No. 10 of Registration Statements on page GR-2184

Witness my hand this 10<sup>th</sup> day of March, 1959

Lewis A. Stanley  
(State Engineer)

By \_\_\_\_\_ (Deputy)

GR-2184

45.00

**WILKE Laura K \* WRD**

---

**From:** Grant McGill <grantmcgill.wr@gmail.com>  
**Sent:** Thursday, August 10, 2023 3:40 PM  
**To:** WILKE Laura K \* WRD  
**Subject:** T-13693 Ownership Report  
**Attachments:** 0040283.pdf

Attached please find the ownership report for this GR mod.

--  
Grant McGill  
503-931-0210  
15333 Pletzer Rd. SE, Turner, OR 97392  
[www.mcgillwaterrights.com](http://www.mcgillwaterrights.com)





## Property Detail Report

**Prepared For:**

*Grant M.*

**Owner Name:**

*Case Family LLC*

**Property Address:**

*33010 Dever Conner Rd NE*

*Albany OR 97321*

**Tax Account #:**



**Thank you for the opportunity to assist you!**

*Joseph Garcia*

**Customer Service**

**503.581.1431**

[valleycs@amerititle.com](mailto:valleycs@amerititle.com)

### Mid-Willamette Valley Locations

**Salem**

320 Church St. NE  
503.581.1431

**South Salem**

3240 Commercial St. SE, Ste. 140  
971.701.2591

**Silverton**

105 N Water St.  
503.873.7200

**Albany**

1393 Clay St. SE  
541.928.3368

**Corvallis**

525 NW 2nd St. Ste. 2  
541.752.3415

**Lebanon**

1475 S Main St  
541.259.3736

**Monmouth**

283 N Pacific Hwy  
503.838.2259



### Linn County Parcel Detail

**Site Address:** 33010 Dever Conner Rd NE  
Albany OR 97321 - 9520

**Parcel ID:** 0040283

**Tax Lot:** 10S03W0800700

**Owner:** Case Family LLC

**Owner2:** William, C Case

**Owner Address:** 33010 Dever Conner Rd NE  
Albany OR 97321 - 9520

**Parcel Size:** 83.07 Acres (3,618,529 SqFt)

**Neighborhood:**

**Subdivision:**

**Lot / Block:**

**Twn/Range/Section:** 10S / 03W / 08

**Legal**

### Assessment and Taxes

<b>Market Land Value:</b>	\$733,520.00	<b>Levy Code Area:</b>	14016	<b>Annual Tax History</b>
<b>Market Improved Value:</b>	\$2,745,910.00	<b>Levy Rate:</b>	13.4495	<b>2022 : \$25,549.73</b>
<b>Market Total Value:</b>	\$3,479,430.00	<b>Tax Year:</b>	2022	<b>2021 : \$24,374.32</b>
<b>Assessed Value:</b>	\$1,899,679.00	<b>Exemption Desc:</b>	N/A	<b>2020 : \$23,892.77</b>

### Land Information

<b>Land Use:</b>	501 - HBU FARM NO SPECIAL ASSMT IMPROV	<b>School District:</b>	14J - Jefferson
<b>Building Use:</b>		<b>Primary School:</b>	Jefferson Elementary School
<b>Zoning:</b>	County-EFU - Exclusive Farm Use	<b>Middle School:</b>	Jefferson Middle School
<b>Watershed:</b>	Muddy Creek-Willamette River	<b>High School:</b>	Jefferson High School

### Improvement Details

<b>Year Built:</b>		<b>Bed:</b>	5	<b>Garage:</b>	672 SqFt
<b>Stories:</b>	1	<b>Baths:</b>		<b>Exterior Walls:</b>	Wood
<b>Bldg SqFt:</b>	3,168	<b>Bsmt SqFt:</b>		<b>Roof Cover:</b>	Composition Shingle
<b>Finished SqFt:</b>	3,168	<b>Attic SqFt:</b>		<b>Heat:</b>	Baseboard Electric
<b>Bldg Type:</b>	328 - Machine Shed	<b>Flr 1/ Flr 2 SqFt:</b>	3,168 / 0	<b>A/C:</b>	

### Transfer Information

<b>Rec. Date:</b>	07/09/2008	<b>Sale Price:</b>		<b>Doc Num:</b>	13725	<b>Doc Type:</b>	Deed
<b>Owner:</b>	Case Family LLC	<b>Grantor:</b>	CASE WILLIAM C & GAIL K	<b>Title Co:</b>			
<b>Orig. Loan Amt:</b>		<b>Loan Type:</b>		<b>Lender:</b>			
<b>Finance Type:</b>							

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



## Listing Flow Profile

### Standard Section

Building Type	
Site Address	33010 Dever Conner Rd NE Albany, OR 97321
Elem School	Jefferson Elementary School
Middle School	Jefferson Middle School
High School	Jefferson High School
Lot	
Block	
Subdivision	
Lot Acres	83.07 Acres
Lot SqFt	3,618,529 SqFt
Zoning	County-EFU - Exclusive Farm Use
Tax Account #	0040283
Tax Amount	\$25,549.73
Tax Year	2022
Escrow At	AmeriTitle
Soil Type	

### General Section

Beds	5
Baths	
Approx Total Sq Ft	3,168 SqFt
Year Built	
Garage Type	
Garage Capacity	672 SqFt

### Manufactured Home Section

MH Detitled	
MH Type	
MH Make Model	
MH Serial#	

### Broker Info Section

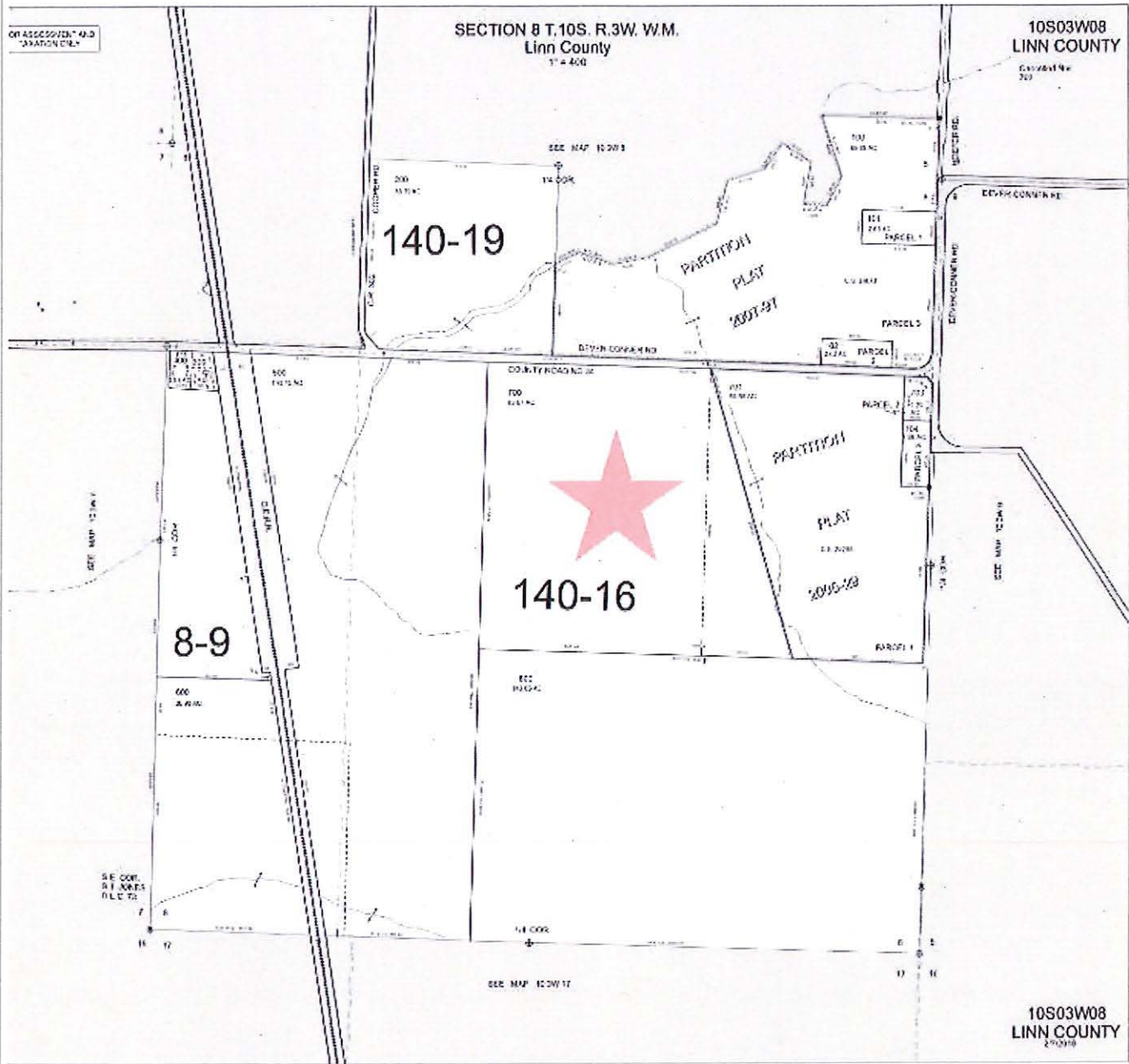
Owner Name(s)	Case Family LLC
---------------	-----------------

### Features Section

Flood Plain	
Foundation	Concrete
Heating	Baseboard Electric
Cooling	
Home Style/Stories	1
Patio	
Roof	Composition Shingle
Siding	WOO - Wood
Swimming Pool	

*Listing Flow Profile. This is an efficiency tool to help you quickly find information when entering a listing on WVMLS.*

Sentry Dynamics, Inc. and its customers make no representations, warranties, or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



Parcel ID: 0040283

Site Address: 33010 Dever Conner Rd NE

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



Parcel ID: 0040283

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



William C. Case and Gail K. Case  
Grantors

Case Family, LLC  
Grantee

After Recording Return to:

Andrew S. Noonan  
Attorney at Law  
P.O. Box 40  
Albany, OR 97321

Until requested otherwise send all tax statements to:

Case Family, LLC  
ATTN: William C. Case  
33010 Dever Conner Dr.  
Albany, OR 97321

LINN COUNTY, OREGON 2008-13725

D-BS 07/09/2008 03:20:13 PM

Cnt=1 Stn=7 M. FISHER \$10.00 \$11.00 \$10.00 \$31.00



I, Steve Druckenmeyer, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmeyer - County Clerk



### BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that *William C. Case and Gail K. Case, husband and wife*, hereinafter called *Grantors*, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto *Case Family LLC, an Oregon limited liability company*, hereinafter called *Grantee*, and unto Grantee's heirs, successors and assigns all of their interest in that property commonly known as 33010 Dever Conner Road, Albany, Linn County, Oregon, and legally described on Exhibit "A" attached hereto.

To Have and to Hold the same unto said Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer is transfer to and capitalization of a limited liability company. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration. In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

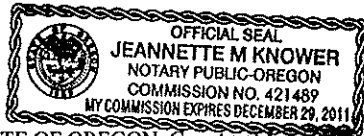
IN WITNESS WHEREOF, the Grantor has executed this instrument this 9<sup>th</sup> day of July, 2008.

*William C. Case*  
William C. Case - Grantor

*Gail K. Case*  
Gail K. Case - Grantor

STATE OF OREGON, County of Linn ) ss.

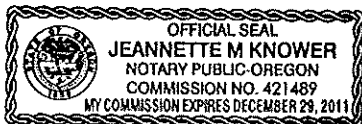
This instrument was acknowledged before me on this 9<sup>th</sup> day of July, 2008, by William C. Case.



*Jeannette M. Knower*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 12/29/2011

STATE OF OREGON, County of Linn ) ss.

This instrument was acknowledged before me on this 9<sup>th</sup> day of July, 2008, by Gail K. Case.



*Jeannette M. Knower*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 12/29/2011

**EXHIBIT "A"**

33010 Dever Conner Rd., Albany, Linn County, Oregon

**PARCEL 1:**

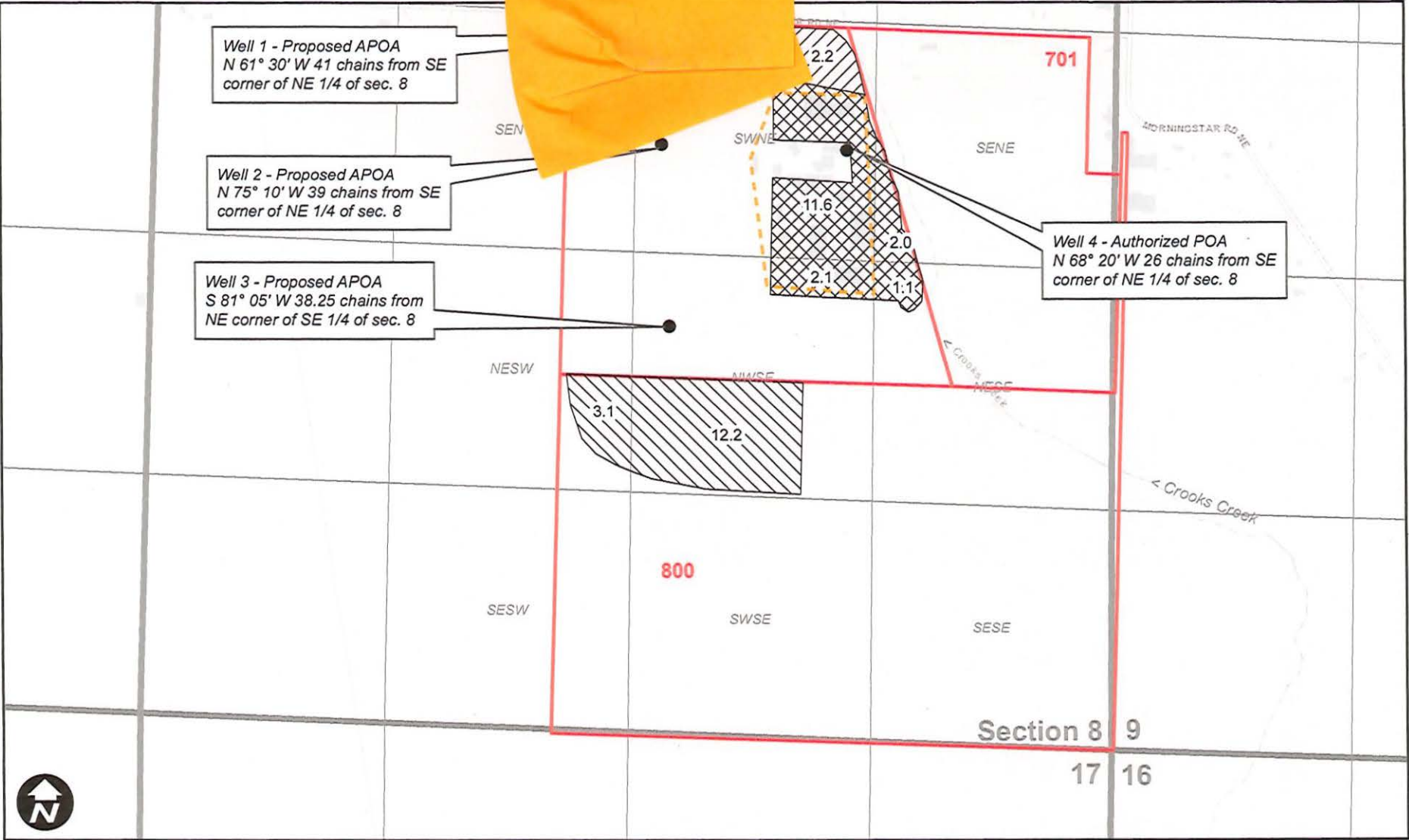
Beginning at a point which is 30 chains North and 23.335 chains West from the Southeast corner of Section 8, Township 10 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon, and running thence West 23.335 chains; thence North 30 chains; thence East 23.335 chains; thence South 30 chains to the place of beginning.

Also: a portion of the property described in deeds volume 128 pages 136 and 137 more particularly described as follows: Beginning at the Southeast corner of Section 8, Township 10 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon, thence: North 00° 12' 09" West along the section line between Sections 8 and 9, said Township and Range, a distance of 1980.00 feet a point, thence South 89° 47' 51" West a distance of 20.00 feet to the Southeast corner of said property, thence continuing South 89° 47' 51" West along the Southerly boundary of said property a distance of 1520.11 feet to the Southwest corner of said property, the true point of beginning, thence North 00° 2' 09" West along the West boundary of said property a distance of 1971.96 feet to the Southerly right-of-way of Dever-Conner Road, County Road No. 34; thence South 17° 47' 18" East, 2068.63 feet to the Southerly boundary of said property; thence South 89° 47' 18" West along said Southerly boundary a distance of 625.00 feet to the true point of beginning

# Groundwater Registration Modification GR 2289 - Case Family LLC

Township 10S, Range 3W, W.M.

T-13693



Well 1 - Proposed APOA  
N 61° 30' W 41 chains from SE  
corner of NE 1/4 of sec. 8

Well 2 - Proposed APOA  
N 75° 10' W 39 chains from SE  
corner of NE 1/4 of sec. 8

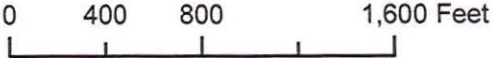
Well 3 - Proposed APOA  
S 81° 05' W 38.25 chains from  
NE corner of SE 1/4 of sec. 8

Well 4 - Authorized POA  
N 68° 20' W 26 chains from SE  
corner of NE 1/4 of sec. 8

### Legend

All GR 2289 1951 Priority Date

- GR 2289 - From - Irrigation
- GR 2289 - To - Agricultural/Industrial
- Tax Lot
- GR 2289 - No Change - Irrigation
- GR 2289 - To - Irrigation



**WILKE Laura K \* WRD**

---

**From:** Grant McGill <grantmcgill.wr@gmail.com>  
**Sent:** Tuesday, August 8, 2023 2:05 PM  
**To:** WILKE Laura K \* WRD  
**Subject:** Re: T-13693 Case Family LLC - DPD Response

Hi Laura,  
I'll check with the applicant on this one to see if there is any mainline we could include on the map.

--  
Grant McGill  
503-931-0210  
15333 Pletzer Rd. SE, Turner, OR 97392  
[www.mcgillwaterrights.com](http://www.mcgillwaterrights.com)



On Tue, Aug 8, 2023 at 11:29 AM WILKE Laura K \* WRD <[Laura.K.WILKE@water.oregon.gov](mailto:Laura.K.WILKE@water.oregon.gov)> wrote:

Grant – I've reviewed the revised map for T-13693. The only thing missing is the existing delivery system features.

By rule, the map needs to include the general location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features. OAR 690-380-3100 (1)(h).

Please submit another revised map by the deadline identified in the cover letter for the Draft Preliminary Determination.

Thanks,

Laura Wilke

Transfer Specialist

---

**From:** Grant McGill <[grantmcgill.wr@gmail.com](mailto:grantmcgill.wr@gmail.com)>  
**Sent:** Monday, August 7, 2023 2:23 PM  
**To:** WILKE Laura K \* WRD <[laura.k.wilke@water.oregon.gov](mailto:laura.k.wilke@water.oregon.gov)>  
**Subject:** T-13693 Case Family LLC - DPD Response

You don't often get email from [grantmcgill.wr@gmail.com](mailto:grantmcgill.wr@gmail.com). [Learn why this is important](#)

Attached please find the amended map.

In the DPD for T-13693, we request the following changes:

- On the cover letter pg. 1, Dever Conner Rd. has an extra "E" in the applicant's address.
- On pg. 1 of the DPD, bottom left, the application number should be "T-13693" instead of T-13697.
- On pg. 2, item 4, under Registration, the GR 2289 was "entirely assigned to Case Family LLC" instead of "partially..."
- On pg. 2, item 6, Well 1 description should be "...30 minutes..." instead of "seconds".
- On pg. 2, item 6, Well 2 description should be "...10 minutes..." instead of "seconds".
- On pg. 2, item 6, Well 3 description should be "...5 minutes..." instead of "seconds".

If you agree with the proposed edits, please proceed with the transfer process. We will have the ownership report to you soon. Thanks!

--

Grant McGill

503-931-0210

15333 Pletzer Rd. SE, Turner, OR 97392

[www.mcgillwaterrights.com](http://www.mcgillwaterrights.com)



**WILKE Laura K \* WRD**

---

**From:** WILKE Laura K \* WRD  
**Sent:** Tuesday, August 8, 2023 11:29 AM  
**To:** 'Grant McGill'  
**Subject:** RE: T-13693 Case Family LLC - DPD Response

Grant – I've reviewed the revised map for T-13693. The only thing missing is the existing delivery system features.

By rule, the map needs to include the general location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features. OAR 690-380-3100 (1)(h).

Please submit another revised map by the deadline identified in the cover letter for the Draft Preliminary Determination.

Thanks,  
Laura Wilke  
Transfer Specialist

---

**From:** Grant McGill <grantmcgill.wr@gmail.com>  
**Sent:** Monday, August 7, 2023 2:23 PM  
**To:** WILKE Laura K \* WRD <laura.k.wilke@water.oregon.gov>  
**Subject:** T-13693 Case Family LLC - DPD Response

You don't often get email from grantmcgill.wr@gmail.com. [Learn why this is important](#)  
Attached please find the amended map.

In the DPD for T-13693, we request the following changes:

- On the cover letter pg. 1, Dever Conner Rd. has an extra "E" in the applicant's address.
- On pg. 1 of the DPD, bottom left, the application number should be "T-13693" instead of T-13697.
- On pg. 2, item 4, under Registration, the GR 2289 was "entirely assigned to Case Family LLC" instead of "partially...".
- On pg. 2, item 6, Well 1 description should be "...30 minutes..." instead of "seconds".
- On pg. 2, item 6, Well 2 description should be "...10 minutes..." instead of "seconds".
- On pg. 2, item 6, Well 3 description should be "...5 minutes..." instead of "seconds".

If you agree with the proposed edits, please proceed with the transfer process. We will have the ownership report to you soon. Thanks!

--  
Grant McGill  
503-931-0210  
15333 Pletzer Rd. SE, Turner, OR 97392  
[www.mcgillwaterrights.com](http://www.mcgillwaterrights.com)



**WILKE Laura K \* WRD**

---

**From:** Grant McGill <grantmcgill.wr@gmail.com>  
**Sent:** Monday, August 7, 2023 2:23 PM  
**To:** WILKE Laura K \* WRD  
**Subject:** T-13693 Case Family LLC - DPD Response  
**Attachments:** T-13693 Map Amended 8-7-23.pdf

You don't often get email from grantmcgill.wr@gmail.com. [Learn why this is important](#)

Attached please find the amended map.

In the DPD for T-13693, we request the following changes:

- On the cover letter pg. 1, Dever Conner Rd. has an extra "E" in the applicant's address.
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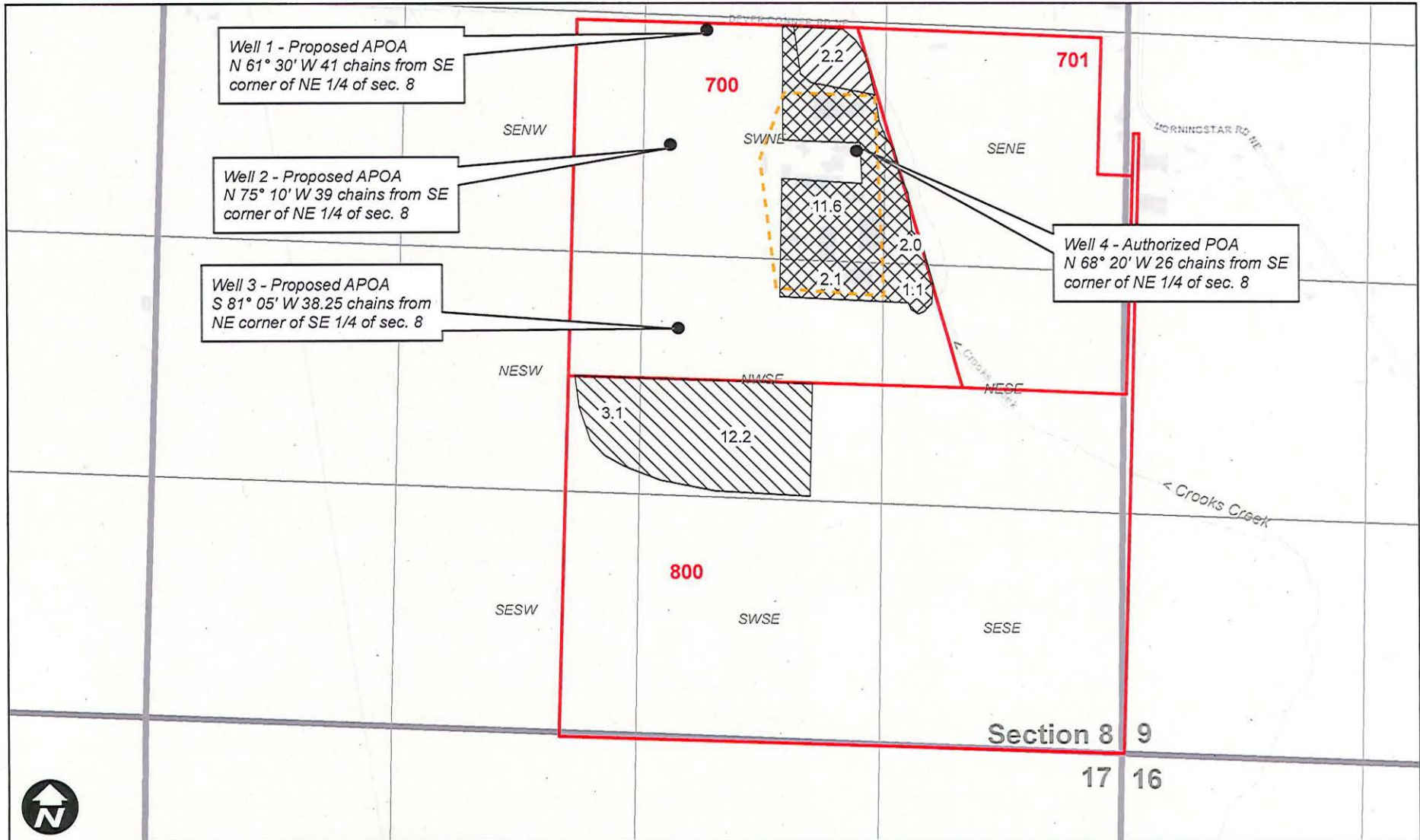
--  
Grant McGill  
503-931-0210  
15333 Pletzer Rd. SE, Turner, OR 97392  
[www.mcgillwaterrights.com](http://www.mcgillwaterrights.com)



**AUG / 7 2023**

# Groundwater Registration Modification Application GR 2289 - Case Family LLC

Township 10S, Range 3W, W.M.



Well 1 - Proposed APOA  
N 61° 30' W 41 chains from SE  
corner of NE 1/4 of sec. 8

Well 2 - Proposed APOA  
N 75° 10' W 39 chains from SE  
corner of NE 1/4 of sec. 8

Well 3 - Proposed APOA  
S 81° 05' W 38.25 chains from  
NE corner of SE 1/4 of sec. 8

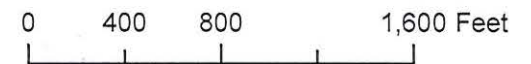
Well 4 - Authorized POA  
N 68° 20' W 26 chains from SE  
corner of NE 1/4 of sec. 8



All GR 2289 1951 Priority Date

## Legend

-  GR 2289 - From - Irrigation
-  GR 2289 - To - Agricultural/Industrial
-  Tax Lot
-  GR 2289 - No Change - Irrigation
-  GR 2289 - To - Irrigation



AUG 17 2023

**WATER RIGHT TRANSFER COVER SHEET**

Transfer: T- 13693

Transfer Specialist:

Transfer Type: GR Modification Transfer

*Laura W*

<b>Applicant:</b> CASE FAMILY LLC 33010 DEVER CONNER RD NE ALBANY, OR 97321 Email: _____ Phone: _____		<b>Agent:</b> <input type="checkbox"/> N/A WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392 Email: _____ Phone: _____	
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____		<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____	
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Linn County Planning Department Email: _____		<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____		<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____	

**Water Rights Affected**

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	GR-2289		GR-2184	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Key Dates & Initial Actions:**

Rec'd: April 28, 2021	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE; USE	
Fees Pd: 1250.00	WM District: 16	ODFW District:
Initial Public Notice: May 11, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: <i>9/11/23</i>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

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

Special Order Volume: Vol. \_\_\_\_\_ Pages \_\_\_\_\_

**WILKE Laura K \* WRD**

---

**From:** WILKE Laura K \* WRD  
**Sent:** Monday, July 31, 2023 2:11 PM  
**To:** 'billcasefarms@gmail.com'; 'willmcgill.surveying@gmail.com'  
**Cc:** STARNES Patrick K \* WRD; WACKER Gregory J \* WRD  
**Subject:** Draft Preliminary Determination for Groundwater Registration Application T-13693  
**Attachments:** T-13693-DPD-cov-deney.pdf; T-13693-dpd-deney.doc.pdf

Greetings – the Draft Preliminary Determination for Groundwater Registration Application T-13693 has been completed and is attached for your review along with a cover letter.

Please respond with the requested information by **August 30, 2023**. And if you have any question, please give me a call or email. Please be aware that I only work part time. If you are unable to reach me, you may also contact Kelly Starnes at 503-979-3511 or [Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov).

Laura Wilke  
Transfer Caseworker  
Ph: (971) 375-7492



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

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

August 1, 2023

VIA E-MAIL

### Applicant

CASE FAMILY LLC

33010 DEVER CONNEER RD NE

ALBANY, OR 97321

SUBJECT: Groundwater Registration Modification T-13693

Please find enclosed a draft of our Preliminary Determination regarding Groundwater Registration Modification T-13693. The document reflects the Department's conclusion that, based on the information currently available, the modification will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the modification because the application map does not meet the requirements of OAR 690-382-0400(11). The map issues that we have identified could be resolved by amending the map to show:

- The direction of flow for Crooks Creek, and
- Labeling for the proposed use, and
- Labeling for the priority date, and
- Existing roads and delivery system for the current authorized use.

At this point, you may decide to continue processing the application (see below), or to send a letter requesting to withdraw the transfer application.

**If you wish to proceed with your application, you must submit the following:**

1. **Provide an amended map** by August 30, 2023, that contains the map information described above or a written statement that indicates you wish to protest a Preliminary Determination to deny the transfer.
2. **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_to_transfer_form.pdf)
6. Notice of this modification will need to be published in a newspaper with general circulation in the area where the registration is currently located. You will be responsible for the charges. Please provide the name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

#### **What happens next...**

Once the Preliminary Determination is issued a publication period is required. Because of a change in character of use, the Department will publish notice of the modification in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below). As outlined in OAR 690-382-0800(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

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

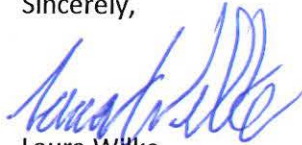
1. Amended application map(s) that resolves the issues that we have identified or a written request (e-mail is acceptable) that we proceed with processing of the application, and
2. The Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the modification 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; and

3. The name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

**If we do not receive the items listed above by August 30, 2023, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at (971) 375-7492 or [Laura.K.Wilke@water.oregon.gov](mailto:Laura.K.Wilke@water.oregon.gov) if I may be of assistance. Please note that I only work part time. If you are unable to reach me, please contact Kelly Starnes at 503-979-3511 or [Patrick.K.STARNES@water.oregon.gov](mailto:Patrick.K.STARNES@water.oregon.gov).

Sincerely,



Laura Wilke

Transfer Specialist

Transfer and Conservation Section

cc: GR Modification application file T-13693  
Greg Wacker, District 16 Watermaster (*via e-mail*)  
Will McGill Surveying LLC, agent for the applicant (*via e-mail*)

enc

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

In the Matter of Groundwater Registration )  
Modification Application T-13693, )  
Linn County )

**D R A F T**      PRELIMINARY  
DETERMINATION PROPOSING DENIAL OF  
RECOGNITION OF ADDITIONAL POINTS OF  
APPROPRIATION, MODIFICATION IN  
PLACE OF USE, AND MODIFICATION OF  
CHARACTER OF USE

**Authority**

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

**Applicant**

CASE FAMILY LLC  
33010 DEVER CONNEER RD NE  
ALBANY, OR 97321

**Findings of Fact**

1. On April 28, 2021, Case Family LLC filed a groundwater registration modification for additional points of appropriation, modification in the place of use, and modification in character of use under Groundwater Registration Application 2289 (Certificate of Registration GR-2184). The Department assigned the application number T-13693.
2. On May 4, 2021, Groundwater Registration Application 2289 (Certificate of Registration GR-2184) was assigned from M.C. Case to Case Family LLC.
3. Notice of the application for groundwater registration modification was published on May 11, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

4. The portion of the groundwater registration to be modified is as follows:

**Registration:** Application GR-2289 (Certificate of Registration GR-2184), in the name of M. C. CASE (*partially assigned to Case Family LLC*)

**Use:** IRRIGATION OF 19.0 ACRES

**Tentative**

**Priority Date:** 1951

**Rate:** 200.0 GALLONS PER MINUTE (GPM)

**Duty:** 57.0 Acre-Feet (AF)

**Source:** PUMP WELL NO. 4 in the CROOKS CREEK BASIN

**Original Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	PUMP WELL NO. 4: NORTH 68 DEGREES 20 MINUTES WEST 26 CHAINS FROM THE SE CORNER OF THE NE $\frac{1}{4}$ CORNER OF SECTION 8

**Original Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	SW NE	13.80
10 S	3 W	WM	8	SE NE	2.00
10 S	3 W	WM	8	NE SE	1.10
10 S	3 W	WM	8	NW SE	2.10
Total Acres					19.00

5. Groundwater Registration GR-2289 (Certificate of Registration GR-2184) does not identify the irrigation season. The Willamette Basin Program identifies the general Irrigation Season as March 1 through October 31. OAR 690-502-0040(6)
6. Groundwater Registration Modification Application T-13693 proposes three additional points of appropriation approximately 0.20 to 0.26 mile from the original well:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 1: NORTH 61 DEGREES 30 SECONDS 41 CHAINS FROM THE SE CORNER OF THE NE $\frac{1}{4}$ CORNER OF SECTION 8
10 S	3 W	WM	8	SW NE	WELL 2: NORTH 75 DEGREES 10 SECONDS 39 CHAINS FROM THE SE CORNER OF THE NE $\frac{1}{4}$ CORNER OF SECTION 8
10 S	3 W	WM	8	NW SE	WELL 3: SOUTH 81 DEGREES 5 SECONDS 38.25 CHAINS FROM THE NE CORNER OF THE SE $\frac{1}{4}$ CORNER OF SECTION 8

7. Groundwater Registration Modification Application T-13693 also proposes to modify the location of the place of use of 15.3 acres of Irrigation use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	NE SW	3.10
10 S	3 W	WM	8	NW SE	12.20
Total Acres					15.30

8. Groundwater Registration Modification Application T-13693 proposes to modify the place of use and character of use of 1.5 acres of Irrigation use to:

AGRICULTURAL/INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Q-Q	
10 S	3 W	WM	8	SW NE	
10 S	3 W	WM	8	NW SE	

***Review Criteria for Groundwater Registration Modification Applications  
[OAR 690-382-0100(10), 690-382-0700(2), 690-382-1000(1) and 690-380-2110(2)]***

9. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which stream flows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
10. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
11. The proposed modifications would not result in enlargement of the groundwater registration, with the following limitations:
- a) Use of water for Agriculture/Industrial use shall be limited to the time period March 1 through October 31.
  - b) Use of water for Agriculture/Industrial use shall be limited to no more than 16.0 GPM and 4.5 AF annually. The remaining balance of water under Groundwater Registration GR-2289 (184.0 GPM and 52.5 AF), continues to be available for 17.5 acres of Irrigation use.
12. The proposed modifications to the groundwater registration would not result in injury to other water rights.
13. The application is incomplete because the application map does not meet the requirements of OAR 690-382-0400(11). The application map does not show the direction of flow for Crooks Creek. In addition, the application map needs to include the use type, not just the Agriculture/Industrial use, and priority date. The application map should also show existing roads and the delivery system for irrigation. Therefore, all other application requirements are not met.

## Determination and Proposed Action

The additional points of appropriation, modification in place of use, and modification in character of use proposed in Groundwater Registration Modification T-13693 appear to be not consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900 or the application deficiencies are not resolved, the modification will be denied.

*If the issues identified above are resolved and Groundwater Registration Modification Application T-13693 is approved, the final order will include the following:*

- 1. The modifications to Registration Application GR-2289 (Certificate of Registration GR-2184) proposed in Groundwater Registration Modification Application T-13693 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.*
- 2. 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 Registration Application GR-2289 (Certificate of Registration GR-2184) and any related decree.*
- 3. Approval of this groundwater registration modification application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation and the new place of use.*
- 4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 5. The combined quantity of water diverted at the proposed additional points of appropriation (Wells 1, 2, and 3), together with that diverted at the original point of appropriation (Pump Well No. 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (Pump Well No. 4). The use of water for the proposed agricultural/industrial use shall be limited to a rate of diversion of 16.0 GPM and shall be further limited to a total quantity diverted of 4.5 AF during the time period from March 1 to October 31 of each year.*
- 6. The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.*

Dated in Salem, Oregon on

# D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Laura Wilke. If you have questions about the information in this document, you may reach me at (971) 375-7492 or [Laura.K.Wilke@water.oregon.gov](mailto:Laura.K.Wilke@water.oregon.gov).

**WATER RIGHT TRANSFER COVER SHEET**

Transfer: T- 13693

Transfer Specialist:

Transfer Type: GR Modification Transfer

<b>Applicant:</b> CASE FAMILY LLC 33010 DEVER CONNER RD NE ALBANY, OR 97321 Email: _____ Phone: _____	<b>Agent:</b> <input type="checkbox"/> N/A WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392 Email: _____ Phone: _____
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____	<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Linn County Planning Department Email: _____	<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____	<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____

**Water Rights Affected**

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	GR-2289		GR-2184	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Key Dates & Initial Actions:**

Rec'd: April 28, 2021	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE; USE	
Fees Pd: 1250.00	WM District: 16	ODFW District:
Initial Public Notice: May 11, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

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

Special Order Volume: Vol. \_\_\_\_\_ Pages \_\_\_\_\_

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 13693

GW Reviewer Phillip I. Marcy Date Review Completed: 08/24/2021

## 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-13693

Applicant Name: Case Family LLC

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

Reviewer(s): Phillip I. Marcy

Date of Review: 08/24/2021

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 9/18/21

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 move a portion of GR 2289 to irrigated areas, while converting a portion of the existing right to agricultural and industrial use, in addition to adding three existing APOA wells.
  2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes     No    Comments: APOA wells (LINN 4614, LINN 4613, and LINN 4619) produce from shallow alluvium, as does authorized POA LINN 4615.
  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: Proposed APOA LINN 4614 is significantly closer to nearby well LINN 4606 than the currently authorized POA well. LINN 4606 is the authorized POA under groundwater claim GR-919. The mapped locations of these wells puts them at 115 feet away from one another.  
 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: Given the fairly low authorized rate for GR-2289 (0.4456 CFS) and the combination of high transmissivity and high storativity of the unconfined alluvial aquifer, anticipated drawdown resulting from pumping at LINN 4614 is minimal at LINN 4606, with a range of scenarios producing less than 3 feet of likely drawdown.

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 APOA locations do not move the bulk of pumping significantly closer to any 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: NA  Minimal  Significant

Stream: NA  Minimal  Significant

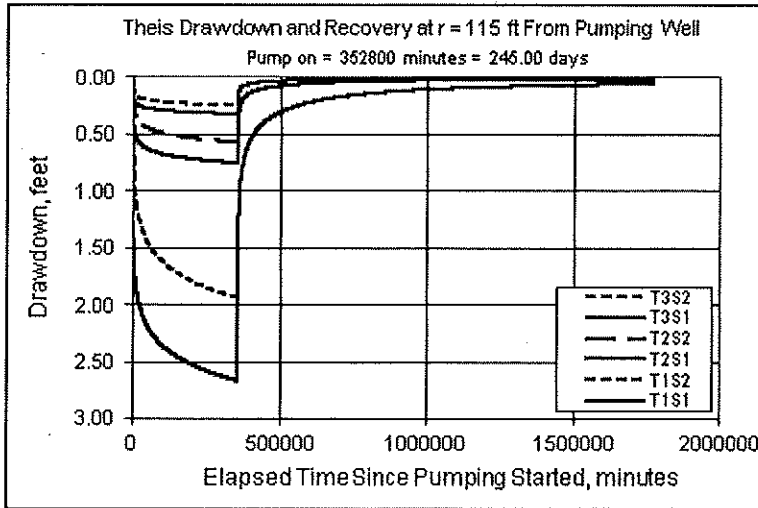
Provide context for minimal/significant impact: There are no perennial surface water sources nearby to either the authorized POA or proposed APOA wells.

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?

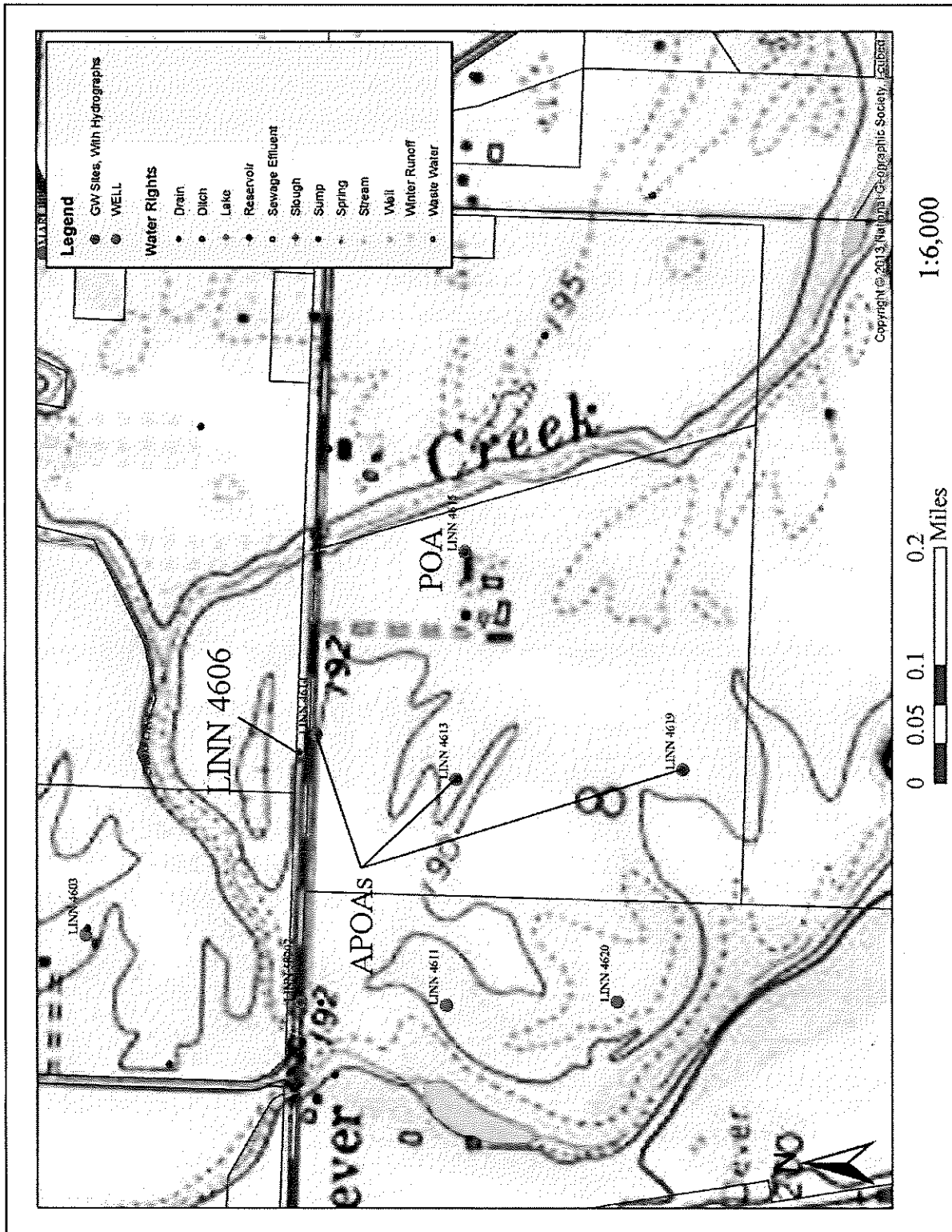
Yes  No Comments: NA

7. What conditions or other changes in the application are necessary to address any potential issues identified above: None

8. Any additional comments: \_\_\_\_\_



Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units
Total pumping time	t		245		d
Radial distance from pumped well:	r		115		ft
Pumping rate	Q		0.4456		cfs
Hydraulic conductivity	K	50	200	500	ft/day
Aquifer thickness	b		250		ft
Storativity	S_1		0.01		
	S_2		0.2		
Transmissivity Conversions	T_ftpd	12500	50000	125000	ft <sup>2</sup> /day
	T_ftpm	8680556	3472222	8680556	ft <sup>2</sup> /min
	T_gpdft	93500	374000	935000	gpd/ft



# 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-13693

Review Due Date: 06/24/2021

Applicant Name: Case Family LLC

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): G. Wacker

Date of Review: 06/24/2021

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

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

N/A

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

N/A

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

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

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

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

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

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

Yes  No If "Yes", explain:

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

Yes  No If "Yes", answer the following:

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

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

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

iv. Do you have any other observations regarding the temporary transfer?

Yes  No If "Yes", describe:

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

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

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

Yes  No If "Yes", explain:

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

Yes  No If "Yes", explain:

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

Yes  No If "Yes", explain:

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

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

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

A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

- Weir
- Parshall Flume
- Other: \_\_\_\_\_
- Submerged Orifice
- Flow Restrictor



**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 # **135113**

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

RECEIVED FROM: Will McGill Surveying, LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-13693</u>

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

CASH:  CHECK: # 1834 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,250.00

**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**

<b>MISCELLANEOUS</b>		<u>46110</u>	
0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY)	\$	
TC162	DEPOSIT LIAB. (IDENTIFY)	\$	
0240	EXTENSION OF TIME	\$	
<b>WATER RIGHTS:</b>			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$ <u>1,250.00</u>	0204 \$
<b>WELL CONSTRUCTION</b>		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
_____	LANDOWNER'S PERMIT		0220 \$
_____	OTHER (IDENTIFY)		

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

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY)			

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **135113** DATED: 4-28-2021 BY: Mindy Coakley

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



State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900

# Application for Groundwater Registration Modification

## Part 1 of 5 – Minimum Requirements Checklist

**This Groundwater Registration Modification application will be returned if Parts 1 through 4 and all required attachments are not completed and included.**  
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Completed Applicant Information and Signature.
- Part 4 – Completed Groundwater Registration Modification Application – Groundwater Registration Information. (Only one Groundwater registration per application, unless the Groundwater registrations to be modified are layered).
- Completed Groundwater Registration Modification Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Groundwater registration modification fees – Amount enclosed: \$ 1,250. (\$875.00 for a place of use change only; \$1,250.00 for any other change or combination).

**Attachments:**

- N/A Request for Assignment Form and statutory fee. This form needs to be completed if the applicant owns the land to which the registration is appurtenant and is **not** the registration certificate holder of record. The Request for Assignment Form is available at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>.  
 Assignment is not needed for any person or entity who can demonstrate authorization to request recognition of a modification (e.g. legal representative, power of attorney, agent, etc.) **or** the applicant is named on the certificate of registration, or has been assigned to the certificate of registration.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(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	___ Assignment Form and fee not enclosed/insufficient
___ Additional signature(s) required	___ Part ___ is incomplete

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

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_ Date: / /

13693 -

## Part 2 of 4 – Groundwater Registration Modification Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- 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 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 appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes hachuring, 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 registration is being changed, a separate hachuring is needed for the portion of the registration left unchanged.
- N/A If you are proposing a modification in place of use, show the proposed place of use with hachuring including 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 appropriation with distance and bearing or coordinates from a recognized survey corner.
- N/A If you are proposing a modification in point(s) of appropriation, 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 4 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Case Family LLC</b>			PHONE NO. <b>(541) 979-6236</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>33010 Dever Conner Rd. NE</b>			FAX NO.	
CITY <b>Albany</b>	STATE <b>OR</b>	ZIP <b>97321</b>	E-MAIL <b>billcasefarms@gmail.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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

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

Explain in your own words what you propose to accomplish with this modification; and why:  
*It is proposed to move a portion of GR 2289 to irrigated areas and convert a portion to Agricultural and Industrial use for processing vegetables while adding Wells 1, 2, & 3 as APOAs.*

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

(Check one box)

- By signing this application, I (we) understand that, upon receipt of the draft preliminary determination and prior to Department approval of the Groundwater modification, I (we) will be required to provide landownership information and evidence that I am authorized to pursue the modification as identified in OAR 690-382-0400(16)(a);  
**OR**
- I (we) 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 (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the Groundwater registration proposed for modification is appurtenant by condemnation and have attached supporting documentation.

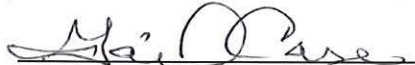
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I understand that prior to Department approval of the groundwater registration modification, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the groundwater registration 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 paper: Albany Democrat-Herald.

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

  
Applicant Signature

Coil Case Sec  
Print Name (and Title if applicable)

4/23/2021  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name (and Title if applicable)

\_\_\_\_\_  
Date

Is the applicant the sole owner of the land on which the Groundwater registration modification or portion thereof, 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 Groundwater registration has been conveyed.*

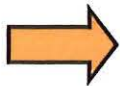
**Check the appropriate box, if applicable:**

- Check here if the Groundwater registration proposed for modification is or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

- Check here if water for the Groundwater registration is supplied under a water service agreement or other contract with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>Linn County</b>	ADDRESS <b>300 SW 4<sup>th</sup> Ave.</b>	
CITY <b>Albany</b>	STATE <b>OR</b>	ZIP <b>97321</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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## Part 4 of 4 – Groundwater Registration Information

### CERTIFICATE OF REGISTRATION # GR 2289

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

(Note: If the POA name is not specified in the registration, assign it a name or number here.)

POA Name or Number	Is this POA Authorized by the registration or is it Proposed?	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 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN 4615	10	S	3	W	8	SW	NE	700	N 68° 20' W 26 chains from SE corner of NE ¼ of sec. 8
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4614	10	S	3	W	8	SW	NE	700	N 61° 30' W 41 chains from SE corner of NE ¼ of sec. 8
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4613	10	S	3	W	8	SW	NE	700	N 75° 10' W 39 chains from SE corner of NE ¼ of sec. 8
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4619	10	S	3	W	8	NW	SE	700	S 81° 05' W 38.25 chains from NE corner of SE ¼ of sec. 8

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU)     | <input type="checkbox"/> Point of Appropriation (well) (POA)                 |
| <input checked="" type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |

Will all of the proposed changes affect the entire Groundwater registration?

- Yes Complete only the proposed ("to" 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 registration to be changed.

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**Table 2. Description of Modifications to Registration GR-2289 (Certificate # GR-2184)**

List only the part of the registration that will be modified. For the acreage in each ¼ ¼, list the modification proposed. If more than one modification, specify the acreage associated with each modification. If more than one POA, specify the acreage associated with each POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears in the registration BEFORE PROPOSED CHANGES List only that part or portion of the groundwater registration 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	Acre	Type of USE listed on Certificate	POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POA(s) to be used (from Table 1)	Priority Date				
10	S	3	W	8	SW	NE	700		13.8	Irrigation	Well 4	1951	APOA	10	S	3	W	8	SW	NE	700		2.2	Irrigation	Well 1, 2, 3, 4	1951
10	S	3	W	8	SE	NE	700		2.0	Irrigation	Well 4	1951	APOA, POU	10	S	3	W	8	NW	SE	800		12.2	Irrigation	Well 1, 2, 3, 4	1951
10	S	3	W	8	NW	SE	700		2.1	Irrigation	Well 4	1951	APOA, POU	10	S	3	W	8	NE	SW	800		3.1	Irrigation	Well 1, 2, 3, 4	1951
10	S	3	W	8	NE	SE	700		1.1	Irrigation	Well 4	1951	APOA, POU, USE	10	S	3	W	8	SW	NE	700		N/A	Agricultural & Industrial	Well 1, 2, 3, 4	1951
													APOA, POU, USE	10	S	3	W	8	NW	SE	700		N/A	Agricultural & Industrial	Well 1, 2, 3, 4	1951
TOTAL ACRES							19.0	TOTAL ACRES							17.5											

Additional remarks: The 1.5-acre discrepancy between the from and to total acreages is due to the conversion from irrigation to agricultural and industrial use. The 1.5-acre portion will be used as 15.8 gpm for agricultural and industrial use in the SWNE and NWSE of Section 8.

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**Groundwater Registration # GR-2289 (Certificate # GR-2184)**

**For a modification in place of use or character of use:**

**Are there other water right certificates, water use permits, or Groundwater registrations associated with the “from” or “to” lands?**  Yes  No

If YES, list the other certificate, water use permit, or other Groundwater registration numbers:



Pursuant to OAR 690-382-0200, any “layered” water use, such as an irrigation right that is supplemental to a primary irrigation right proposed for transfer, must be concurrently transferred with the registration or be cancelled. Any change to a water right must be filed separately in a transfer application. Any change to a water use permit must be filed separately with a permit amendment. Any modification to a Groundwater registration on the “to” lands must be filed separately with a Groundwater registration modification.

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

Well log(s) are attached for each well 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/](http://apps.wrd.state.or.us/apps/gw/well_log/))

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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.

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**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 adequate information is likely to delay the processing of your modification 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

## Business Registry Business Name Search

02-09-2021

13:27

[New Search](#)

## Business Entity Data

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
524071-95	DLLC	ACT	OREGON	05-30-2008	05-30-2021	
<b>Entity Name</b>	CASE FAMILY, LLC					
<b>Foreign Name</b>						

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[New Search](#)

## Associated Names

OWRD

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
<b>Addr 1</b>	33010 DEVER-CONNER RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	ALBANY	OR	97321	<b>Country</b>	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	04-30-2015	Resign Date	
<b>Name</b>	WILLIAM	COLEMAN	CASE			
<b>Addr 1</b>	33010 DEVER CONNER RD NE					
<b>Addr 2</b>						
<b>CSZ</b>	ALBANY	OR	97321	<b>Country</b>	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS			
<b>Addr 1</b>	33010 DEVER CONNER RD NE				
<b>Addr 2</b>					
<b>CSZ</b>	ALBANY	OR	97321	<b>Country</b>	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
<b>Not of Record</b>	THE WILLIAM C. CASE REVOCABLE LIVING TRUST DTD 5-21-1993					
<b>Addr 1</b>	33010 DEVER-CONNER RD NE					
<b>Addr 2</b>						
<b>CSZ</b>	ALBANY	OR	97321	<b>Country</b>	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
<b>Not of Record</b>	THE GAIL K. CASE REVOCABLE LIVING TURST DTD 5-21-1993					
<b>Addr 1</b>	33010 DEVER-CONNER RD NE					
<b>Addr 2</b>						
<b>CSZ</b>	ALBANY	OR	97321	<b>Country</b>	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
<b>Name</b>	WILLIAM	COLEMAN	CASE			
<b>Addr 1</b>	33010 DEVER CONNER RD NE					
<b>Addr 2</b>						
<b>CSZ</b>				<b>Country</b>		



Phone: (503) 986-2200  
Fax: (503) 378-4381

Articles of Amendment/Dissolution—Limited Liability Company

Secretary of State  
Corporation Division  
255 Capitol St. NE, Suite 151  
Salem, OR 97310-1327  
FilingInOregon.com

Check the appropriate box below:  
 ARTICLES OF AMENDMENT  
(Complete only 1, 2, 3, 6, 7)  
 ARTICLES OF DISSOLUTION  
(Complete only 4, 5, 6, 7)

REGISTRY NUMBER: 524071-95

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record.  
We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

ARTICLES OF AMENDMENT ONLY

1) ENTITY NAME

CASE FAMILY, LLC

2) THE FOLLOWING AMENDMENT(S) TO THE ARTICLES OF ORGANIZATION IS MADE HEREBY. (State the article number(s) and set forth the article(s) as it is amended to read.)

Article VI: The names and addresses of the owners/members are:

The William C. Case Revocable Living Trust dated May 21, 1993; and

The Gail K. Case Revocable Living Trust dated May 21, 1993

33010 Dever-Conner Rd. NE

Albany, OR 97321

3) PLEASE CHECK THE APPROPRIATE STATEMENT

This amendment was adopted by the manager(s) without member action. Member action was not required.

Date of adoption of each amendment: 06/01/2008

This amendment(s) was approved by the members. \_\_\_\_\_ percent of the members approved the amendment(s).

Date of adoption of each amendment: \_\_\_\_\_

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APR 28 2021

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ARTICLES OF DISSOLUTION ONLY

4) NAME OF LIMITED LIABILITY COMPANY \_\_\_\_\_

5) DATE OF DISSOLUTION \_\_\_\_\_

6) EXECUTION (Must be signed by at least one member or manager.)

Signature  
William C. Case

Printed Name  
William C. Case, Trustee

Title  
Operating Manager

7) CONTACT NAME (To resolve questions with this filing.)

Andrew S. Noonan

DAYTIME PHONE NUMBER (Include area code.)

(541) 926-5504

FEES

Required Processing Fee \$50  
Confirmation Copy (Optional) \$5

Processing Fees are nonrefundable.

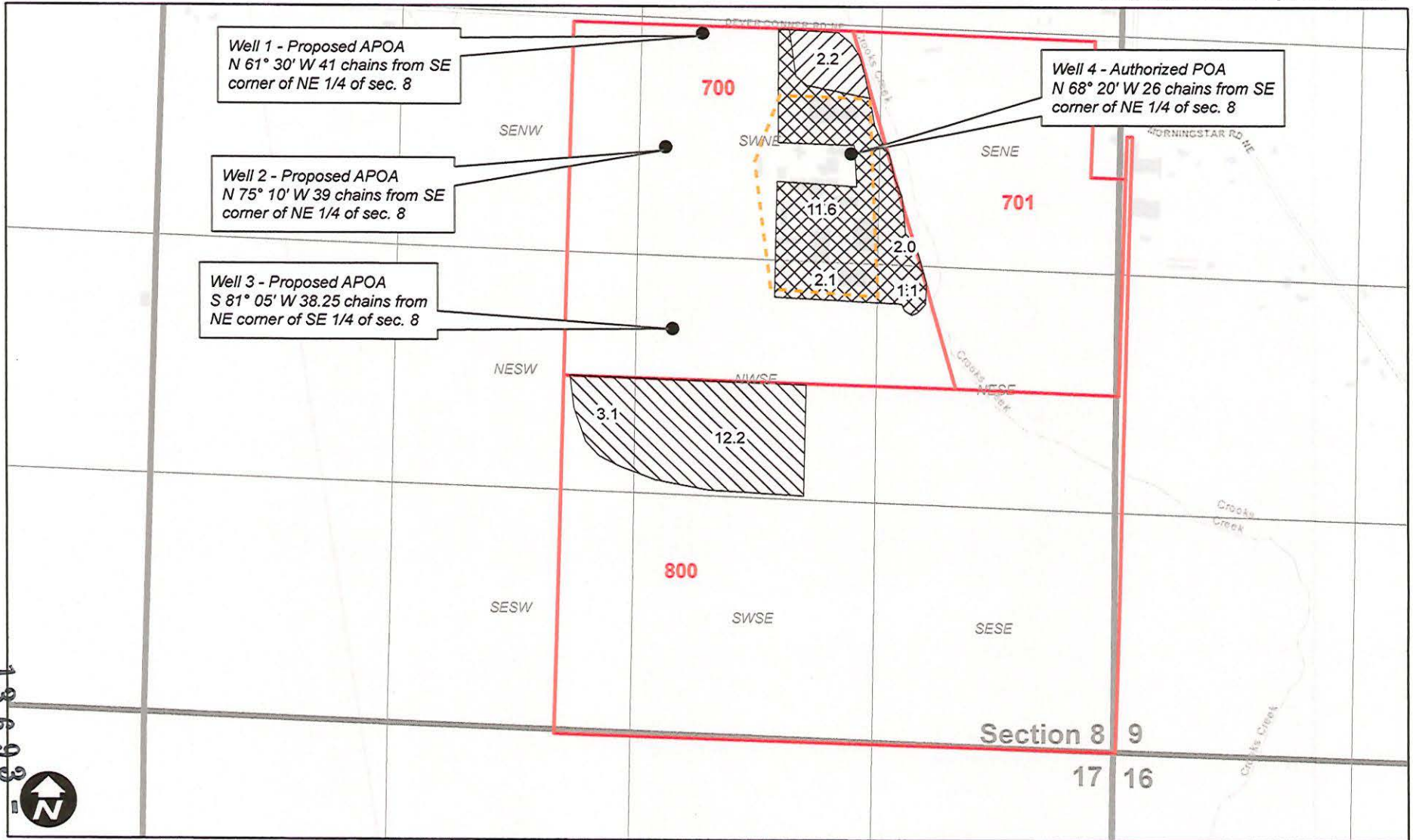
Please make check payable to  
"Corporation Division."

NOTE:

Fees may be paid with VISA or MasterCard. The card number and expiration date should be submitted on a separate sheet for your protection.

# Groundwater Registration Modification Application GR 2289 - Case Family LLC

Township 10S, Range 3W, W.M.



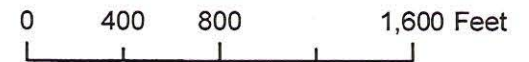
## Legend

- GR 2289 - From
- GR 2289 - To - Agricultural/Industrial
- Tax Lot
- GR 2289 - No Change
- GR 2289 - To - Irrigation

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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.wrd.state.or.us

Applicant(s): Case Family LLC

PD21-0102

Mailing Address: 33010 Dever Conner Rd. NE

City: Albany

State: OR

Zip Code: 97321

Daytime Phone: (541) 979-6236

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>10S</u>	<u>3W</u>	<u>8</u>	<u>SWNE</u>	<u>700</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming &amp; processing</u>
<u>10S</u>	<u>3W</u>	<u>8</u>	<u>NWSE</u>	<u>700</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>farming &amp; processing</u>
<u>10S</u>	<u>3W</u>	<u>8</u>	<u>NWSE NESW</u>	<u>800</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming</u>

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

Linn 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: 200    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 Agricultural

Briefly describe:

It is proposed to move a portion of GR 2289 to tax lot 800 to cover crops with irrigation water from Wells 1, 2, 3, and 4. It is also proposed to convert a small portion of GR 2289 to agricultural and industrial use for processing vegetables.

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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. →

13693 -

# 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:	
		<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.

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Name: Ashley Huyberger OWRD Title: Assistant Planner

Signature:  Phone: 541-967-3816 Date: 4/22/2021

Government Entity: Lin County

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

**Receipt for Request for Land Use Information**

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

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

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



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE Ste A

Salem, OR 97301-1266

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

May 4, 2021

Will McGill Surveying LLC  
15333 Pletzer Rd. SE  
Turner, OR 97392

Reference: Application GR-2289, Registration GR-2184

The assignment by proof from M. C. Case to Case Family LLC has been recorded in the records of the Water Resources Department.

The Departments records will now show Case Family LLC as the registration holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 135111 covering the recording fee is also enclosed.

A registration is not a perfected water right, and will in the future be adjudicated.

Sincerely,

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

Enclosure: Original Request and Receipt #135111

cc: Case Family LLC – 33010 Dever Conner Rd. NE, Albany, OR 97321  
Data Center, OWRD (cover letter & request)  
File



STATE ENGINEER  
Salem, Oregon

LINN  
4614

# Well Record

well 1

STATE WELL NO. 10/3W - 8G  
COUNTY LINN  
APPLICATION NO. GR-2286

OWNER: M. C. Case MAILING ADDRESS: Rt. 2, Box 393

LOCATION OF WELL: Owner's No. No. 1 CITY AND STATE: Albany, Oregon

SW 1/4 NE 1/4 Sec. 8 T. 10 N. S, R. 3 E. W., W.M.

Bearing and distance from section or subdivision corner N. 61° 30' W. 41 chains from SE corner.


Section .....

Altitude at well .....

TYPE OF WELL: Drilled Date Constructed 1946

Depth drilled 22 Depth cased 22

### CASING RECORD:

8-inch

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### FINISH:

OWRD

Perforations from 15 to 22

### AQUIFERS:

### WATER LEVEL:

7-feet

PUMPING EQUIPMENT: Type Fairbanks Morse 2" Centrifugal H.P. 10  
Capacity 300 G.P.M.

### WELL TESTS:

Drawdown 4 ft. after ..... hours Pumping 400 G.P.M.  
Drawdown ..... ft. after ..... hours ..... G.P.M.

USE OF WATER Irrigation Temp. °F. ...., 19

SOURCE OF INFORMATION GR-2179

DRILLER or DIGGER T. J. Burkhart, 1235 W. 15th St., Albany, Oregon

### ADDITIONAL DATA:

Log ..... Water Level Measurements ..... Chemical Analysis ..... Aquifer Test .....

### REMARKS:

13693 -

STATE ENGINEER  
Salem, Oregon

LINN  
4613

# Well Record

Well 2

STATE WELL NO. 10/3W - 8G  
COUNTY LINN  
APPLICATION NO. GR-2287

OWNER: M. C. Case  
MAILING ADDRESS: Rt. 2, Box 393,

LOCATION OF WELL: Owner's No. No. 2  
CITY AND STATE: Albany, Oregon

SW 1/4 NE 1/4 Sec. 8 T. 10 N. S, R. 3 W., W.M.

Bearing and distance from section or subdivision corner N. 75° 10' W. 39 chains from SE corner.


Section

Altitude at well

TYPE OF WELL: Drilled Date Constructed 1945

Depth drilled 22 Depth cased 22

### CASING RECORD:

8-inch

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### FINISH:

OWRD

Perforations from 15 to 22

### AQUIFERS:

### WATER LEVEL:

7-feet

PUMPING EQUIPMENT: Type Fairbanks Morse 3" Centrifugal H.P. 15  
Capacity 350 G.P.M.

### WELL TESTS:

Drawdown ft. after hours Pumping 400 G.P.M.  
Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F. 19

SOURCE OF INFORMATION GR-2180  
DRILLER or DIGGER T. J. Burkhart, 1235 W. 15th., Albany, Oregon

### ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

### REMARKS:

STATE ENGINEER  
Salem, Oregon

LINN  
4619  
Well 3

# Well Record

STATE WELL NO. 10/3W - 8K  
COUNTY LINN  
APPLICATION NO. GR-2288

OWNER: M. G. Case

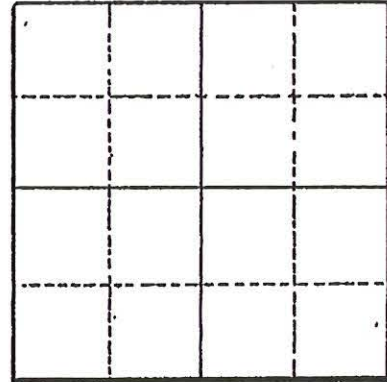
MAILING ADDRESS: Rt. 2, Box 393

LOCATION OF WELL: Owner's No. #3

CITY AND STATE: Albany, Oregon

NW 1/4 SE 1/4 Sec. 8 T. 10 N. S., R. 3 E. W., W.M.

Bearing and distance from section or subdivision corner S. 81° 05' W. 38.25 chains.



Section .....

Altitude at well .....

TYPE OF WELL: Driven Date Constructed 1941

Depth drilled 25 Depth cased 25

### CASING RECORD:

4-inch

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### FINISH:

Perforations from 16 to 25

### AQUIFERS:

### WATER LEVEL:

9-feet

PUMPING EQUIPMENT: Type 3" Centrifugal H.P. ....  
Capacity 300 G.P.M.

### WELL TESTS:

Drawdown 10 ft. after ..... hours Pumping 300 G.P.M.  
Drawdown ..... ft. after ..... hours ..... G.P.M.

USE OF WATER Irrigation Temp. °F. ...., 19

SOURCE OF INFORMATION GR-2183

DRILLER or DIGGER M. G. Case, Rt. 2, Box 393, Albany, Oregon

### ADDITIONAL DATA:

Log ..... Water Level Measurements ..... Chemical Analysis ..... Aquifer Test .....

### REMARKS:

13693 -

STATE ENGINEER  
Salem, Oregon

LTNN  
4615

# Well Record

well 4

STATE WELL NO. 10/3W - 8G  
COUNTY LINN  
APPLICATION NO. GR-2289

OWNER: M. G. Case

MAILING ADDRESS: Rt. 2, Box 383

LOCATION OF WELL: Owner's No. #4

CITY AND STATE: Albany, Oregon

SW ¼ NE ¼ Sec. 8 T. 10 N. S. R. 3 E. W.M.

Bearing and distance from section or subdivision corner N. 68° 20' W. 26 chains.


Altitude at well

TYPE OF WELL: Drilled Date Constructed 1951

Depth drilled 22 Depth cased 22

Section

### CASING RECORD:

8-inch

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### FINISH:

Perforations from 14 to 22

OWRD

### AQUIFERS:

### WATER LEVEL:

7-feet

PUMPING EQUIPMENT: Type Fairbanks Morse 2" Centrifugal H.P. 10  
Capacity 250 G.P.M.

### WELL TESTS:

Drawdown 5 ft. after hours Pumping 400 G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F. 19

SOURCE OF INFORMATION GR-2184

DRILLER or DIGGER Nicholas Klaus, Rt. 4, Albany, Oregon

### ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

### REMARKS:

13693 -

# Groundwater Registration Modification (GR Mod) Application Checklist

Checked by JRM Date 5/3/2021

(If OK, check box to left; if not, fill in the blank)

1. Is the name of the GR Mod applicant(s) the same as the GR claim holder(s) of record?  
If not, one of the following must be included with the application:
- a) A written statement from the GR claim holder, consenting to the proposed GR Mod Application (if the GR claim holder(s) of record is the current property owner), **OR**.
  - b) A concurrent "Request for Assignment" to move the GR claim into the GR Mod applicant's name must be submitted (if the GR Mod applicant(s) is the current property owner), **OR**
  - c) A concurrent "Request for Assignment" to move the GR claim into the name of a third party (who now owns the property) must be submitted, **and** the third party will need to provide a written statement consenting to the proposed GR Mod Application.

If not, what is missing? \_\_\_\_\_

2. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_

3. Are fees included and correct?  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
- If application proposes ONLY a change in place of use = \$875.00
  - If application proposes any other change or combination of changes = \$1,250.00

4. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_

5. If all #1-#4 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, or #4 on this checklist is deficient, the application 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.

Assignment/w/Mary B.

T-13693



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

May 10, 2021

CASE FAMILY LLC  
33010 DEVER CONNER RD NE  
ALBANY, OR 97321

Reference: Application T- 13693

On April 28, 2021, we received your water right Transfer application. The application was accompanied by \$1250.00. Our receipt number 135113 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.

You may not use water for the new use, in the new place of use or from the new point of appropriation until a final order approving recognition of the groundwater registration modification application has been issued by the Department. If the land is sold before the modification is approved, the buyer's consent to the modification will be required unless a recorded deed or other legal document clearly established that the groundwater registration 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) 986-0815.

Cc: Watermaster Dist. #16 (via email)  
Linn County Planning Department  
William E. McGill, Agent

Enclosure