

Regular

Name Hendricks Farms Inc
Kenneth Hendricks
Address 41394 Kingston Jordan rd
Stanton OR 97383

DESCRIPTION OF WATER RIGHT(S)

Name of Stream well

Date	FEES PAID	
	Amount	Receipt #
<u>05/24/22</u>	<u>\$3,190.00</u>	<u>138258</u>

Trib. of N Santiam river, Willamette

Change in POA
Date Filed 5/26/2022
Initial notice date 4/14/2022
DPD issued date _____
PD issued date 9/8/2025
PD notice date 9/9/2025
Date of FO 10/24/2025 Deny Vol 135 Page 923-927

Use Irrigation County linn marion

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

Name of ditch _____

App# G1512 Per # G1434 Cert # 301000 PR Date _____

App# G1253 Per # G1081 Cert # 29998 PR Date _____

App# G2301 Per # G2164 Cert # 33534 PR Date _____

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

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

Date	FEES REFUNDED	
	Amount	Receipt #

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

Assignments: _____

Irrigation District _____

Agent Bruce Wilson Hdr engineering BDweng@comcast.net

CWRE _____
CC's list linn county

- Oversized map - Location



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

October 24, 2025

Kenneth Hendricks
41394 Kingston-Jordan Road
Stayton, OR 97383

Reference: Transfer Application T-14014

The above referenced transfer application was denied in the records of the Water Resources Department on October 24, 2025, by Special Order Volume 135, Page 923 (copy enclosed).

The transfer application is of no further force or effect.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.a.grew@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)
Bruce D. Wilson, Agent
Linn County, Local Government

Enclosure

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

In the Matter of Transfer Application) FINAL ORDER DENYING A CHANGE IN
T-14014, Linn County) POINTS OF APPROPRIATION

Authority

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

Applicant

KENNETH HENDRICKS
HENDRICKS FARMS INC.
41394 KINGSTON-JORDAN ROAD
STAYTON, OR 97383

Findings of Fact

1. On May 26, 2022, Kenneth Hendricks, Hendricks Farms Inc. filed an application to change the points of appropriation under Certificates 29998, 30600, and 33534. The Department assigned the application number T-14014.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 22, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to deny Transfer Application T-14014. The draft Preliminary Determination cover letter provided a deadline of August 21, 2025, for the applicant to respond and submit the required information. The applicant did not respond by the deadline.

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 September 8, 2025, the Department issued a Preliminary Determination proposing to deny Transfer Application T-14014 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 September 9, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 29998 in the name of DEWITT TIGER (perfected under Permit G-1081)
Use: IRRIGATION OF 5.0 ACRES
Priority Date: SEPTEMBER 16, 1958
Rate: 0.06 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL a tributary of NORTH SANTIAM RIVER (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NW SE	POA 2 - 3.0 CHAINS SOUTH AND 2.5 CHAINS WEST FROM THE NE CORNER OF THE NWSE OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NW SE	5.0

6. The Department received information from the applicant that better describes the location of the authorized point of appropriation for Certificate 29998 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NW SE	POA 2 - 235 FEET SOUTH AND 1192 FEET EAST FROM THE NW CORNER OF THE NWSE OF SECTION 15

7. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.22 mile south from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	SW SE	POA 4 – 1300 FEET NORTH AND 575 FEET EAST FROM THE SW CORNER OF THE SWSE OF SECTION 15

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

Certificate: 30600 in the name of DE WITT TIGER (perfected under Permit G-1434)
Use: IRRIGATION OF 7.0 ACRES
Priority Date: SEPTEMBER 1, 1959

Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL, a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NW SE	POA 1 - 230 FEET SOUTH AND 710 FEET EAST FROM THE CENTER OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NW SE	7.0

9. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.24 mile southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	SW SE	POA4 – 1300 FEET NORTH AND 575 FEET EAST FROM THE SW CORNER OF THE SWSE OF SECTION 15

10. The portion of the third right to be transferred is as follows:

Certificate: 33534 in the name of DEWITT TIGER (perfected under Permit G-2164)
Use: IRRIGATION OF 13.0 ACRES
Priority Date: JUNE 21, 1962
Rate: 0.16 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL, a tributary of SANTIAM RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NE SE	POA3 - 480 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF THE NESE OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NE SE	13.0

11. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.23 mile southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR and OAR 690-380-2110(2)]

- 12. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 13. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14014.
- 14. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 15. The proposed point of appropriation **does not develop** groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
- 16. The proposed changes would result in enlargement of the right.
- 17. The proposed changes, as conditioned, would not result in injury to other existing water rights.
- 18. All other application requirements were not met.

Conclusions of Law

The change in points of appropriation proposed in Transfer Application T-14014 is not consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of appropriation proposed in Transfer Application T-14014 are denied.

Dated in Salem, Oregon on OCT 24 2025


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

Mailing date: OCT 27 2025

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14014

Transfer Specialist: Scott

Transfer Type: Regular Transfer

Applicant: HENDRICKS FARMS INC KENNETH HENDRICKS 41394 KINGSTON-JORDAN ROAD STAYTON, OR 97383 Email: Phone:	Agent: <input type="checkbox"/> N/A BRUCE D. WILSON 1975 ROCK LEDGE DR NE KEIZER, OR 97303 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Email:	CWRE: <input type="checkbox"/> N/A Email:
Affected Local Gov'ts: <input type="checkbox"/> N/A Linn County Email:	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email:
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email:	Receiving Landowner: <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"/>	G1253	G1081	29998	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	G1572	G1434	30600	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G2361	G2164	33534	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: May 26, 2022	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 3190.00	WM District: 16	ODFW District:
Initial Public Notice: June 14, 2022	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: <u>7/14/25</u> Initials: <u>Scott</u>	Date: <u>7/14/25</u> Initials: <u>Tom</u>	Date: _____ Initials: _____	Date: <u>7/18/25</u> Initials: <u>Scott</u>	Date: <u>7/21/25</u> Initials: <u>Scott</u>	CW/Sent: <u>7/22/25</u>	N/A
PD	Date: <u>8/21/25</u> Initials: <u>Scott</u>	Date: <u>8/22</u> Initials: <u>EDH</u>	Date: _____ Initials: _____	Date: <u>8/21/25</u> Initials: <u>Kenneth</u>	Date: <u>8/21/25</u> Initials: <u>Scott</u>	Date: <u>8/27/25</u>	Date: <u>9/8/2025</u>
FO	Date: <u>9/9/25</u> Initials: <u>Scott</u>	Date: <u>9/10/25</u> Initials: <u>Tom</u>	Date: _____ Initials: _____	Date: <u>9/11/25</u> Initials: <u>Tomery</u>	Date: <u>9/11/25</u> Initials: <u>Scott</u>	Date: _____	Date: <u>10/24/2025</u>

Special Issues: DENY

Special Order Volume: Vol. 135 Pages 923-927

GREW Scott A * WRD

From: SMITH Tamera L * WRD
Sent: Thursday, September 11, 2025 7:22 AM
To: GREW Scott A * WRD
Subject: Policy review: T-14014

Good morning Scott,

Policy review for T-14014 is complete.

Best,
Tamera

4. On September 8, 2025, the Department issued a Preliminary Determination proposing to deny Transfer Application T-14014 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 September 9, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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Priority Date: SEPTEMBER 16, 1958
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6. The Department received information from the applicant that better describes the location of the authorized point of appropriation for Certificate 29998 as follows:

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

Certificate: 30600 in the name of DE WITT TIGER (perfected under Permit G-1434)
Use: IRRIGATION OF 7.0 ACRES
Priority Date: SEPTEMBER 1, 1959

Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
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10. The portion of the third right to be transferred is as follows:

Certificate: 33534 in the name of DEWITT TIGER (perfected under Permit G-2164)
Use: IRRIGATION OF 13.0 ACRES
Priority Date: JUNE 21, 1962
Rate: 0.16 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
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- 12. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
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- 16. The proposed changes would result in enlargement of the right.
- 17. The proposed changes, as conditioned, would not result in injury to other existing water rights.
- 18. All other application requirements were not met.

Conclusions of Law

The change in points of appropriation proposed in Transfer Application T-14014 is not consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of appropriation proposed in Transfer Application T-14014 are denied.

Dated in Salem, Oregon on

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

Mailing date: _____



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

September 8, 2025

VIA CERTIFIED MAIL AND E-MAIL

KENNETH HENDRICKS
HENDRICKS FARMS INC.
41394 KINGSTON-JORDAN ROAD
STAYTON, OR 97383

SUBJECT: Water Right Transfer Application T-14014

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to deny application T-14014. This document is an intermediate step in the denial process; water may not be used legally as proposed in the transfer application until a Final Order approving the transfer has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14014
Gregory J. Wacker, District 16 Watermaster (via e-mail)
Bruce D. Wilson, Agent for the applicant (via e-mail)

encs

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14014, Linn County)	PROPOSING DENIAL OF A CHANGE IN
)	POINTS OF APPROPRIATION

Authority

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

Applicant

KENNETH HENDRICKS
HENDRICKS FARMS INC.
41394 KINGSTON-JORDAN ROAD
STAYTON, OR 97383

Findings of Fact

1. On May 26, 2022, Kenneth Hendricks, Hendricks Farms Inc. filed an application to change the points of appropriation under Certificates 29998, 30600, and 33534. The Department assigned the application number T-14014.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 22, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to deny Transfer Application T-14014. The draft Preliminary Determination cover letter provided a deadline of August 21, 2025 for the applicant to respond and submit the required information. The applicant did not respond by the deadline.
4. The first right to be transferred is as follows:
Certificate: 29998 in the name of DEWITT TIGER (perfected under Permit G-1081)
Use: IRRIGATION OF 5.0 ACRES

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.

Priority Date: SEPTEMBER 16, 1958
Rate: 0.06 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL a tributary of NORTH SANTIAM RIVER (WILLAMETTE RIVER)

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Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NW SE	5.0

5. The Department received information from the applicant that better describes the location of the authorized point of appropriation for Certificate 29998 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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6. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.22 mile south from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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Certificate: 30600 in the name of DE WITT TIGER (perfected under Permit G-1434)
Use: IRRIGATION OF 7.0 ACRES
Priority Date: SEPTEMBER 1, 1959
Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
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9. The portion of the third right to be transferred is as follows:

Certificate: 33534 in the name of DEWITT TIGER (perfected under Permit G-2164)

Use: IRRIGATION OF 13.0 ACRES

Priority Date: JUNE 21, 1962

Rate: 0.16 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of SANTIAM RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NE SE	POA 3 - 480 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF THE NESE OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NE SE	13.0

10. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.23 mile southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	SW SE	POA4 – 1300 FEET NORTH AND 575 FEET EAST FROM THE SW CORNER OF THE SWSE OF SECTION 15

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

11. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14014.
13. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
14. The proposed point of appropriation **does not develop** groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
15. The proposed changes would result in enlargement of the right.
16. The proposed changes, as conditioned, would not result in injury to other existing water rights.
17. All other application requirements were not met.

Determination and Proposed Action


The change in points of appropriation proposed in Transfer Application T-14014 appears to be not consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied.

If the issues identified above are resolved and Transfer Application T-14014 is approved, the final order will include the following:

1. *The change in points of appropriation proposed in Transfer Application T-14014 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 29998, 30600, 33534, and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificates 29998, 30600, and 33534 are cancelled. New certificates will be issued describing those portions Certificates 30600 and 33534 not affected by this transfer.*

5. *For Certificate 29998, the quantity of water diverted at the new point of appropriation (POA 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 2).*
6. *For Certificate 30600, the quantity of water diverted at the new point of appropriation (POA 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
7. *For Certificate 33534, the quantity of water diverted at the new point of appropriation (POA 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 3).*
8. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
9. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **SEP 08 2025**


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

This Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@water.oregon.gov or 503-986-0890.

Protests

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

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

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$720 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$1425 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

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

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

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

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

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

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

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

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

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

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

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

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

In the Matter of Transfer Application
T-14014, Linn County

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)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING DENIAL OF A CHANGE IN
POINTS OF APPROPRIATION

Authority

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

Applicant

KENNETH HENDRICKS
HENDRICKS FARMS INC.
41394 KINGSTON-JORDAN ROAD
STAYTON, OR 97383

Findings of Fact

1. On May 26, 2022, Kenneth Hendricks, Hendricks Farms Inc. filed an application to change the points of appropriation under Certificates 29998, 30600, and 33534. The Department assigned the application number T-14014.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. The first right to be transferred is as follows:

Certificate: 29998 in the name of DEWITT TIGER (perfected under Permit G-1081)
Use: IRRIGATION OF 5.0 ACRES
Priority Date: SEPTEMBER 16, 1958
Rate: 0.06 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL a tributary of NORTH SANTIAM RIVER (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NW SE	POA 2 - 3.0 CHAINS SOUTH AND 2.5 CHAINS WEST FROM THE NE CORNER OF THE NWSE OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NW SE	5.0

4. The Department received information from the applicant that better describes the location of the authorized point of appropriation for Certificate 29998 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NW SE	POA 2 - 235 FEET SOUTH AND 1192 FEET EAST FROM THE NW CORNER OF THE NWSE OF SECTION 15

5. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.22 mile south from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	SW SE	POA 4 - 1300 FEET NORTH AND 575 FEET EAST FROM THE SW CORNER OF THE SWSE OF SECTION 15

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

Certificate: 30600 in the name of DE WITT TIGER (perfected under Permit G-1434)
Use: IRRIGATION OF 7.0 ACRES
Priority Date: SEPTEMBER 1, 1959
Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NW SE	POA 1 - 230 FEET SOUTH AND 710 FEET EAST FROM THE CENTER OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NW SE	7.0

7. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.24 mile southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	SW SE	POA4 – 1300 FEET NORTH AND 575 FEET EAST FROM THE SW CORNER OF THE SWSE OF SECTION 15

8. The portion of the third right to be transferred is as follows:

Certificate: 33534 in the name of DEWITT TIGER (perfected under Permit G-2164)

Use: IRRIGATION OF 13.0 ACRES

Priority Date: JUNE 21, 1962

Rate: 0.16 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of SANTIAM RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	NE SE	POA 3 - 480 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF THE NESE OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	1 W	WM	15	NE SE	13.0

9. Transfer Application T-14014 proposes to move the authorized point of appropriation approximately 0.23 mile southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	1 W	WM	15	SW SE	POA4 – 1300 FEET NORTH AND 575 FEET EAST FROM THE SW CORNER OF THE SWSE OF SECTION 15

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

10. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14014.
12. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed point of appropriation **does not develop** groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
14. The proposed changes would result in enlargement of the right.
15. The proposed changes, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

Determination and Proposed Action

The change in points of appropriation proposed in Transfer Application T-14014 appears to be not consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be **denied**.

If the issues identified above are resolved and Transfer Application T-14014 is approved, the final order will include the following:

1. *The change in points of appropriation proposed in Transfer Application T-14014 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 29998, 30600, 33534, and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificates 29998, 30600, and 33534 are cancelled. New certificates will be issued describing those portions Certificates 30600 and 33534 not affected by this transfer.*

5. *For Certificate 29998, the quantity of water diverted at the new point of appropriation (POA 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 2).*
6. *For Certificate 30600, the quantity of water diverted at the new point of appropriation (POA 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
7. *For Certificate 33534, the quantity of water diverted at the new point of appropriation (POA 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 3).*
8. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
9. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

This draft Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@water.oregon.gov or 503-986-0890.

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Tuesday, July 22, 2025 9:52 AM
To: hfioffice@wvi.com; bdweng@comcast.net
Cc: GREW Scott A * WRD; WACKER Gregory J * WRD
Subject: T-14014 - Issuance of Draft Preliminary Determination - Action Required!
Attachments: T-14014-dpd.pdf; T-14014-measurement condition.pdf

July 22, 2025

VIA E-MAIL

Applicant

KENNETH HENDRICKS
HENDRICKS FARMS INC.
41394 KINGSTON-JORDAN ROAD
STAYTON, OR 97383

SUBJECT: Water Right Transfer Application T-14014

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-14014. The document reflects the Department's conclusion that, based on the information currently available, the transfer 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 transfer because the proposed point of appropriation does not develop the same aquifer as the existing authorized points of appropriation, as required by OAR 690-380- 2110(2).

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 a written response** by August 21, 2025, that describes how you will overcome the issues identified above and submit modifications or additional information as needed, or 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(s) is/are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July 22, 2025

VIA E-MAIL

Applicant

KENNETH HENDRICKS

HENDRICKS FARMS INC.

41394 KINGSTON-JORDAN ROAD

STAYTON, OR 97383

SUBJECT: Water Right Transfer Application T-14014

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-14014. The document reflects the Department's conclusion that, based on the information currently available, the transfer 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 transfer because the proposed point of appropriation does not develop the same aquifer as the existing authorized points of appropriation, as required by OAR 690-380- 2110(2).

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 a written response** by August 21, 2025, that describes how you will overcome the issues identified above and submit modifications or additional information as needed, or 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(s) is/are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**

- iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

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

What happens next...

Once the preliminary determination is issued a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

Conditions of your water right...

If you modify the application to allow approval, conditions may need to be added to the transfer. The Department will notify you of any required conditions prior to issuing the Preliminary Determination.

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

1. Your written response modifying the application to resolve the issues that we have identified or requesting that we proceed with processing of the application; and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive your response to withdraw the application or the items listed above by August 21, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14014
Gregory J. Wacker, District 16 Watermaster (*via e-mail,*)
Bruce D. Wilson, Agent for the applicant (*via e-mail*)

encs

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14014

GW Reviewer Phillip I. Marcy Date Review Completed: 06/23/2023

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-14014

Applicant Name: Kenneth Hendricks/Hendricks Farms Inc.

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

Reviewer(s): Phillip I. Marcy

Date of Review: 06/23/2023

Date Returned to WRSD: 9/6/2024

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

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

-
1. Basic description of the changes proposed in this transfer: Three existing certificated rights (Certs. 30600, 29998, and 33534) authorize production of groundwater from three POA wells: LINN 2737, LINN 2717, and LINN 2729. The applicant proposes to replace these exiting authorized POAs with one existing well, LINN 51763.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: The proposed POA is constructed to develop groundwater from Columbia River Basalt Group (CRBG) interflow zones including continuous casing and seal to a depth of 169' below land surface. The three authorized POA wells are 18', 22', and 37' in total depth.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No All currently authorized POA wells produce from alluvium.
 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: There are no nearby wells constructed to produce from CRBG.
 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: _____

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: Hydraulic connection to local surface water is anticipated to minimal due to production from one or more deep-seated CRBG interflow zones, including a deep seal to 169' BLS, and 85' into hard rock overlying the open interval within the well.

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

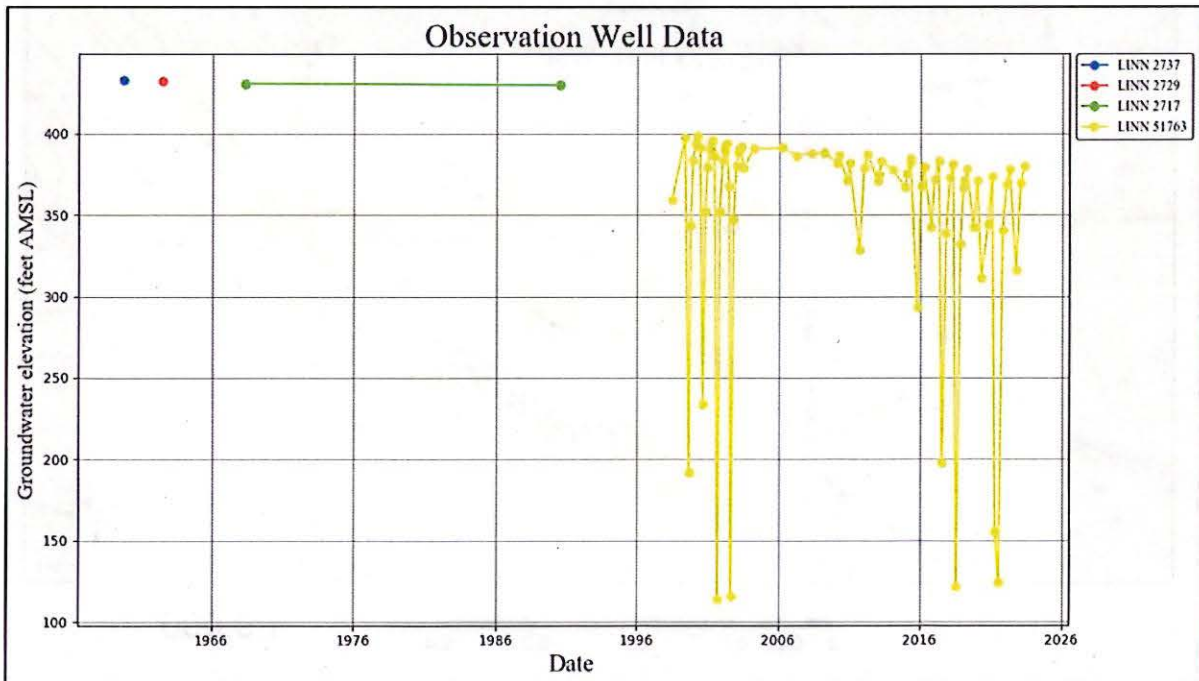
Provide context for minimal/significant impact: NA

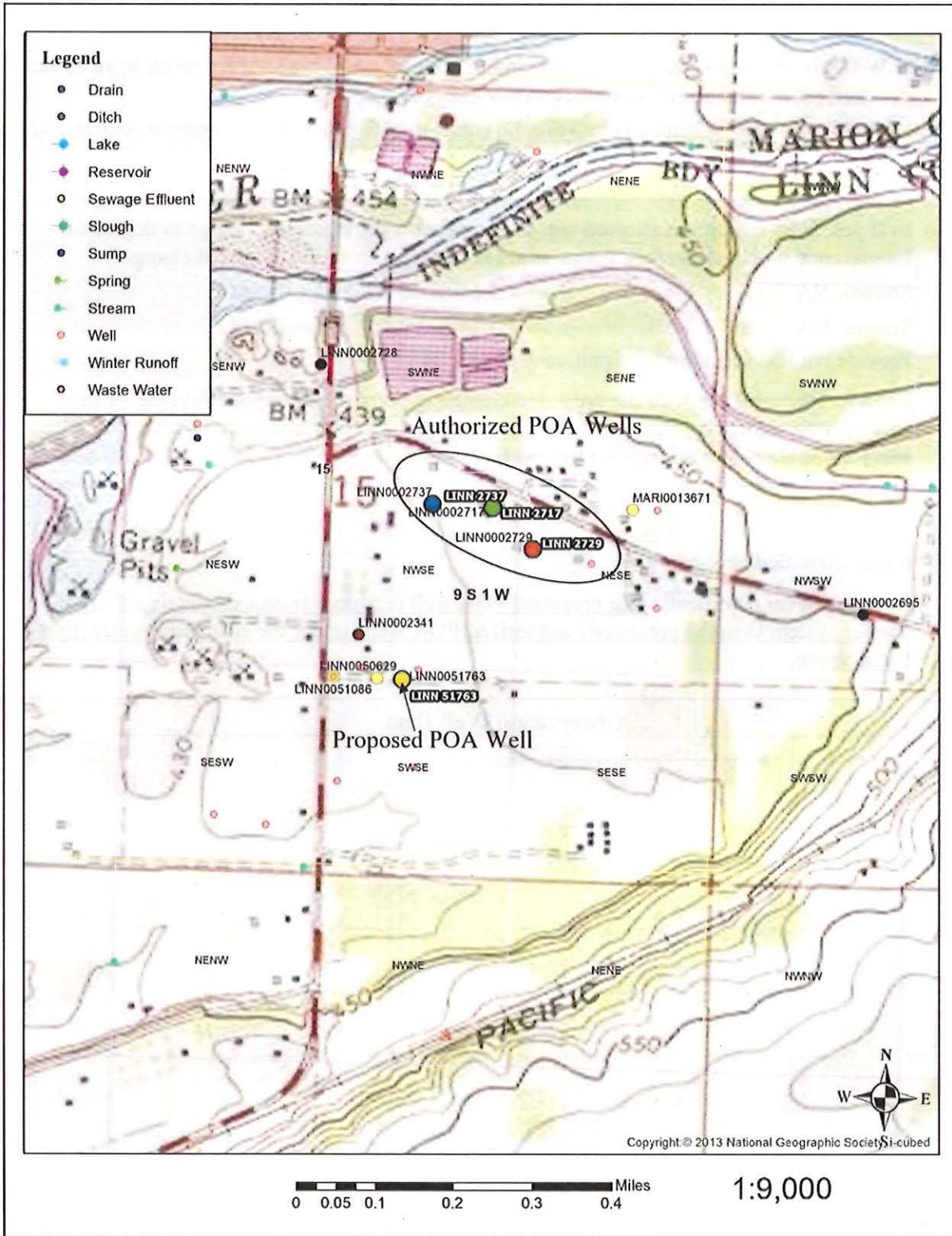
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

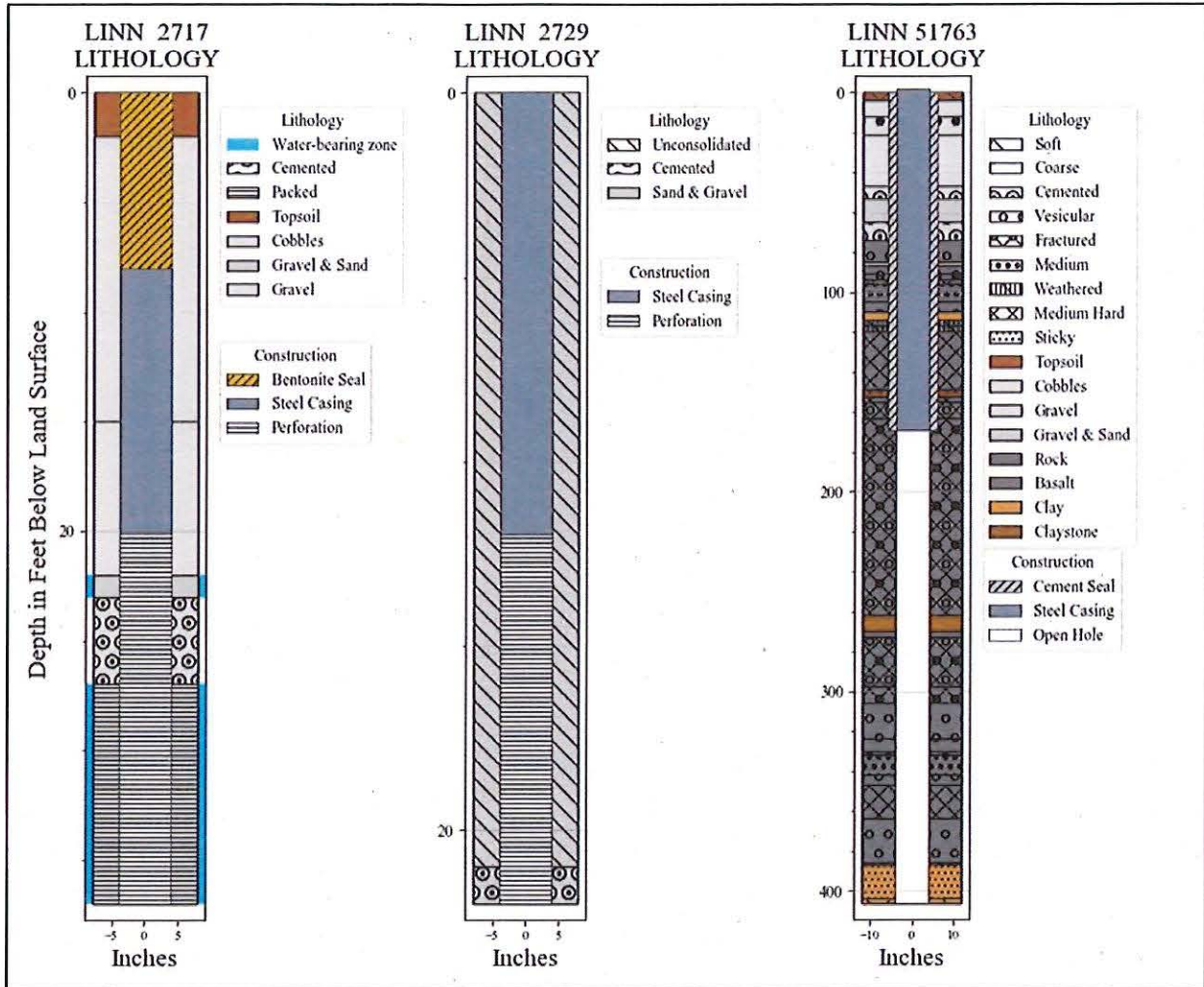
Yes No Comments: NA

7. What conditions or other changes in the application are necessary to address any potential issues identified above: NA

8. Any additional comments: The proposed POA well produces from a distinctly different aquifer system than the previously authorized POA wells under the certificate water rights listed above.







The depth and construction of the three authorized POA wells (two shown above) versus that of the proposed POA well (at right) are vastly different and designed to produce from different aquifer systems.

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-14014

Review Due Date: 07/14/2022

Applicant Name: Hendricks Farms Inc

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): G. Wacker

Date of Review: 07/11/2022

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:

Proposed POA may be encountering water from a different aquifer. Groundwater review will make this determination.

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

Groundwater review will determine possible alternatives.

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

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

A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

- Weir
- Parshall Flume
- Other: _____
- Submerged Orifice
- Flow Restrictor

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

Transfer #: T-14014

In order to avoid enlargement of the right or injury to other rights, a **totalizing flow meter** will be required to be installed **prior to diversion of water**, as a condition of this transfer:

at each point of diversion/appropriation (new and existing) OR

at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: **Greg Wacker**

District: **16**

Address: **725 Summer St NE Ste A**

City/State/Zip: **97301-1266**

Phone: **971-719-6262**

Email: **gregory.j.wacker@water.oregon.gov**

Note: *If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.*

Approval of an Alternate Measurement Device **T-**
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature

District

Date

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

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



Oregon

Kate Brown, Governor

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

June 15, 2022

HENDRICKS FARM INC
KENNETH HENDRICKS
41394 KINGSTON-JORDAN ROAD
STAYTON, OR 97383

Reference: Application T-14014

On May 26, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$3190.00. Our receipt number 138258 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 or as the original POD.

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

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

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

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

If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)
Linn County Planning Department
Bruce D. Wilson, Agent

Enclosure

**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 # **138258**

INVOICE # _____

RECEIVED FROM: Hendricks Farms Inc APPLICATION _____
 BY: _____ PERMIT _____
 CASH: CHECK:# 4296 OTHER: (IDENTIFY) TRANSFER T-14014
 TOTAL REC'D \$ 3190.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46110

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

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$ _____	0202 \$ _____
0203 GROUND WATER		\$ _____	0204 \$ _____
0205 TRANSFER		\$ <u>3190.00</u>	

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

**RECEIVED
OVER THE COUNTER**

RECEIPT: **138258** DATED: 05/24/2012 BY: _____

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 3 List them here: 30600, 29998, 33534**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

14014

Part 2 of 5 – Transfer Application Map

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

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

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

14014

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Kenneth Hendricks/Hendricks Farms Inc			PHONE NO. (503)769-2671	ADDITIONAL CONTACT NO. (503) 932-3347
ADDRESS 41394 Kingston-Jordan Road				FAX NO.
CITY Stayton	STATE OR	ZIP 97383	E-MAIL hfioffice@wvi.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Bruce D. Wilson/H&R Engineering LLC			PHONE NO. (866) 493-3243	ADDITIONAL CONTACT NO. (503) 980-1408
ADDRESS 1975 Rock Ledge Dr. NE				FAX NO. (503) 990-7506
CITY Keizer	STATE OR	ZIP 97303	E-MAIL BDWEng@comcast.net	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

The point of appropriation, POA4, shown on the application map is currently being used to irrigate the lands associated with certificates 30600, 29998, and 33534 so it is requested that the point of appropriation, POA1, POA2, and POA3, be moved to POA4 based on use.

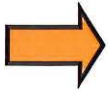
Check One Box

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

By my signature below, I confirm that I understand:

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

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



[Handwritten Signature]
Applicant signature

Kenneth Hendricks 5-23-2
Print Name (and Title if applicable) Date

Applicant signature

Print Name (and Title if applicable) Date

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

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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME N/A			PHONE NO. N/A	ADDITIONAL CONTACT NO. N/A
ADDRESS N/A				FAX NO. N/A
CITY N/A	STATE N/A	ZIP N/A	CITY N/A	
Describe any special ownership circumstances: None				
The confirming Certificate shall be issued in the name of: <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

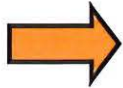
14014

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

IRRIGATION DISTRICT NAME N/A	ADDRESS N/A	
CITY N/A	STATE N/A	ZIP N/A

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

ENTITY NAME N/A	ADDRESS N/A	
CITY N/A	STATE N/A	ZIP N/A



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

ENTITY NAME LINN COUNTY	ADDRESS 300 SW 4TH AVE	
CITY ALBANY	STATE OR	ZIP 97321

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 30600

Description of Water Delivery System

System capacity: 0.67 cubic feet per second (cfs) **OR**
300 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The well located at POA4 shown on the attached map is being used to irrigate the lands associated with certificates 29998, 30600, and 33534 using underground pipelines to transfer water to sprinkler and drip tube irrigation systems for the crops grown.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN_2737	9 S	1 W	15	NW¼ SE¼	1600	710'E, 230'S from the NW Corner of the NW¼, SE¼, Section 15, T9S, R1W from the W.M.
POA4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN_51763	9 S	1 W	15	SW¼ SE¼	1900	575'E, 1300'N from the SW Corner of the SW¼, SE¼, Section 15, T9S, R1W from the W.M.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 30600

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	1	W	15	NW¼	SE¼	1600	N/A	7.0	IRRIGATION	POA1	1959	POA	9	S	1	W	15	NW¼	SE¼	1900	N/A	7.0	IRRIGATION	POA4	1959
TOTAL ACRES:												TOTAL ACRES:														

Additional remarks: Only 7.0 acres of the 11.2 acres authorized by water right certificate 30600 is being changed to POA4 .

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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

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

Ground water supplemental Permit or Certificate # N/A;
Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

CERTIFICATE # 29998

Description of Water Delivery System

System capacity: 0.67 cubic feet per second (cfs) OR
300 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The well located at POA4 shown on the attached map is being used to irrigate the lands associated with certificates 29998, 30600, and 33534 using underground pipelines to transfer water to sprinkler and drip tube irrigation systems for the crops grown.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or Is It Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN_2717	9 S	1 W	15	NW¼ SE¼	1600	1192'E, 235'S from the NW Corner of the NW¼, SE¼, Section 15, T9S, R1W from the W.M.
POA4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN_51763	9 S	1 W	15	SW¼ SE¼	1900	575'E, 1300'N from the SW Corner of the SW¼, SE¼, Section 15, T9S, R1W from the W.M.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

14014

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 29998

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	1	W	15	NW¼	SE¼	1600	N/A	5.0	IRRIGATION	POA2	1958	POA	9	S	1	W	15	NW¼	SE¼	1900	N/A	7.0	IRRIGATION	POA4	1959
TOTAL ACRES:														TOTAL ACRES:												

Additional remarks: None.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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

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

Ground water supplemental Permit or Certificate # N/A;
Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

CERTIFICATE # 33534

Description of Water Delivery System

System capacity: 0.67 cubic feet per second (cfs) **OR**
300 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The well located at POA4 shown on the attached map is being used to irrigate the lands associated with certificates 29998, 30600, and 33534 using underground pipelines to transfer water to sprinkler and drip tube irrigation systems for the crops grown.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN_2729	9 S	1 W	15	NW¼ SE¼	900	1,817'E, 548'S from the NW Corner of the NW¼, SE¼, Section 15, T9S, R1W from the W.M.
POA4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN_51763	9 S	1 W	15	SW¼ SE¼	1900	575'E, 1300'N from the SW Corner of the SW¼, SE¼, Section 15, T9S, R1W from the W.M.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

14014

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

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

14014

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

14014

Linn 2729

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM 10, OREGON within 30 days from the date of well completion.

WATER WELL REPORT

STATE OF OREGON (Please type or print)

State Well No. 9/1W-15 State Permit No.

(1) OWNER:

Name De Witt Tiger Address Route 1, Stayton, Oregon

(2) LOCATION OF WELL:

County Marion Linn Driller's well number 62-11 1/4 Section 15 T. 9 S R. 1 W.M. Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon [] Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic [] Industrial [] Municipal [] Irrigation [X] Test Well [] Other []

(5) TYPE OF WELL:

Rotary [] Driven [] Cable [X] Jetted [] Dug [] Bored []

(6) CASING INSTALLED:

Threaded [] Welded [X] 8" Diam. from 0 ft. to 22 ft. Gage .280

(7) PERFORATIONS:

Perforated? [X] Yes [] No Type of perforator used Cutting Torch Size of perforations 1/2 in. by 6 in. 60 perforations from 12 ft. to 22 ft.

(8) SCREENS:

Well screen installed [] Yes [X] No Manufacturer's Name Model No. Slot size Set from ft. to ft. Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal none Depth of seal ft. Was a packer used? Diameter of well bore to bottom of seal in. Were any loose strata cemented off? [] Yes [] No Depth Was a drive shoe used? [] Yes [] No Was well gravel packed? [] Yes [] No Size of gravel: Gravel placed from ft. to ft. Did any strata contain unusable water? [] Yes [] No Type of water? Depth of strata Method of sealing strata off

(10) WATER LEVELS:

Static level 11 ft. below land surface Date 6/12/62 Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level Was a pump test made? [] Yes [] No If yes, by whom? Yield: 400 gal./min. with 5 ft. drawdown after 1 hrs.

(12) WELL LOG:

Diameter of well below casing 8" Depth drilled 22 ft. Depth of completed well 22 ft. Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

Table with columns MATERIAL, FROM, TO. Entries include Brown sand and coarse gravel to boulder size - unconsolidated (0-21) and Sand and coarse gravel cemented with hard brown clay (21-22).

Work started 6/9 19 62 Completed 6/12 19 62 Date well drilling machine moved off of well 19

(13) PUMP:

Manufacturer's Name Type: H.P.

Water Well Contractor's Certification:

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

NAME West Well Drilling (Person, firm or corporation) (Type or print) Address 1098 Market Street, Salem, Oregon

Drilling Machine Operator's License No.

[Signed] Marion C. Orrest (Water Well Contractor)

Contractor's License No. 30 Date 6/16, 19 62

51767 Received 7-8-98 MM

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765)

(START CARD) # 102367

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number Name JCK, LLC Address 41394 Kingston Jordan Rd. City Stayton State OR Zip 97503

(2) TYPE OF WORK [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [X] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 406 ft. Explosives used [] Yes [X] No Type Amount

Table with columns: HOLE (Diameter, From, To, Material), SEAL (From, To, Sacks or pounds). Row 1: 12, 0, 169, cement, 0, 169, 83 sks. Row 2: 8, 169, 406, w/bent.

How was seal placed: Method [] A [X] B [X] C [] D [] E [] Other Backfill placed from 406.3 ft. to ft. Material lost bit cone Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 8, +2, 169, .250, [X], [], [X], [].

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: Table with columns: From, To, Slot size, Number, Diameter, Material, Tele/pipe size, Casing, Liner.

(8) WELL TESTS: Minimum testing time is 1 hour. [X] Pump [] Bailer [] Air [] Flowing Artesian. Table with columns: Yield gal/min, Drawdown, Drill stem at, Time.

Temperature of water 55°F Depth Artesian Flow Found Was a water analysis done? [] Yes By whom Did any strata contain water not suitable for intended use? [] Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Linn Latitude Longitude Township 9S N or S Range 1W E or W. WM. Section 15 SW 1/4 SE 1/4 Tax Lot 1800 Lot Block Subdivision Street Address of Well (or nearest address) 41579 Stayton Scio Rd. Stayton, OR. 97383

(10) STATIC WATER LEVEL: 74 ft. below land surface. Date 6/21/98 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 14

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: SWL (14), 47, 60, 14. Row 2: 53, 65, 30±, 14. Row 3: 105, 126, see (8), 14. Row 4: 270, 285±, see (8), see (10). Row 5: 364, 387, see (8), see (10).

(12) WELL LOG: Ground Elevation 435±

Table with columns: Material, From, To, SWL. Content: See Attached Log

Date started 4/16/98 Completed 7/1/98

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. Signed [Signature] WWC Number 1633 Date 7/2/98

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief. Signed [Signature] WWC Number 649 Date 7/2/98

JCK, LLC

East Well - ID #L14915, S.C. #102367

by Schneider Drilling Co.

1998

From	To	Description
0	4	Topsoil, silty, brown, soft
4	12	Cobbles & gravel, w/clay, brown, silty
12	21	Gravel, large & sand, med
21	47	Cobbles & gravel & some sand, multi-color
47	53	Cobbles & gravel, cemented w/clay, brown
53	65	Gravel & sand, brown
65	74	Gravel, gray, cemented
74	85	Rock, gray, weathered, ves, w/claystone, med
85	87	Gravel, w/sand, some cementation
87	91	Basalt, gray, some ves, w/claystone
91	94	Basalt, gray, frac, medium
94	96	Basalt, gray, slightly frac, med-hard
96	105	Basalt, gray, medium
105	110	Basalt, gray, ves, frac, med
110	114	Clay, brown, w/basalt, frac
114	117	Basalt, multi-color, weathered, ves
117	120	Basalt, gray, weathered, ves, med
120	149	Basalt, gray, some ves & frac, med-hard
149	152	Claystone, gray, w/basalt, gray, ves, med
152	155	Basalt, gray, frac, w/claystone, gray, med
155	163	Basalt, gray, frac, some ves, medium
163	262	Basalt, gray, some frac, med-hard
262	270	Claystone, gray, w/basalt, some ves
270	273	Basalt, gray, ves, w/claystone, gray, med
273	298	Basalt, gray, occ. ves, frac, med
298	306	Basalt, gray, frac, medium
306	324	Basalt, gray, very ves, frac w/claystone, green
324	330	Basalt, gray, ves, med
330	332	Basalt, gray, ves, broken w/claystone, green, med
332	342	Basalt, gray, some ves, med
342	347	Basalt, gray, broken, ves w/claystone, green, med
347	364	Basalt, gray, med-hard
364	386	Basalt, black, ves, med w/some claystone, green-tan
386	387	Basalt, brown, med
387	404	Clay, blue, sandy, sticky
404	406	Clay, red & brown, soft

14014

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DE WITT TIGER

of Route 1, Box 24, Stayton, 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 Willamotte River for the purpose of irrigation of 11.2 acres

under Permit No. G-1134 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 September 1, 1959,

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 0.11 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, T. 9 S., R. 1 W., W.M. Well located 230 feet South and 710 feet East from center, Section 15.

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:

11.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 15
T. 9 S., R. 1 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. FEBRUARY 8 1963

CHRIS L. WHEELER

14014
State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page 30600

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DEWITT TIGER

of Route 1, Box 24, Stayton, 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 North Santiam River (Willamette River) for the purpose of irrigation of 5.0 acres

under Permit No. G-1081 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 September 16, 1958

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 0.06 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, T. 9 S., R. 1 W., W. M. Well is 3 chains S. and 2 $\frac{1}{2}$ chains W. from the N.E. Corner, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15.

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:

5.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 15

T. 9 S., R. 1 W., W. M.

The easterly five acres of the following described property:

Beginning at a point 7.50 chains North of the Southwest corner of the Northwest quarter of the Southeast quarter of Section 15, T. 9 S., R. 1 W., W. M., and running thence East 20 chains, thence North 9.75 chains, thence West 20 chains, thence South 9.75 chains to the place of beginning.

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. AUGUST 24 1962

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page

20928
14014

STATE OF OREGON
COUNTY OF Linn
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DEWITT TIGER

of Route 1, Box 24, Stayton, 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 Santiam River for the purpose of irrigation of 20.8 acres

under Permit No. G-2164 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 June 21, 1962

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 0.26 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, T. 9 S., R. 1 W., W. M. Well located 480 feet South and 40 feet East from the NW Corner NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15.

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:

20.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 15
T. 9 S., R. 1 W., W. M.

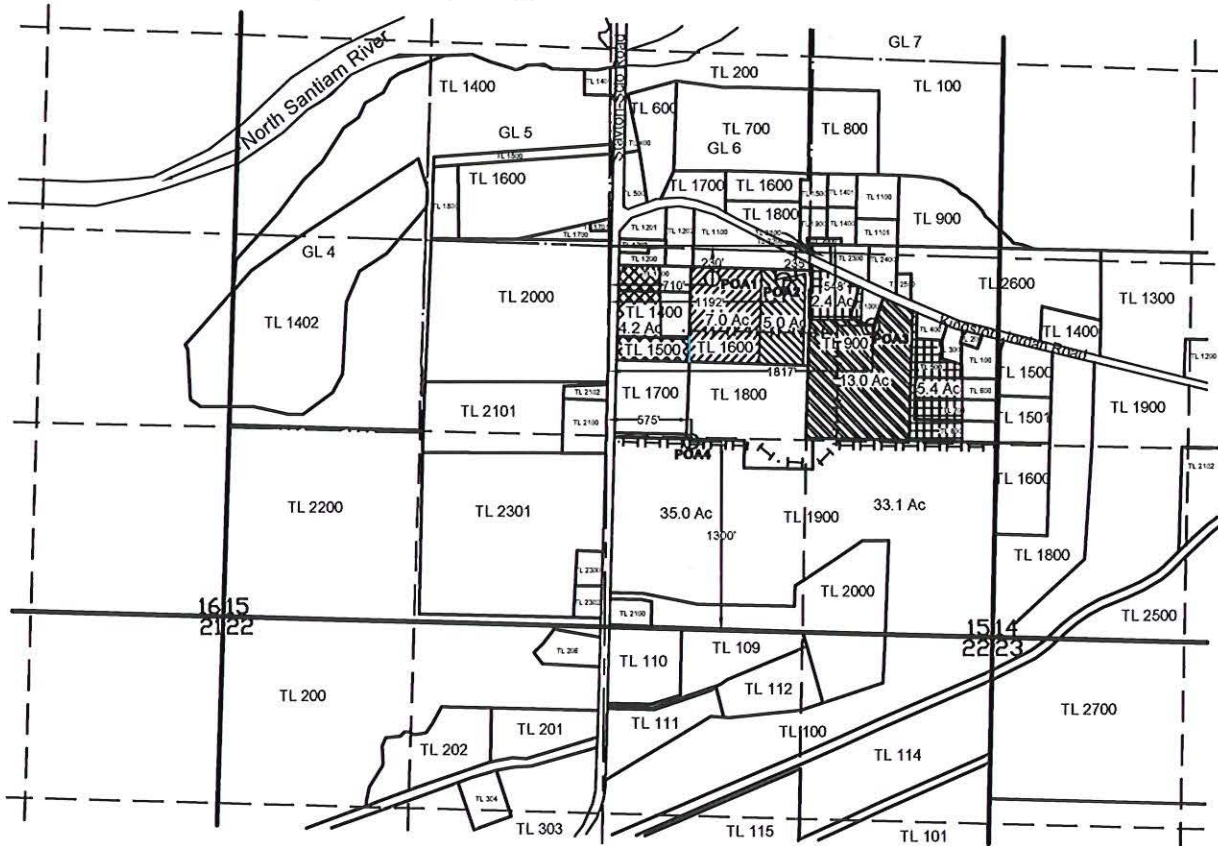
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. December 30, 1966

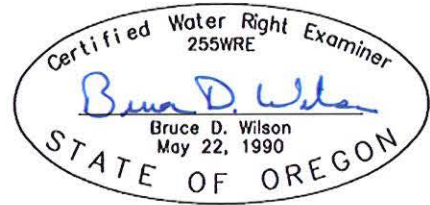
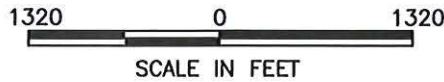
.....CHRIS L. WHEELER.....
State Engineer

Linn County
Township 9 South, Range 1 West from the Willamette Meridian



Map Legend

- - - - - Quarter Quarter Section Line
- - - - - Half Section Line
- - - - - Section Line
- - - - - Tax Lot Boundary Line
- - - - - DLC and GLot Boundary Line
- - - - - 6" Diameter Pipeline
- Certificate 29998
- Certificate 30600
- Certificate 30600 Unchanged
- Certificate 33534
- Certificate 33534 Unchanged



Expires: 06/30/2024

PERMANENT WATER RIGHT TRANSFER APPLICATION MAP

FOR
Certificates 29998, 30600, 33534
in the name of

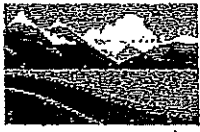
Hendricks Farms

The Point of Appropriation (POA) for certificates 29998 (POA1), 30600 (POA2), and 33534 (POA3) are being moved to POA4 which is 575 Feet East and 1,300 Feet North from the Southwest corner of the SW 1/4 of the SE 1/4 of Section 15, Township 9 South, Range 1 West from the Willamette Meridian.

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

14014

OREGON



WATER RESOURCES
DEPARTMENT

RECEIVED

MAY 26 2022

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Kenneth Hendricks/Hendricks Farms Inc.
41394 Kingston-Jordan RD, Stayton OR 97383

Transaction Type: Transfer

Fees Received: \$ 3190.00

Cash

Check:

Check No. 4296

Name(s) on Check: Hendricks Farms Inc.

Address on Check: PO Box H Stayton OR 97383

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by: Corie Lornien
(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.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

Oregon Water Resources Department Transfer Fee Calculation for Permanent (Non-District) Transfer

- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

	Fee Calculation
Today's Date: Friday, May 27, 2022	
Base Fee (includes one type of change to one water right for up to 1 cfs)	\$1,360.00
Fill in information below-- Check each box that applies.	
Types of Change Proposed:	
Place of Use	
Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD	
Character of Use	\$0.00
Enter total number of water rights included in transfer. <input style="width: 50px;" type="text" value="3"/>	\$1,220.00
<input type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.	\$480.00
Enter total number of groundwater wells (POAs) included in transfer. <input style="width: 50px;" type="text" value="1"/>	\$0.00
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.	
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for an irrigation right.	
Total Transfer CFS(rounded up to the next whole cfs):	<input style="width: 100px;" type="text"/>
Subtotal:	\$3,060.00
Check each box that applies.	
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	<input style="width: 100px;" type="text"/>
Transfer Fee:	\$3,060.00

[Return to Edit](#) [Clear](#)

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14014

Checked by- <u>Aula</u>	Type of Change(s) Proposed: <i>Mark the Proposed Changes</i>	Substitution	Supplemental to Primary	POU	POD	APOD
Date- <u>5/27/22</u>		Gov Action	Surface to Ground	USE	POA	APOA
Fee Received: <u>3190</u>						
Calculated Fee: <u>3060</u>		How many rights to be Transferred? Certificate # <u>3</u>				
Additional Observations: <u>Refund \$130 overpayment</u>						

If OK and complete, check box to the left; if NOT, fill in.

- 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom? If no, what is missing? Whose signature is missing? _____
- 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? N/A.
Name of the district: _____
- 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
- 4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No Yes.
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
- 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
- 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____ Map waiver included? Yes No
- 7. If a change in point of appropriation (POA), have the well logs been included? N/A.
- 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? N/A.
- 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application. Put this application intake completeness check sheet in the transfer folder.

OR: If all boxes to the left are **NOT** checked, then this application is deficient and **CANNOT** be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ Date: _____

