

Regular

RA

Name Jack Bigej

Address 1220 N Pacific Hwy
Woodburn, OR 97071

Change in ADDA

Date Filed 1-30-2023

Initial notice date 2-7-2023

DPD issued date _____

PD issued date 4/12/2024

PD notice date 4/16/2024

Date of FO 6-14-2024 Vol 131 Page 71-74

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well

Trib. of Pudding River Basin

Use Irrigation; Nursery Uses County Clackamas

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

Name of ditch _____

App# G-14202 Per # G-12926 Cert # 96771 PR Date 11/20/1995

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

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

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

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

8-8-2025 Certificate 98597 issued

FEEES PAID

Date	Amount	Receipt #
<u>1-30-2023</u>	<u>\$1,840.00</u>	<u>140050</u>
<u>1-30-2023</u>	<u>\$125.00</u>	<u>140021</u>
<u>2-13-2023</u>	<u>\$2,394.27</u>	<u>140105</u>
<u>4-1-2024</u>	<u>\$67.21</u>	<u>142639</u>
<u>1-23-2025</u>	<u>\$125.00</u>	<u>144577</u>
<u>1-23-2025</u>	<u>\$230.00</u>	<u>144583</u>

FEEES REFUNDED

Date	Amount	Receipt #
<u>11/14/25</u>	<u>204-</u>	<u>144583738</u>

Assignments: _____

Irrigation District _____

Agent Deann Hamilton - phgdmh@gmail.com

CWRE _____

CC's list Clackamas County

- Oversized map - Location _____

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: **Fiscal Services Section**

DATE: October 27, 2025

FROM: Kerry Kavanagh
Phone: (503) 979-3208

SUBJECT: **REIMBURSEMENT AUTHORITY - Request for Refund**

FILE #: T-14163

RA #: R13115-25

RECEIPT #: ~~144738~~

144583 *ve*
144738 *per JB*

Please prepare payment in the amount of \$204.00, made payable to:

Name: **AL'S GARDEN CENTER AND GREENHOUSES, LLC**
ATTENTION: JACK BIGEJ

Address: **1220 N PACIFIC HWY**
WOODBURN OR 97071

47123-0413
204.00
4611-0200
204.00 Per TH
47123 0413
204.00 Per JB

These funds are being paid or refunded as a result of (check one):

- Excess fees were collected for Claim of Beneficial Use
 Excess fees were collected for Reimbursement Authority
 Other

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____



Date: OCT 27 2025

After this memo has been signed, please route to:

Accounts Payable Staff

Fiscal

Other _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

October 27, 2025

AL'S GARDEN CENTER AND GREENHOUSES, LLC
ATTENTION: JACK BIGEJ
1220 N PACIFIC HWY
WOODBURN OR 97071

RE: Refund for Reimbursement Authority Contract R13115-25; Application T-14163

Dear Applicant/Agent,

Thank you for using the Certificate Reimbursement Authority Program to expedite the processing of your client's Claim of Beneficial Use. The Department completed its processing of the claim for less than the estimated amount. Consequently, we are refunding the difference to you. A check will be mailed separately to you.

I hope you were pleased with the Certificate Reimbursement Authority Program and would consider using it again if the need arises. If you have any questions about this refund, please send an email to Kerry.L.Kavanagh@water.oregon.gov or call me at (503) 979-3208.

Sincerely,

Kerry Kavanagh
Reimbursement Authority, Certificates
Water Right Service Division

cc: File T-14163

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: T-14163

Certificate: 98597 (cf-96771)

Water Right Holder:

Copies Mailed	
by: _____	(STAFF)
on: AUG 08 2025	(DATE)

JACK BIGEJ
1220 N PACIFIC HWY
WOODBURN OR 97071

Copies of Final Certificate to be sent to:

1. Watermaster District 16 (include copy of map)
2. Water Availability
3. Vault
4. File

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records?

YES - Map Taxlots 51W01 02301, 51W01 02604, 51W01 02605 & 51W01 02606 owned by Jack R Bigej Trustee per CLACKAMAS County Assessor

NO - Map Taxlots 51W02 00101 owned by Mark D Bigej Trustee per CLACKAMAS County Assessor – no mailing address available – taxpayer is Jack E & Deanna Bigej, 4795 S Sconce Rd, Hubbard OR 97032

NO - Map Taxlots 51W02 00100 (Well 4) owned by KDB Investments per CLACKAMAS County Assessor

Other persons to receive copies: (include map):

1. Doann Hamilton, CWRE, Pacific Hydro-Geology, Inc., 18487 S Valley Vista Rd, Mulino OR 97042
2. Jack R Bigej Trustee, 30851 S Dee Jay Way, Hubbard OR 97032 – per Clackamas County Assess
3. Jack E & Deanna Bigej, 4795 S Sconce Rd, Hubbard OR 97032 – taxpayer – owner's address unavailable
4. KDB Investments, 1220 N Pacific Hwy, Woodburn, OR 97071 – same address

Record Marking(s):

1. Original Application# G-14202
2. Old Certificate# 96771



Oregon

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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

Date Mailed: AUG 08 2025

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in order than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

This statement of judicial review rights is required under ORS 536.075 it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions, please contact Kerry Kavanagh at 503-979-3208.

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit G-12926. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: THREE WELLS WITHIN THE PUDDING RIVER BASIN

PURPOSE OR USE: AGRICULTURAL USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES

MAXIMUM RATE: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO 0.27 CFS FROM WELL 1, 0.25 CFS FROM WELL 3, AND 0.52 CFS FROM WELL 4, NOT TO EXCEED A CUMULATIVE TOTAL OF 0.52 CFS IN COMBINATION FROM THE WELLS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: NOVEMBER 20, 1995

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	2	SE SE	7	WELL 4 (ADDITIONAL) - 190 FEET NORTH AND 700 FEET WEST FROM SE CORNER, SECTION 2

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made any time of the year that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9

AGRICULTURAL USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter, or other suitable measuring device as approved by the Director, in good working order at each point of appropriation.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The combined quantity of water diverted at the new and additional points of appropriation (wells), together with that diverted at the authorized points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-12926. The original wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (ORIGINAL) - 900 FEET NORTH AND 700 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 2 (ORIGINAL) - 925 FEET NORTH AND 1025 FEET EAST FROM SW CORNER, SECTION 1

This right does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.

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

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

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

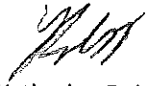
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

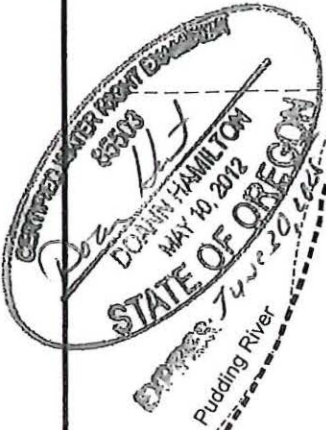
This certificate is issued to confirm a change in ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered JUNE 14, 2024, at Special Order Volume 131, Page 71, approving Transfer Application T-14163, supersedes Certificate 96771, State Record of Water Right Certificates.

Issued AUG 08 2025



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

T.5S. R.1W. Sec. 1 & 2, W.M.

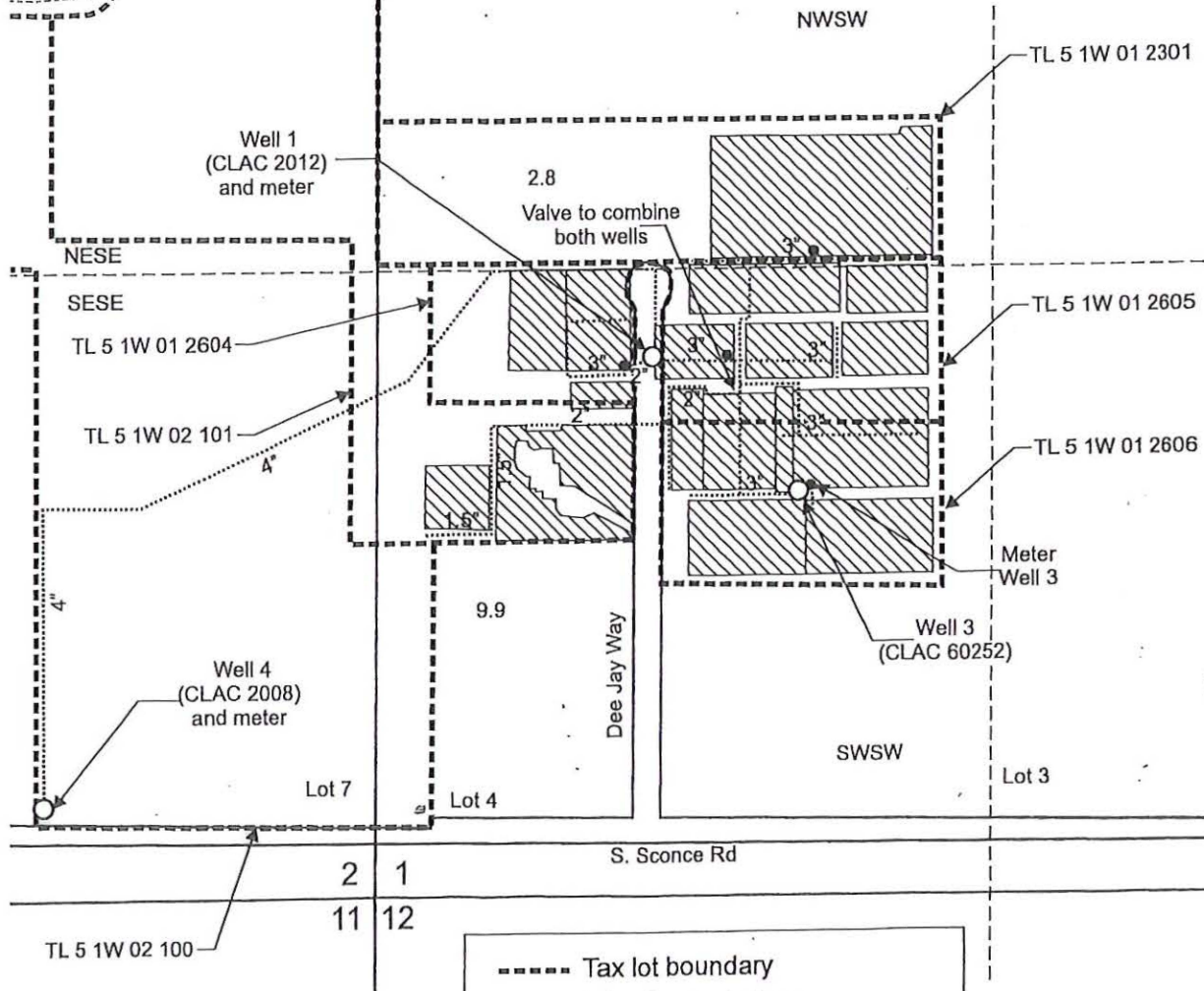


Well 1 (CLAC 2012) is located 1,120 feet north and 585 feet east from the SW corner, Section 1.

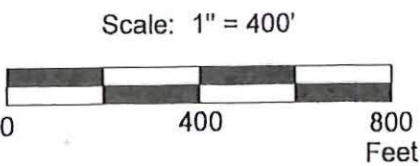
Well 3 (CLAC 60252) is located 835 feet north and 895 feet east from the SW corner, Section 1.




Well 4 (CLAC 2008) is located 190 feet north and 700 feet west from the SE corner, Section 2.

 Area (12.7 Acres) of agricultural use (nursery use) and irrigation under T-14163, formerly Certificate 96771.



received
IAN 23 2012
OWRD



-  Tax lot boundary
-  Irrigation mainlines
-  Injection locations

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.

Claim of Beneficial Use Map
T-14163, formerly Certificate 96771

COPY

Jack Bigej
T.5S. R.1W. Sec. 1 & 2, W.M.

01/2025



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

January 24, 2025

Jack & Deanna Bigej Trust
30851 S. Dee Jay Way
Hubbard, OR 97032

On January 23, 2025, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

T-14163

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$230.00 COBU recording fee.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-14163



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

January 24, 2025

Jack Bigej
1220 N. Pacific Hwy
Woodburn, OR 97071

On January 23, 2025, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

T-14163

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$230.00 COBU recording fee.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-14163

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:Corie
Transfer #:T-14163	
Date Received:1/23/25	
CWRE Name:Doann Hamilton	
Priority Date (s):11/20/1995	

Fees Required:

- YES NO A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- YES NO A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
 Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP

DATE:	RECEIPT #:
ACCOMPLISHED FROM	APPLICATION PERMIT TRANSFER
CASH CHECK # OTHER (IDENTIFY)	TOTAL RECEIPT \$
ONE ENLARGED 43% WELD OPERATING SCALE	
6407 MISCELLANEOUS COPY & TAMP FEES 4611	
6410 RESEARCH FEES	
6408 BASIC RESERVE (IDENTIFY)	
6242 DEPOSIT (LAW) (IDENTIFY)	
6243 EXTENSION OF TIME	
WATER RIGHTS	RECORD FEE
6201 SURFACE WATER	6202
6203 GROUNDWATER	6204
6205 TRANSFER	
WELL CONSTRUCTION	RECORD FEE
6218 WELL DRILL CONSTRUCTION	6219
LANDWATER PERMIT	6220
6202 OTHER (IDENTIFY) COBU	6221
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RETURN TO APPLICANT - LETTER ATTACHED

Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted

**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 # **144583**

INVOICE # _____

RECEIVED FROM: AJ's Garden Centers and
BY: Glenhurst, LLC

APPLICATION	T-14163
PERMIT	
TRANSFER	

CASH: CHECK:# 98246 OTHER: (IDENTIFY)

TOTAL REC'D \$ 230.00

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 46111

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

0200 OTHER (IDENTIFY) COBU \$ 230.00

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **144583**

DATED: 1-23-25 BY: [Signature]

**CLAIM OF
BENEFICIAL USE
for Transfer New or Additional
POA Only**



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

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.
Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

**SECTION 1
GENERAL INFORMATION**

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in point(s) of appropriation or additional point(s) of appropriation, or a combination of both. **YES**
If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION # T-14163

Received
JAN 23 2025

**2a. Property Owner (current owner information)
TL 5 1W 01 2301, 2604, 2605, 2606**

OWRD

APPLICANT/BUSINESS NAME Jack and Deanna Bigej Trust, Jack and Deanna Bigej Trustees		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 30851 S Dee Jay Way			
CITY Hubbard	STATE OR	ZIP 97032	E-MAIL

**2b. Property Owner (current owner information)
TL 5 1W 02 101**

APPLICANT/BUSINESS NAME Jack and Deanna Bigej Trust, Mark and Amy Bigej Trustees		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS No Mailing address			
CITY	STATE	ZIP	E-MAIL

2c. Property Owner (current owner information)

TL 5 1W 02 100

APPLICANT/BUSINESS NAME KDB Investments LLC		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 1220 N Pacific Hwy			
CITY Woodburn	STATE OR	ZIP 97071	E-MAIL

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Jack Bigej			
ADDRESS 1220 N Pacific Hwy			
CITY Woodburn	STATE OR	ZIP 97071	

4. Date of Site Inspection:

July 1, 2024

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Dorothy Russo	July 1, 2024	Chief of Growing Operations

6. County

Clackamas County

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

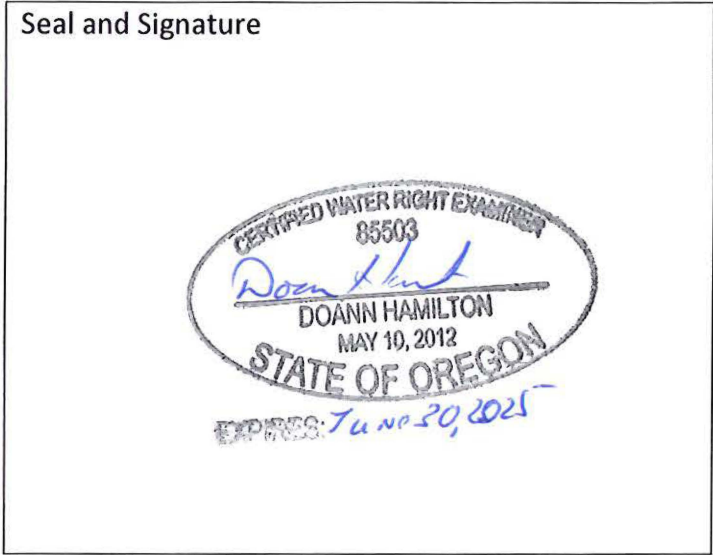
Add additional tables for owners of record as needed

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JAN 23 2025
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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Doann Hamilton		PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946
ADDRESS 18487 S. Valley Vista Road			
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com

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JAN 23 2025
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Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Jack R. Bigej</i>	Jack R. Bigej	Owner	1-6-25

**SECTION 3
CLAIM DESCRIPTION**

Note: The Claim only needs to describe the new or additional point(s) of appropriation. This Claim does not need to provide information for the original point(s) of appropriation unless the original point of appropriation is either a new or additional point of appropriation on another right involved in this transfer.

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well 4	CLAC 2008	NA	Well within the Pudding River Basin

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

If well logs are available, items A and B below can be deleted

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2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final?

NO

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

None

3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Well 4	0.52 cfs	0.52 cfs	Not Measured

SECTION 4

SYSTEM DESCRIPTION

Are there multiple new or additional Points of Appropriation (POA)?

NO

If "YES" you will need to copy and complete a separate Section 4.

POA Name or Number this section describes (only needed if there is more than one):

Well 4

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A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	Unknown	4 inch

2. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	20 Hp

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
20 Hp	65 psi	104 feet (from pump test recorded on well log)	0 feet	0.52 cfs

4. Provide pump calculations:

$$Q \text{ Pump} = \frac{(20 \text{ Hp}) \times (7.04 \text{ ft}^4/\text{sec Hp})}{(104 \text{ ft lift} + 165.1 \text{ ft pressure head})} = 0.52 \text{ cfs}$$

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Not running during site visit			

Reminder: For pump calculations use the reference information at the end of this document.

B. Groundwater Source Information (Well and Sump)

3. Is the appropriation from a dug well (sump)? NO

If "NO", items 4 through 6 relating to this section may be deleted.

C. Additional notes or comments related to the system:

There are three pressure tanks (two fiberglass tanks, 119 gallons each, and the other metal tank holding 85 gallons) in line with this well.

This well also supplies the house to the west but the domestic use is not metered.

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JAN 23 2025
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**SECTION 5
CONDITIONS**

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POA(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	June 14, 2024	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2025	June 15, 2024

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)? NO

If "NO", you may delete the following table.

3. Measurement Conditions:

a. Does the transfer final order or any extension final order require the installation of a meter or other approved measuring device?

YES

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of appropriation.

b. Has a meter been installed?

YES

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well 1	McCrometer	03-08301	Working	955 023 cubic feet (July 1, 2024)	2003
Well 3	McCrometer	21-01589-03	Working	3,790,530 gallons (July 1, 2024)	Replacement meter: 2022
Well 4	McCrometer	23-04275-04	Working	858,000 gallons (July 1, 2024)	April 2024

If a meter has been installed, items d through f relating to this section may be deleted.

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

If "NO", item b relating to this section may be deleted.

5. Other conditions required by the transfer final order or extension final order:

a. Were there special well construction standards?

NO

b. Was submittal of a ground water monitoring plan required?

NO

c. Other conditions?

YES

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

e) Condition:
 Water shall be acquired from the same aquifer (water source) as the original points of appropriation.

Compliance:
 Original Well 1 (CLAC 2012) develops within the screened interval of 140 to 150 feet in layers of dark sand.

Original Well 3 (CLAC 60252) develops water within the screened intervals of 140 to 149 feet and 151 to 158 feet in a layer of cemented gravel.

Approved Well 4 (CLAC 2008) develops water within the perforated interval of 112 to 129 feet in

layers of black sand and gravel.

It appears all three of these wells obtain water from the alluvial aquifer; therefore, this condition has been met.

SECTION 6 ATTACHMENTS

Received
JAN 23 2025
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Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use Map	Claim of Beneficial Use Map for this transfer
State Water Well Report – CLAC 2012	Well log and driller's notes for CLAC 2012 – Well 1
State Water Well Report – CLAC 60252	Well log and driller's notes for CLAC 60252 – Well 3
State Water Well Report – CLAC 2008	Well log and driller's notes for CLAC 2008 – Well 4
BLM Cadastral Map	BLM Cadastral Map T. 5S. R. 1W. showing DLC and Government Lot locations

SECTION 7 CLAIM OF BENEFICIAL USE MAP

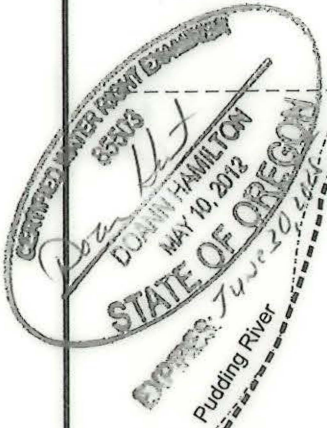
The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of appropriation, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The COBU map was prepared using tax assessor's maps 5 1W 01 and 02, overlain by a 2014 aerial photo titled USDA-FSA-APFO NAIP County Mosaic and obtained on line from the Natural Resources Conservation Service, Image Metadata:
<http://datagateway.nrcs.usda.gov/Catalog/ProductDescription/NAIPM.html>

T.5S. R.1W. Sec. 1 & 2, W.M.

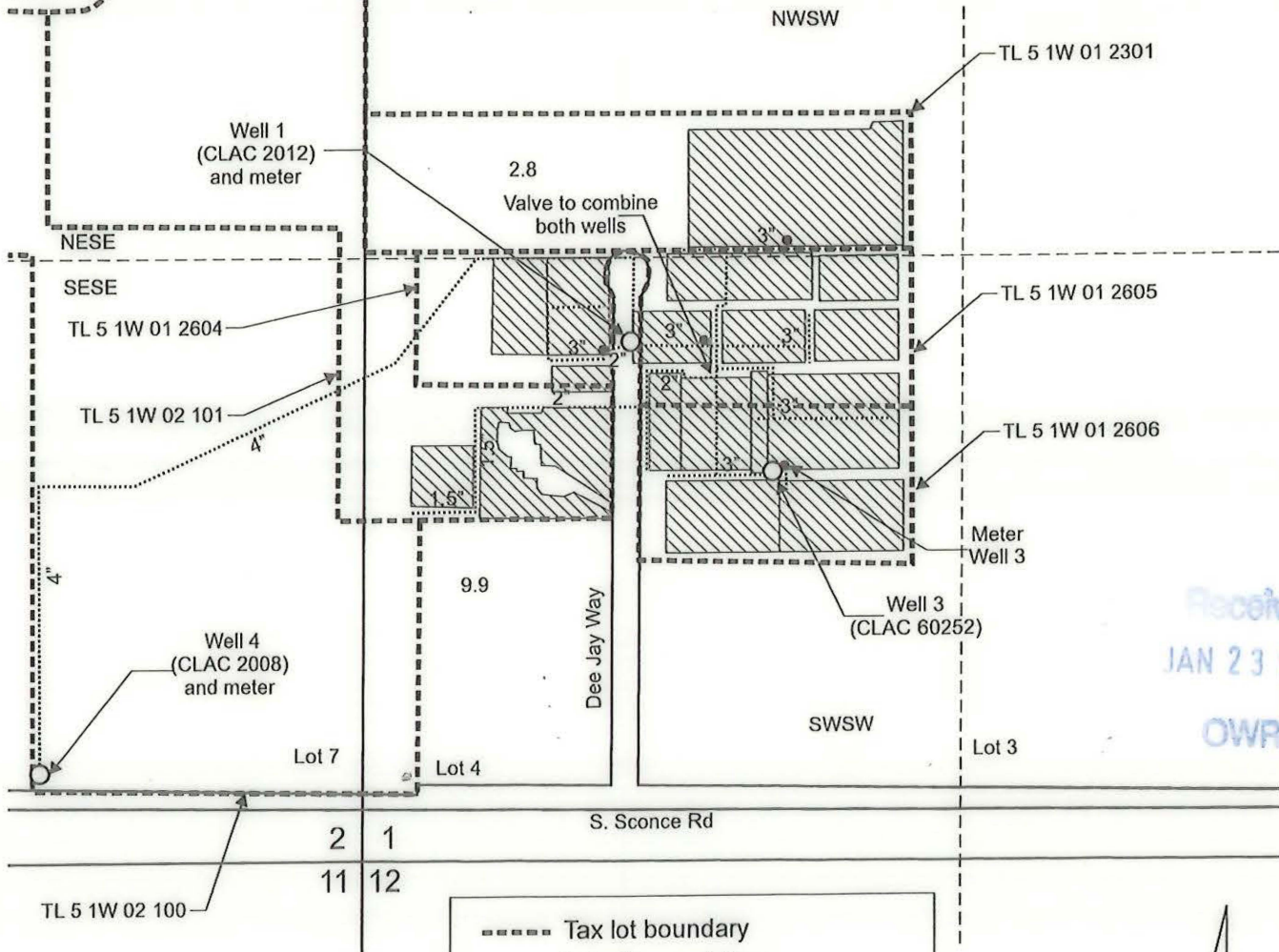


Well 1 (CLAC 2012) is located 1,120 feet north and 585 feet east from the SW corner, Section 1.

Well 3 (CLAC 60252) is located 835 feet north and 895 feet east from the SW corner, Section 1.

Well 4 (CLAC 2008) is located 190 feet north and 700 feet west from the SE corner, Section 2.

 Area (12.7 Acres) of agricultural use (nursery use) and irrigation under T-14163, formerly Certificate 96771.



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JAN 23 2025
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----- Tax lot boundary
 Irrigation mainlines
 ● Injection locations

Scale: 1" = 400'



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.



Claim of Beneficial Use Map
 T-14163, formerly Certificate 96771

Pacific Hydro-Geology Inc.

Jack Bigej
 T.5S. R.1W. Sec. 1 & 2, W.M.

01/2025

AIGardenT-14163COBUMap.cdr

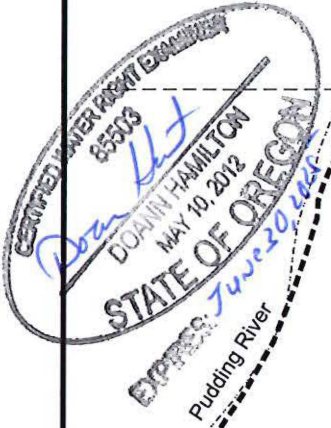
Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

Received
JAN 23 2025
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T.5S. R.1W. Sec. 1 & 2, W.M.

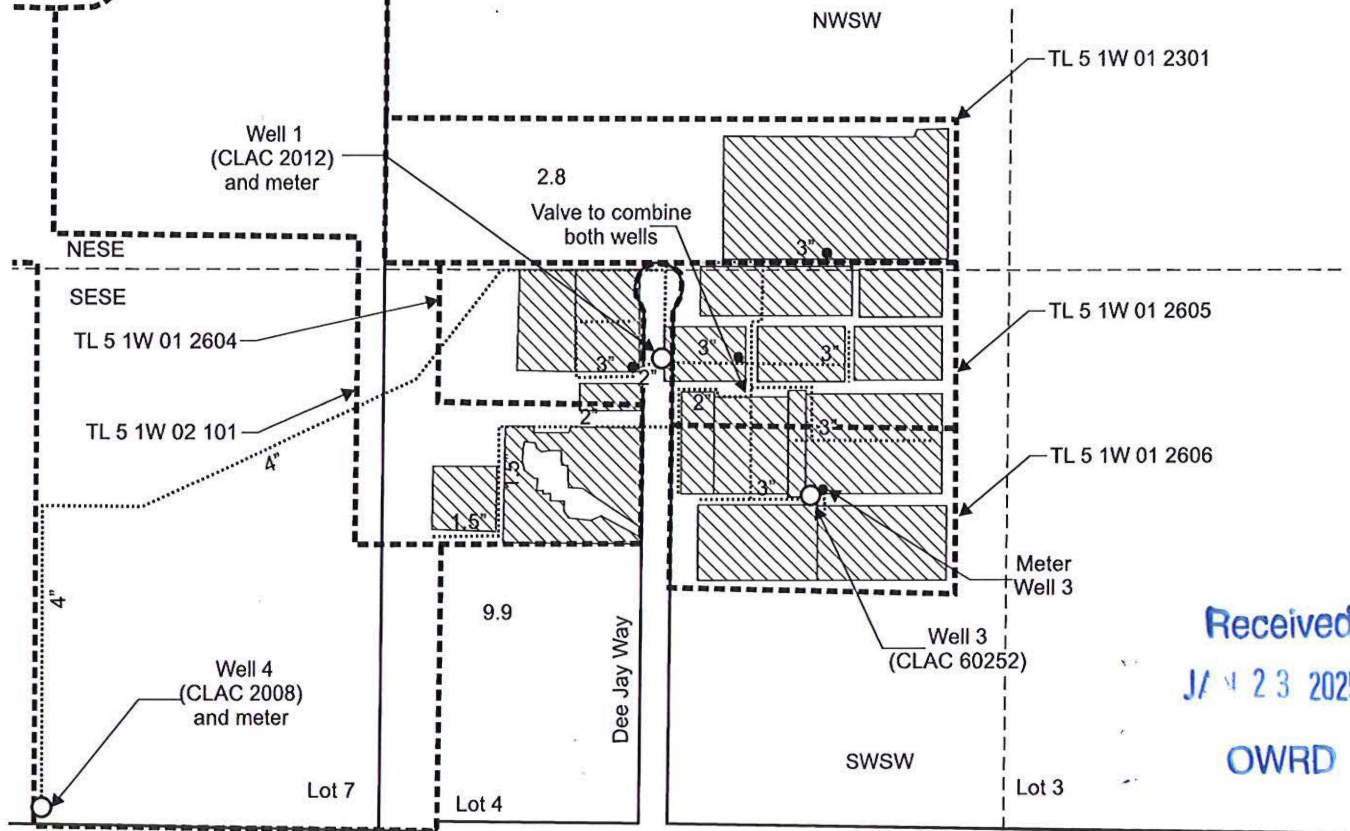


Well 1 (CLAC 2012) is located 1,120 feet north and 585 feet east from the SW corner, Section 1.

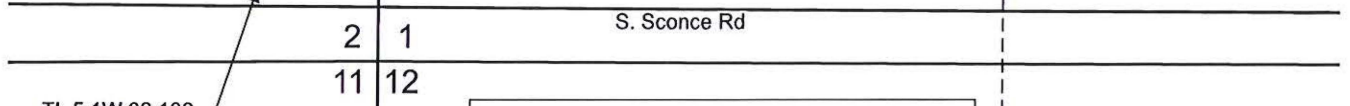
Well 3 (CLAC 60252) is located 835 feet north and 895 feet east from the SW corner, Section 1.




Well 4 (CLAC 2008) is located 190 feet north and 700 feet west from the SE corner, Section 2.

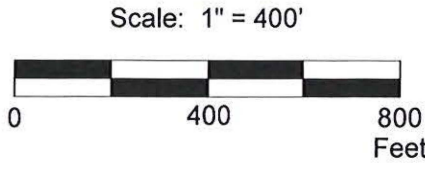
 Area (12.7 Acres) of agricultural use (nursery use) and irrigation under T-14163, formerly Certificate 96771.



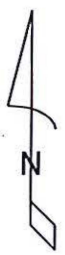
Received
JUN 23 2025
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-  Tax lot boundary
-  Irrigation mainlines
-  Injection locations



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.



Claim of Beneficial Use Map
T-14163, formerly Certificate 96771

Pacific Hydro-Geology Inc.

Jack Bigej
T.5S. R.1W. Sec. 1 & 2, W.M.

01/2025

AIGardenT-14163COBUMap.cdr

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

RECEIVED WATER WELL REPORT
STATE OF OREGON

JUN 23 1980 (Please type or print)
(Do not write above this line)

CLAC

02012

State Well No. 5s/1w-1cc

State Permit No. _____

WATER RESOURCES DEPT

(1) OWNER: SALEM, OREGON

Name Jack R. Bigel
Address Pc 1 Box 246 Ft
Hubbard Ore.

(2) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL: (4) PROPOSED USE (check):
Rotary Driven Domestic Industrial Municipal
Cable Jetted Irrigation Test Well Other
 Bored

CASING INSTALLED: Threaded Welded
8" Diam. from 0 ft. to 15.5 ft. Gage 25.0
" Diam. from " ft. to " ft. Gage "
" Diam. from " ft. to " ft. Gage "

PERFORATIONS: Perforated? Yes No.
Type of perforator used _____
Size of perforations in. by in.
perforations from " ft. to " ft.
perforations from " ft. to " ft.
perforations from " ft. to " ft.

(7) SCREENS: Well screen installed? Yes No
Manufacturer's Name Johnson
Type Stainless Model No. _____
Diam. 7 1/2 Slot size .015 Set from 14.0 ft. to 15.0 ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? Driller
Flow: 170 gal./min. with 64 ft. drawdown after 6 hrs.
" " " " " "
" " " " " "
Bailer test gal./min. with ft. drawdown after hrs.
Discharge flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Cement
Well sealed from land surface to 26 ft.
Diameter of well bore to bottom of seal 12 1/2 in.
Diameter of well bore below seal 8 in.
Number of sacks of cement used in well seal 10 sacks
How was cement grout placed? Pumped

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:
County Clackamas Driller's well number _____
SW 1/4 SW 1/4 Section 1 T. 5 R. 1W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.
Depth at which water was first found 118 ft.
Static level 63 ft. below land surface. Date _____
Artesian pressure lbs. per square inch. Date _____

(12) WELL LOG: Diameter of well below casing 8
Depth drilled 155 ft. Depth of completed well 150 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
TOP Soil	0	2	
Brown Clay	2	27	
Blue Clay	27	29	
Brown Clay	29	60	
Blue Clay	60	78	
Brown Sandy Clay	78	98	
Blue Clay	98	102	
Dark Blue Clay	102	108	
Light Blue Clay	108	112	
Dark Blue silty Clay	112	118	
Dark sand	118	132	
Dark green Clay	132	155	

Pipe was pulled back to 141 FT TO UNCOVER SCREEN.

Received
JAN 23 2025
OWRD

Work started 5-23 1980 Completed 6-6 1980
Date well drilling machine moved off of well 6-7 1980

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] John W. Becke Date 6-7, 1980
(Drilling Machine Operator)
Drilling Machine Operator's License No. 477

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 Sw Becke Well Drilling
(Person, firm or corporation) (Type or print)
Address 24477 S. Skyline Dr Canby Ore
[Signed] John W Becke
(Water Well Contractor)
Contractor's License No. 449 Date 6-7, 1980

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

JUN 29 2004

WELL I.D. # L 48560
START CARD # 154108

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

(1) LAND OWNER
Name JACK BIGET
Address 30851 DEE JAY WAY
City HUBBARD State OR Zip 97032

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 159 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Sacks of _____	
Diameter	From To	Material	From To		
10	1 25	BEUTONITE 1			
12	25 50	BEUTONITE	50	33	
8	50 159				

How was seal placed: Method A B C D E

Other BEUTONITE METHOD

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	0	139	1.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 6	130	159	3/4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None

Final location of shoe(s) 139

(7) DEEPERATIONS SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
140	149	0010		6		<input type="checkbox"/>	<input checked="" type="checkbox"/>
151	158	0030		6		<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Time
80	32		2 HR

Temperature of water 52 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 CLACKAMAS Latitude _____ Longitude _____
Township J5 N or S Range 1W E or W. WM.
Section 1 SW 1/4 SW 1/4
Tax Lot 2606 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SAME

(10) STATIC WATER LEVEL:
58 ft. below land surface. Date 31 MAY 04
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

From	To	Estimated Flow Rate	SWL
83	159		58

(12) WELL LOG:

Material	From	To	SWL
SOIL	1	3	
CLAY BROWN	3	19	
CLAY GRAY	19	32	
CLAY BROWN SANDY	32	41	
CLAY TAN STICKY	41	83	
CLAY BROWN w/ SAND & Cement Gravel	83	87	
CLAY BROWN	87	101	
CLAY GRAY	101	125	
CLAY GRAY SILTY	125	138	
CEMENTED GRAVEL	138	157	
CLAY BLUE	157	159	

Date started 21 MAY 2004 Completed 31 MAY 2004

(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 _____ WWC Number _____ Date _____

(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 J. Beal WWC Number 293 Date 27 June 04

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

Received
JAN 23 2025
OWRD

OCT 20 1989

Received

JAN 23 2025

5s/lw/lcc

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

CLAC WATER RESOURCES DEPT. 02008 SALEM, OREGON

(START/CARD) # 7021

(1) OWNER:

Name Raymond Schwabauer Address 4801 S. Sconce Rd. City Hubbard State OR Zip 97032

(2) TYPE OF WORK:

New Well Deepen Recondition Abandon

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Other

(4) PROPOSED USE:

Domestic Community Industrial Irrigation Thermal Injection Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 176 1/2 ft. Explosives used Type Amount

Table with columns: HOLE Diameter, SEAL From, SEAL To, Amount sacks or pounds

How was seal placed: Method A B C D E

Other OAR 690-210-340

Backfill placed from ft. to ft. Material

Gravel placed from 20 ft. to 210 ft. Size of gravel pea gravel

(6) CASING/LINER:

Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded

Final location of shoe(s) 6" at 99'

(7) PERFORATIONS/SCREENS:

Perforations Method Screens Type Material stainless

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner

(8) WELL TESTS: Minimum testing time is 1 hour

Table with columns: Pump, Bailer, Air, Artesian, Yield gal/min, Drawdown, Drill stem at, Time

Temperature of water 54 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 Clatsop Latitude Longitude Township 5S Nor S, Range 1W E or W, WM. Section 1 SW 1/4 SW 1/4 Tax Lot Lot Block Subdivision Street Address of Well (or nearest address) 4801 S. Sconce Rd. Hubbard, OR 97032

(10) STATIC WATER LEVEL:

57 ft. below land surface. Date 9/22/89 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 111

Table with columns: From, To, Estimated Flow Rate, SWL

(12) WELL LOG:

Table with columns: Material, From, To, SWL

Date started 8/8/89 Completed 9/22/89

(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 well construction standards.

Signed Kermit Martin WWC Number 1371 Date 10/18/89

(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.

Signed Ivan Gussan WWC Number 783 Date 10/13/89

(4-675 b)

Section No. 1 West Willamette Meridian, Oregon.

11798	Ewing Purvine Not. 1076				John Conlee Not. 1172				R. Dimmick Not. 818 Cim. 59 A. 303.25					
3 A. 45.28	2 A. 45.46	1 A. 22.19	Cl. Acres 139.55	38 63.16	Cl. Acres 84.94	39 28.16	38.60	37.75	37.75	2 A. 40.85	1 A. 40.62	1 A. 40.39	1 A. 40.16	
Estate of John Purvine				Estate of John Conlee				Estate of R. Dimmick						
Cim. 60 Acres 644.24				Not. 1075				2 A. 27.28						
1 A. 2.22	4 A. 36.04	5 A. 36.30	6 A. 36.57	7 A. 36.83	6 A. 37.10	5 A. 37.36	4 36.15	3 A. 38.72	6 A. 35.82	7 A. 35.59	4 A. 35.63	3 A. 35.97	2 A. 36.30	1 A. 36.64
Special Plot				5 a 38.66				John M. Bacon Not. 873 Cim. 71 Acres 477.32						
1 A. 1.09	1 A. 7.38	1 A. 7.22	2 A. 7.03	1 A. 6.89	1 A. 6.78	2 A. 21.75	2 A.	1 A.	2 A.	1 A.				

Received
Jan 23 2025
OWRD

REIMBURSEMENT AUTHORITY TRANSFER

T-14163

CERTIFICATE 98597 (cf-96771) issued 8-8-2025

JACK BIGEY

one only Cert 96771

CERT

Completion Checklist for Claims of Beneficial Use for POST JULY 1, 2004 Claims

Application #	WRD Reviewer <i>Kerry Korman</i>
Transfer # <i>T-14163</i>	Claim Logged <i>YES</i>
Date Received <i>1-23-2025</i>	Oversized Map # <i>MA</i>
CWRE Name <i>Doann Hamilton</i>	

TFO issued 6-14-2024. C Date 10-1-2025. Add'l POA Cert 96771 - 0.52 cfs for NU on 12.7 ac

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014) *CLACKAMAS*
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits
 - Initial water level measurements
 - Annual static water level measurements
 - Measurement, recording, and reporting *TFO or OSMD at each POA (new existing)*
 - Meter/measuring device *meter at each well*
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water)
 - Other *same aquifer quantity of water....*
- Conditions from Extension Final Order and/or Water Management Conservation Plan
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
N/A = Not Applicable

Pump Capacity Calculation Sheet

Application T-14163

using Department designed formula:

one add'l well - Well 4 (CLAC 2008)

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	<u>20</u>
Efficiency =	<u>7.04</u>
Lift =	<u>104</u>
PSI =	<u>65</u>

Results Calculated

(hp)(efficiency) =	140.8
Head based on psi =	165.1
Total dynamic head =	269.1
(head + lift)	

Pump Capacity = 0.52 feet per second

Application #

Permit #

Transfer # T-14163

Jack Bigej

RA# R13115-25

Reimbursement Authority Process
Itemized FINAL Sheet
for
Certificates

	New Est. Time (hr)	Multiple	Est Hours	Individual	New Hourly Rate	New Est. Cost	Date/Act. Time
1. Review COBU - 1 orig. cert - 1 claimed "new" well	1.50	32%	1.99	Kerry	\$84.90	\$ 168.72	
2. Conflict Check	0.50	32%	0.66	Kerry	\$84.90	\$ 56.24	
3. Prep of def. letter - contingency time	0.50	32%	0.66	Kerry	\$84.90	\$ 56.24	
4. Enter pump test data -	0.00	32%	0.00	Kerry	\$84.90	\$ -	
5. Prep of 1 cert	3.50	32%	4.64	Kerry	\$84.90	\$ 393.69	
6a. Peer review - consultation	0.00	32%	0.00	Gerry	\$81.02	\$ -	
6b. Peer review	0.30	32%	0.30	Katie	\$102.80	\$ 30.84	
6c. Peer review	0.50	32%	0.66	Gerry	\$81.02	\$ 53.67	
7. Project Management	5.00	32%	6.62	Kerry	\$83.38	\$ 552.34	
8a. Water right data record update	0.75	32%	0.99	Support-Tonya	\$40.44	\$ 40.18	
8b. Water right data record update - 1 cert	0.75	32%	0.99	Data Tech-Sheila	\$58.12	\$ 57.75	
9. NEED review of PT - n/a	0.00	32%	0.00	Shauna	\$52.66	\$ -	
10. NEED review of PT - n/a	0.00	32%	0.00	Travis Brown	\$83.76	\$ -	
Total	13.30		17.52		Sub Total	\$1,410	
					10% Overhead	\$140.97	
					TOTAL	\$1,551	

\$ 204 under (estimated cost = \$1755)

TFO issued 6-14-2024. C Date = 10-1-2025. add'l POA.

Cert 96771 - 0.52 cfs from 2 wells for AG (NU) and IR of 12.7 ac. One add'l well.

1 new well proposed - Well 4

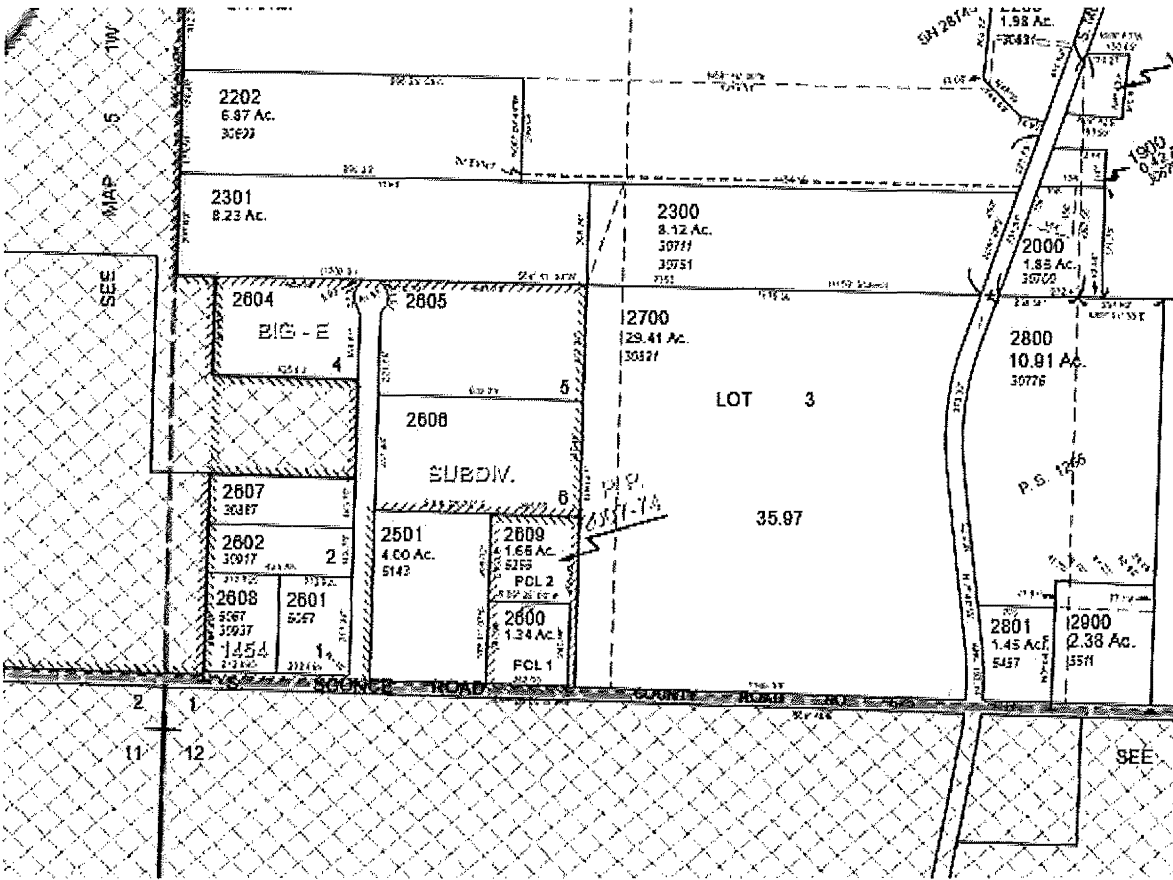
TFO: install TFM or OSMD at each POA (new and existing) - COBU describes meters at 3 wells

TFO: same aquifer

TFO: quantity of water diverted at the additional POAs...shall not exceed the quantity of water lawfully available at the original POA

orig. cert: "may require" record & report

Claimed - 1 well - Well 4 (CLAC 2008)



Property Account Summary



Account Number	Property Address	NO SITUS , ADDRESS, OR
General Information		
Alternate Property #	51W01 02301	
Property Description	Section 01 Township 55 Range 1W TAX LOT 02301	
Property Category	Land &/or Buildings	
Status	Active, Locally Assessed, Use Assessed	
Tax Code Area	066-031	
Remarks		
Tax Rate		
Description	Rate	
Total Rate	12.657	
Property Characteristics		
Property Tax Deferral	Potential Additional Tax Liability	
Neighborhood	13164: South Canby rural all other	
Land Class Category	550: EFU farmland vacant	
Acreage	8.23	
Change property ratio	5XX	
Related Properties		
No Related Properties Found		
Parties		
Role	Percent	Name Address
Taxpayer	100	BIGEJ JACK R TRUSTEE 30851 S DEE JAY WAY, HUBBARD, OR 97032
Owner	100	BIGEJ JACK R TRUSTEE 30851 S DEE JAY WAY, HUBBARD, OR 97032

Property Account Summary



Account Number	██████████	Property Address	NO SITUS , ADDRESS, OR
General Information			
Alternate Property #	51W01 02604		
Property Description	1454 BIG E SUB-DIV LT 4		
Property Category	Land &/or Buildings		
Status	Active, Locally Assessed, Use Assessed		
Tax Code Area	086-031		
Remarks			
Tax Rate			
Description	Rate		
Total Rate	12.657		
Property Characteristics			
Property Tax Deferral	Potential Additional Tax Liability		
Neighborhood	13164: South Canby rural all other		
Land Class Category	551: EFU farmland improved		
Change property ratio	5XX		
Related Properties			
No Related Properties Found			
Parties			
Role	Percent	Name	Address
Taxpayer	100	BIGE) JACK R TRUSTEE	30851 S DEE JAY WAY, HUBBARD, OR 97032
Owner	100	BIGE) JACK R TRUSTEE	30851 S DEE JAY WAY, HUBBARD, OR 97032

Property Account Summary



Account Number	██████████	Property Address	NO SITUS , ADDRESS, OR
General Information			
Alternate Property #	51W01 02605		
Property Description	1454 BIG E SUB-DIV LT 5		
Property Category	Land &/or Buildings		
Status	Active, Locally Assessed, Use Assessed		
Tax Code Area	086-031		
Remarks			
Tax Rate			
Description	Rate		
Total Rate	12.657		
Property Characteristics			
Property Tax Deferral	Potential Additional Tax Liability		
Neighborhood	13164: South Canby rural all other		
Land Class Category	551: EFU farmland improved		
Change property ratio	5XX		
Related Properties			
No Related Properties Found			
Parties			
Role	Percent	Name	Address
Taxpayer	100	BIGE) JACK R TRUSTEE	30851 S DEE JAY WAY, HUBBARD, OR 97032
Owner	100	BIGE) JACK R TRUSTEE	30851 S DEE JAY WAY, HUBBARD, OR 97032

Property Account Summary



01081144

Account Number	[REDACTED]	Property Address	NO SITUS , ADDRESS, OR
-----------------------	------------	-------------------------	------------------------

General Information

Alternate Property #	51W01 02606
Property Description	1454 BIG E SUB-DIV LT 6
Property Category	Land &/or Buildings
Status	Active, Locally Assessed, Use Assessed
Tax Code Area	086-031
Remarks	

Tax Rate

Description	Rate
Total Rate	12.657

Property Characteristics

Property Tax Deferral	Potential Additional Tax Liability
Neighborhood	13164: South Canby rural all other
Land Class Category	551: EFU farmland improved
Change property ratio	5XX

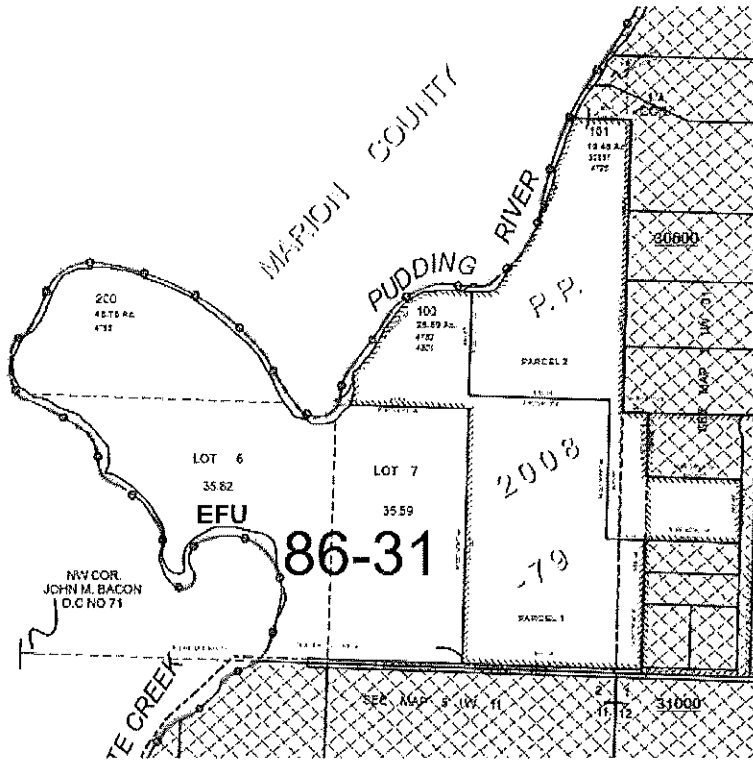
Related Properties

No Related Properties Found

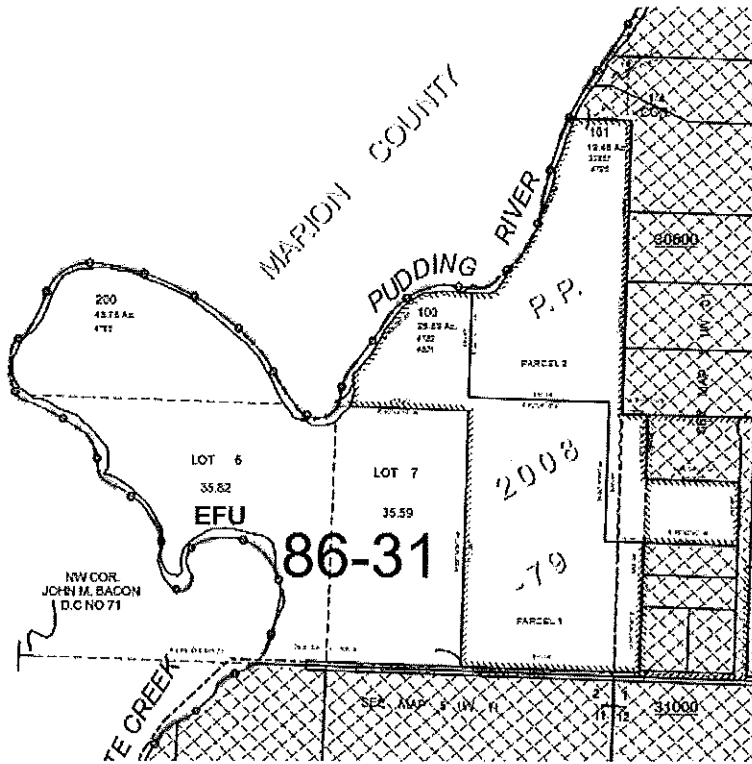
Parties

Role	Percent	Name	Address
Taxpayer	100	BIGEJ JACK R TRUSTEE	30851 S DEE JAY WAY, HUBBARD, OR 97032
Owner	100	BIGEJ JACK R TRUSTEE	30851 S DEE JAY WAY, HUBBARD, OR 97032

Application T-14163 – Ownership per CLACKAMAS County Assessor: 51W02 00101:



Account Number	[REDACTED]	Property Address	30851 S DEE JAY WAY , HUBBARD, OR 97032
General Information			
Alternate Property #	51W02.00101		
Property Description	Partition Plat 2008-079 PARCEL 2		
Property Category	Land &/or Buildings		
Status	Active, Host Other Property, Locally Assessed, Use Assessed		
Tax Code Area	086-031		
Remarks			
Tax Rate			
Description	Rate		
Total Rate	12.657		
Property Characteristics			
Property Tax Deferral	Potential Additional Tax Liability		
Neighborhood	13164: South Canby rural all other		
Land Class Category	551: EFU farmland improved		
Building Class Category	15: Single family res, class 5		
Year Built	2008		
Acreage	19.46		
Change property ratio	5XX		
Related Properties			
P2252970 is Located On this property			
Parties			
Role	Percent	Name	Address
Taxpayer	100	BIGEJ JACK E & DEANNA	4795 S SCONCE RD, HUBBARD, OR 97032
Owner	100	BIGEJ MARK D TRUSTEE	NO MAILING ADDRESS, AVAILABLE,



Account Number	[REDACTED]	Property Address	4801 S SCONCE RD , HUBBARD, OR 9703
-----------------------	------------	-------------------------	-------------------------------------

General Information

Alternate Property #	51W02 00100
Property Description	Partition Plat 2008-079 PARCEL 1
Property Category	Land &/or Buildings
Status	Active, Locally Assessed, Use Assessed
Tax Code Area	086-031
Remarks	

Tax Rate

Description	Rate
Total Rate	12.657

Property Characteristics

Property Tax Deferral	Potential Additional Tax Liability
Neighborhood	13164: South Canby rural all other
Land Class Category	551: EFU farmland Improved
Building Class Category	14: Single family res, class 4
Year Built	1997
Acreage	25.69
Change property ratio	5XX

Related Properties

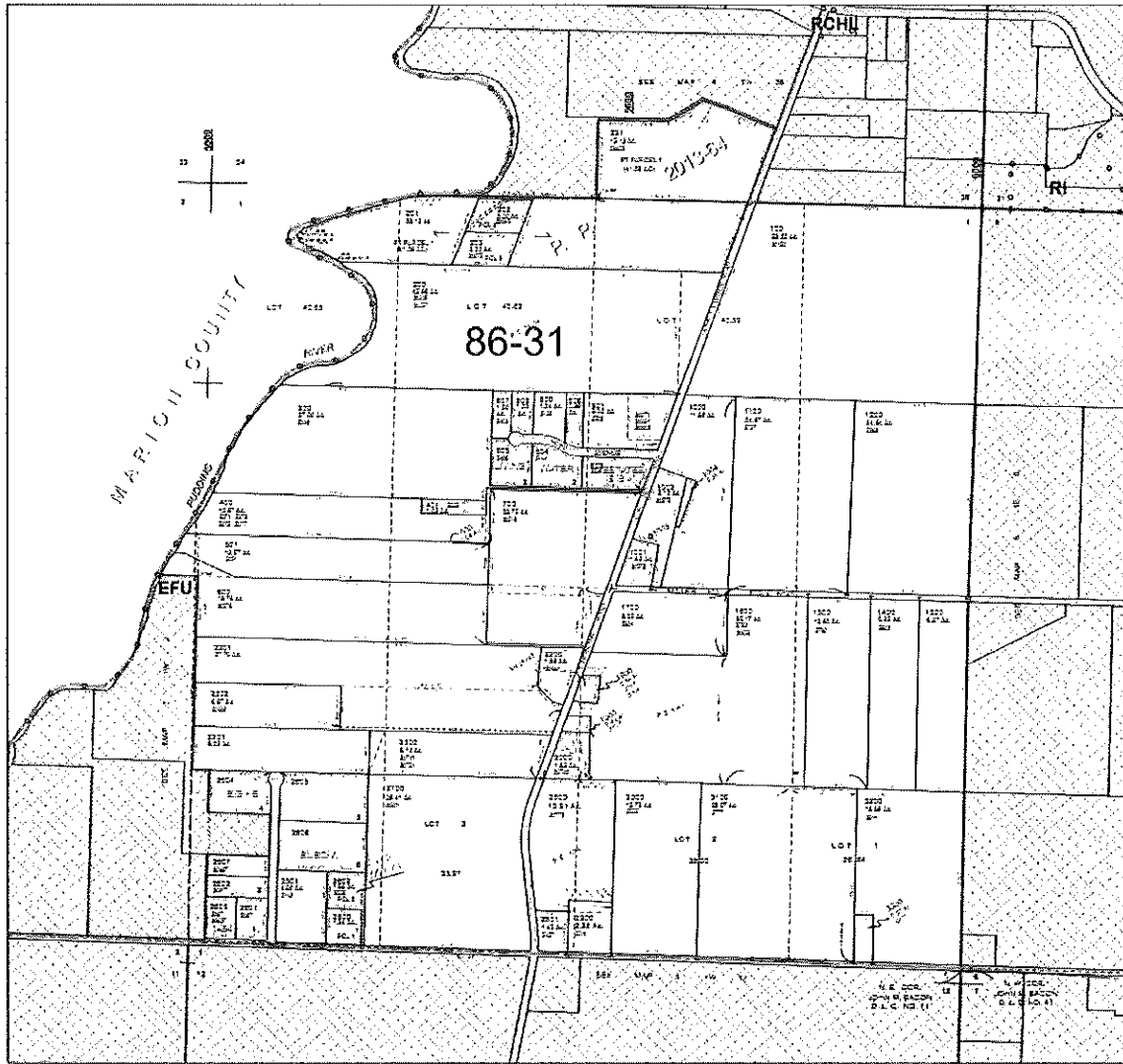
No Related Properties Found

Parties

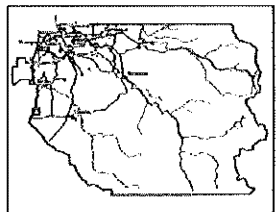
Role	Percent	Name	Address
Taxpayer	100	KDB INVESTMENTS LLC	1220 N PACIFIC HWY, WOODBURN, OR 97071
Owner	100	KDB INVESTMENTS LLC	1220 N PACIFIC HWY, WOODBURN, OR 97071

SECTION 1 T.5S. R.1W. W.M.
CLACKAMAS COUNTY
1" = 400'

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L. E. COE



- Parcel Boundary
- Private Water Right
- Public Boundary
- Railroad Corridor
- BB & TCC Section Lines
- Riparian
- Easement
- Land Use Zoning
- Fence
- Well
- Corner
- Section Corner
- 1/4th Line
- Contour Line
- D.C. Line
- Mainstem Line
- P.S.S. Section Line
- Private Corridor 43
- Private Corridor 22

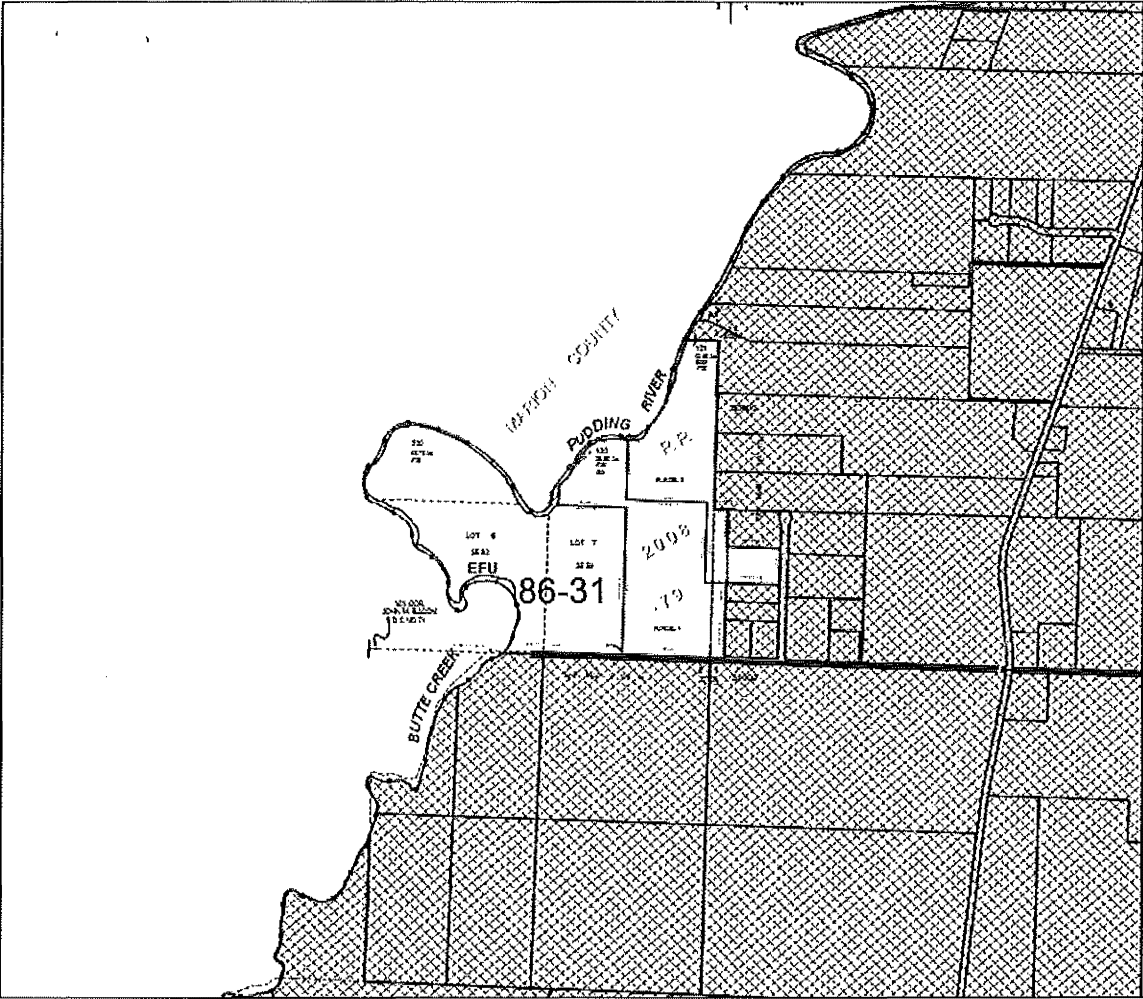


THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

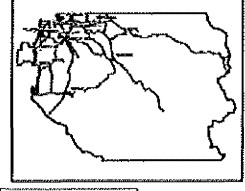
SEC. 02 T.5S. R.1W. W.M.
CLACKAMAS COUNTY

7-02

Created
02



- | | | | |
|------|---------------------|---|------------------|
| — | Parcel Boundary | ⊠ | Corner |
| ---- | Prima Facie EOP | ⊞ | Section Corner |
| ---- | Historical Boundary | ⊞ | 1/4 Section Line |
| ---- | Sublot Boundary | ⊞ | Section Line |
| ---- | 1/4 Section Line | ⊞ | 1/4 Section Line |
| ---- | 1/2 Section Line | ⊞ | 1/2 Section Line |
| ---- | 3/4 Section Line | ⊞ | 3/4 Section Line |
| ---- | Section Line | ⊞ | Section Line |
| ---- | 1/4 Section Line | ⊞ | Section Corner |
| ---- | Section Corner | ⊞ | Section Corner |
| ---- | Plan | ⊞ | Plan |
| ---- | Year | ⊞ | Year |



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

Application T-14163

originating Certificate 96771

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9

12.7

AGRICULTURAL USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4



**Oregon Water Resources Department
Water Rights Platcard Report**

Search Criteria

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

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

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:43101 OR *		11/4/1971	FISH CULTURE																	*	*			
Additional Info: ED PARDEY App: R48817 Permit: R5920 Cert: 43101																								
Select Permit: G 12314 *		8/1/1994	IRRIGATION																					18
Additional Info: FAYE TAYLOR App: G13757 Permit: G12314																								
Select Claim:GR 3276 *		8/31/1951	IRRIGATION								7													
Additional Info: ELLIS KROPF Claim: GR3276																								
Select Cert:20508 OR *		8/15/1949	IRRIGATION											11.6	11									
Additional Info: JAMES A MORGAN App: S24008 Permit: S18935 Cert: 20508																								
Select Cert:22564 OR CN		10/31/1951	IRRIGATION CN					-21.4			-28.4	-6.8												
Additional Info: MERLE TRACHAEL App: S26601 Permit: S20836 Cert: 22564																								



**Oregon Water Resources Department
Water Rights Platcard Report**

Search Criteria

Meridian: Township: South West Section: Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00(40) 01(60)	NE NE	NW NE	SW NE	SE NE	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ	
Select Cert:27412 OR *		3/2/1956	IRRIGATION																			10.25	15.75	
Additional Info: ARTIE OWINGS App: G251 Permit: G152 Cert: 27412																								
Select Cert:27500 OR *		4/5/1956	IRRIGATION							11.2	13													
Additional Info: FRANK LAIS App: G288 Permit: G207 Cert: 27500																								
Select Cert:30772 OR *		2/3/1960	IRRIGATION										8.8	8.2										
Additional Info: VLADIMIR KOSTRIKIN App: S33600 Permit: S26569 Cert: 30772																								
Select Cert:38823 OR *		3/1/1968	IRRIGATION									17.2	0.7											
Additional Info: CHARLES CARLSON App: S44529 Permit: S33319 Cert: 38823																								
Select Cert:44450 OR *		7/17/1968	IRRIGATION											4										
Additional Info: JOSEPH LOKTEFF App: G4497 Permit: G4239 Cert: 44450																								



Oregon Water Resources Department
Water Rights Platcard Report

Search Criteria

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

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	CC(40) Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ		
Select Cert:44452 OR *		2/10/1967	IRRIGATION											3		6	12.4									
Additional Info: POLIEKT KONEV App: S43261 Permit: S32338 Cert: 44452																										
Select Cert:45366 OR *		4/4/1972	IRRIGATION							12.2										5.4	34.6					
Additional Info: ED PARDEY App: G5766 Permit: G5546 Cert: 45366																										
Select Cert:47676 OR CN		6/19/1970	IRRIGATION CN			71												4	1.5							
Additional Info: J.H./RAYMOND SCHWABAUER App: G5224 Permit: G5083 Cert: 47676																										
Select Cert:47884 (T 4125 RR) *	T13200	10/31/1951	IRRIGATION						7.9			10.2	2.8													
Additional Info: MERLE TRACHAEL App: S26601 Permit: S20836 Cert: 47884																										
Select Cert:56081 CF *	IL885	10/31/1951	IRRIGATION			2			13.5																	
Additional Info: IGNATI SNEGIREV App: S26601 Permit: S20836 Cert: 56081																										



Search Criteria

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

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Ac(40) Or(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown
Select Cert:56081 CF * <u>Additional Info:</u> IGNATI SNEGIREV App: S26601 Permit: S20836 Cert: 56081	IL885	10/31/1951	IRRIGATION			3						18.2												
Select Cert:56081 CF * <u>Additional Info:</u> IGNATI SNEGIREV App: S26601 Permit: S20836 Cert: 56081	IL885	10/31/1951	IRRIGATION			4						4												
Select Cert:85900 OR * <u>Additional Info:</u> IVAN SNEGIREV App: S70153 Permit: S50875 Cert: 85900	T13200	12/27/1989	IRRIGATION								1.2													
Select Permit: G 16868 CN <u>Additional Info:</u> MAST ROTH FARMS LLC App: G17392 Permit: G16868		6/3/2010	IRRIGATION CN																-6.6				-4.9	
Select Cert:87542 OR * <u>Additional Info:</u> WEST COAST TRUST; FRANK J BRONEC TRUST, UTD 9/12/05 App: G12267 Permit: G11369 Cert: 87542	T14616	10/18/1990	IRRIGATION			71																	2.7	3



Oregon Water Resources Department
Water Rights Platcard Report

Search Criteria

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

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40) Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select App: G 18171 WD		12/8/2015	IRRIGATION	WD				39.5	14.5															
Additional Info: JAMES BUTSCH App: G18171																								
Select Cert:91364 CF *		6/19/1970	IRRIGATION		71													4	1.5					
Additional Info: COLEMAN FARMS INC. App: G5224 Permit: G5083 Cert: 91364																								
Select Cert:96771 OR CN	T14163	11/20/1995	IRRIGATION	CN													2.8							
Additional Info: JACK BIGEJ App: G14202 Permit: G12926 Cert: 96771																								
Select Cert:96771 OR CN	T14163	11/20/1995	IRRIGATION	CN		4												9.9						
Additional Info: JACK BIGEJ App: G14202 Permit: G12926 Cert: 96771																								
Select Inchoate: T 14163 CF (REG) *		11/20/1995	IRRIGATION														(2.8)							
Additional Info: JACK BIGEJ App: G14202 Permit: G12926																								



**Oregon Water Resources Department
Water Rights Platcard Report**

Search Criteria

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

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Co. (40)	Co. (60)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ	
Select Inchoate: T 14163 CF (REG) *		11/20/1995	IRRIGATION			4													(9.9)							
<u>Additional Info:</u> JACK BIGEJ App: G14202 Permit: G12926																										
Select App: IS 89621 *		7/10/2024	MULTIPLE INSTREAM USES						*	*	*															
<u>Additional Info:</u> SPENCER SAWASKE App: IS89621																										
Select Permit: R 14611 CN		2/19/2008	MULTIPLE PURPOSE	CN					*																	
<u>Additional Info:</u> BRANTAN WALKER App: R87100 Permit: R14611																										
Select Permit: G 11642 *		7/5/1990	NURSERY USES																3.6	24.4						
<u>Additional Info:</u> SID MILES App: G12163 Permit: G11642																										
Select Permit: G 12313 CN		6/15/1992	NURSERY USES	CN																			-15.2			
<u>Additional Info:</u> GERALD H MAST App: G12987 Permit: G12313																										



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

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

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	qq(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select App: G 15879 DN		11/26/2002	NURSERY USES	DN	71	3													-15					
<u>Additional Info:</u> PETER MCGILL App: G15879																								
Select App: G 15879 DN		11/26/2002	NURSERY USES	DN	71	4													-4					
<u>Additional Info:</u> PETER MCGILL App: G15879																								
Select Cert:84632 OR *		3/23/1994	NURSERY USES													6.2	0.7	0.1	1.2					
<u>Additional Info:</u> RICHARD EGGIMANN App: G13647 Permit: G11966 Cert: 84632																								
Select Cert:85624 OR *		8/29/1990	NURSERY USES							23														
<u>Additional Info:</u> RICHARD KROPPF App: G12215 Permit: G11528 Cert: 85624																								
Select Cert:85755 OR CN		3/30/1990	NURSERY USES	CN		4													-3.2					
<u>Additional Info:</u> App: G12057 Permit: G11635 Cert: 85755																								



**Oregon Water Resources Department
Water Rights Platcard Report**

Search Criteria

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

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	CC(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:85808 CR *		3/30/1990	NURSERY USES			4												3.2						
<p><u>Additional Info:</u> RAYOMOND SCHWABAUER App: G12057 Permit: G11635 Cert: 85808</p>																								
Select Permit: G 16605 *		2/19/2008	NURSERY USES						4.21						9.63	6.05					0.86			
<p><u>Additional Info:</u> BRANTAN WALKER App: G17006 Permit: G16605</p>																								
Select Cert:95194 OR CN	T14258	5/15/2000	NURSERY CN USES													-16.8	-12.2							
<p><u>Additional Info:</u> WHISKEY HILL PLANTS LLC App: G15149 Permit: G14997 Cert: 95194</p>																								
Select Cert:96771 OR CN	T14163	11/20/1995	NURSERY CN USES														*							
<p><u>Additional Info:</u> JACK BIGEJ App: G14202 Permit: G12926 Cert: 96771</p>																								
Select Cert:96771 OR CN	T14163	11/20/1995	NURSERY CN USES			4												*						
<p><u>Additional Info:</u> JACK BIGEJ App: G14202 Permit: G12926 Cert: 96771</p>																								



Search Criteria

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

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Acres	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown
Select Inchoate: T 14163 CF (REG) *		11/20/1995	NURSERY USES														(*)							
<u>Additional Info:</u> JACK BIGEJ App: G14202 Permit: G12926																								
Select Inchoate: T 14163 CF (REG) *		11/20/1995	NURSERY USES			4											(*)							
<u>Additional Info:</u> JACK BIGEJ App: G14202 Permit: G12926																								
Select Inchoate: T 14258 CF (REG) *		5/15/2000	NURSERY USES													(15.8)	(12.2)							
<u>Additional Info:</u> WHISKEY HILL PLANTS LLC App: G15149 Permit: G14997																								
Select Cert:97512 (T 14258 RR) *		5/15/2000	NURSERY USES													1								
<u>Additional Info:</u> WHISKEY HILL PLANTS LLC App: G15149 Permit: G14997 Cert: 97512																								
Select Cert:72954 OR *		8/5/1993	POLLUTION ABATEMENT (INSTREAM)					*	*	*														
<u>Additional Info:</u> OREGON WATER RESOURCES DEPARTMENT App: IS73533 Cert: 72954																								



Search Criteria

Meridian:

Township:

Range:

Section:

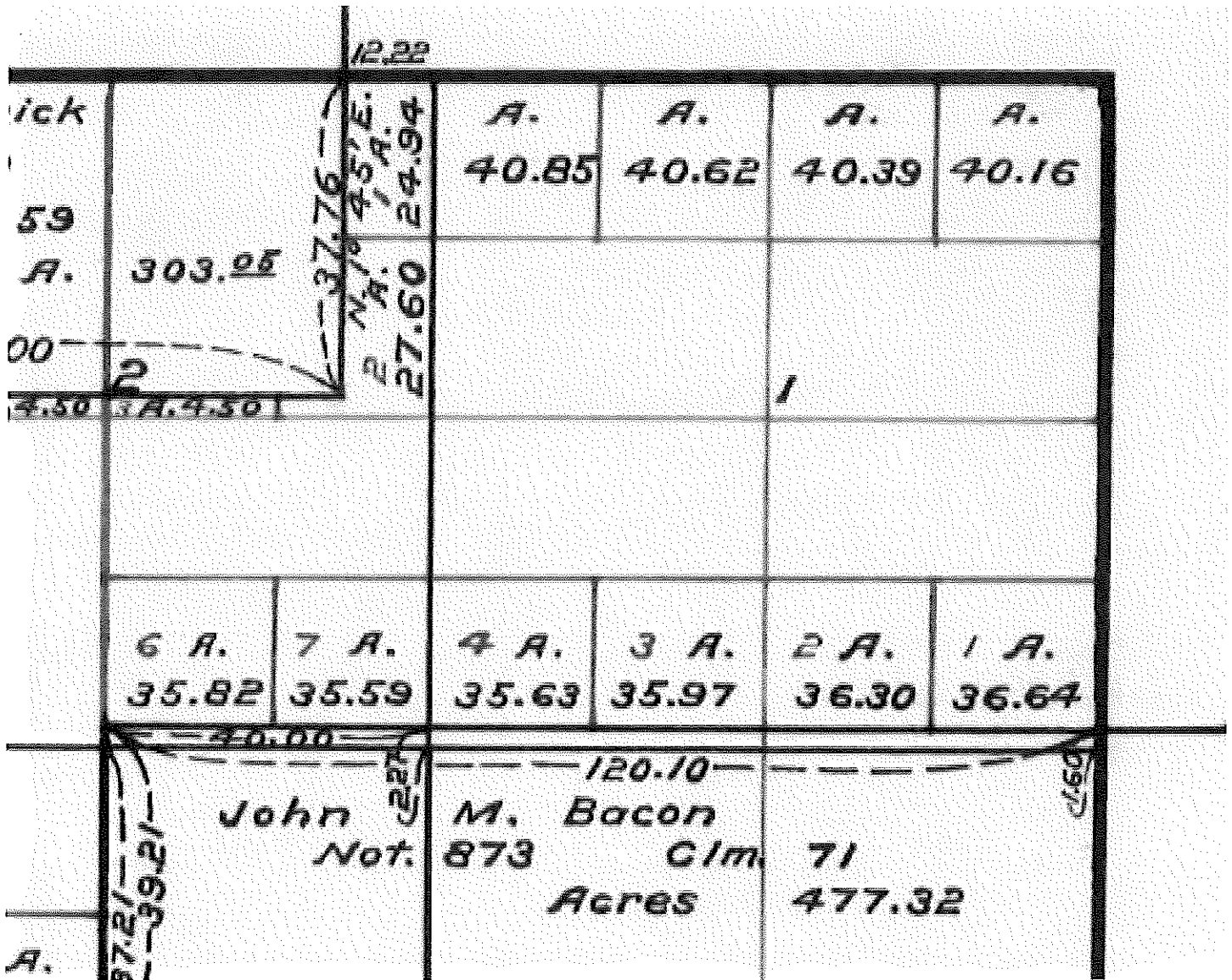
Records per Page:

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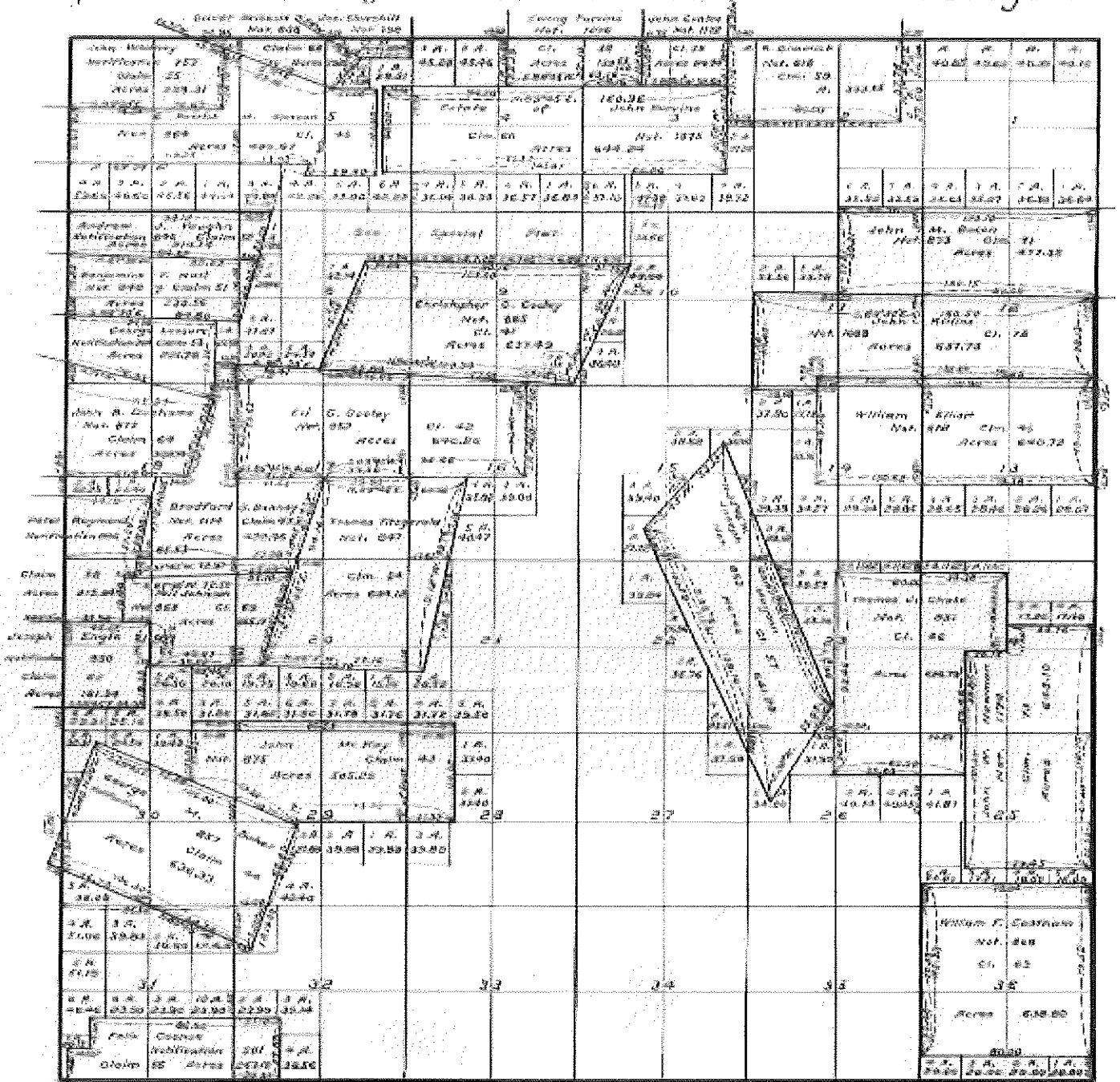
Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Govt Lot	Q1(40)	Q1(40)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:52714 OR * Additional Info: RAYOMOND SCHWABAUER App: G7765 Permit: G8554 Cert: 52714		2/18/1977	SUPPLEMENTAL IRRIGATION (Supplmtl)		71															4	1.5				
Select Cert:85899 OR * Additional Info: IVAN SNEGIREV App: G13230 Permit: G11877 Cert: 85899	T13200	12/30/1992	SUPPLEMENTAL IRRIGATION (Supplmtl)										1.2												
Select Cert:89474 OR * Additional Info: WEST COAST TRUST; FRANK J BRONEC TRUST, UTD 9/12/05 App: S73447 Permit: S51529 Cert: 89474		6/4/1993	SUPPLEMENTAL IRRIGATION (Supplmtl)		71																		2.7	3	

T-14163:

Portion cadastral survey T5S, R1W, W.M – Section 1 – 1862-06-25:



Township No 5 South Range No 1 West Willamette Meridian, Oregon.



T-14163:

Oregon Water Resources Department
Water Rights Mapping Tool

Main Help
Return Contact Us

OWRD Only

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source: Equals

Irr. District:

(Draw box on map.)

Points of Diversion: (Count: 20)

Places of Use: (Count: 6)

Identify Non-Water Right Features

Tax Lots

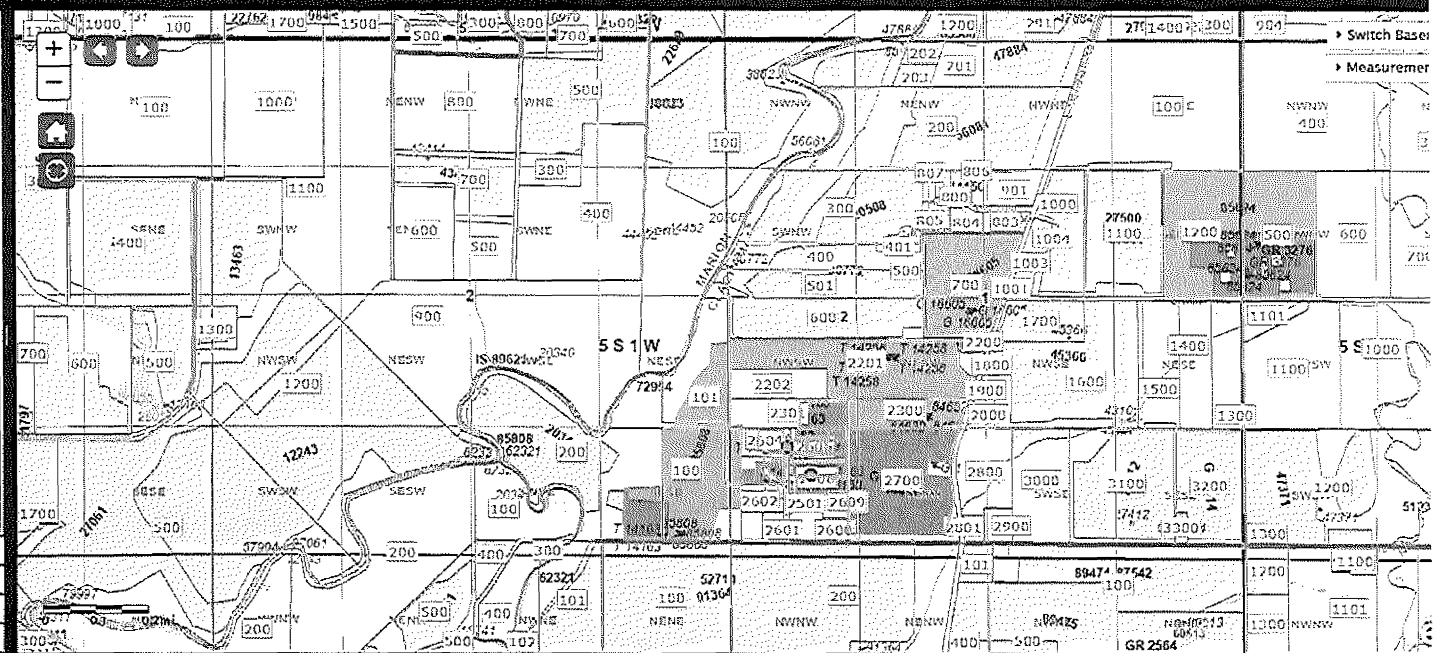
Layers

Tools

POD | POU | Irrigation Districts AOI | MCWC Planned POU

All Fields Search...

ID (select)	Organization	Website	Data Source
-------------	--------------	---------	-------------



T-14163:

Oregon Water Resources Department
Water Rights Mapping Tool

Main Help
Return Contact Us

OWRD Only

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer: T

Snap ID:

POD Source: Equals

Irr. District:

(Draw box on map.)

Points of Diversion: (Count: 30)

Places of Use: (Count: 2)

Identify Non-Water Right Features

Tax Lots

Layers

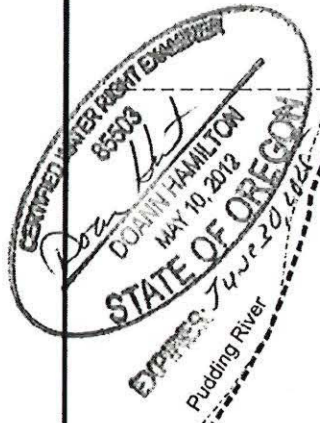
Tools

POD POU Irrigation Districts AOI MCWC Planned POU

All Fields Search...

ID (select)	WRIS	Zoom	Water Right	Water Type	First Name	Last Name	Company	Use Desc.	Priority Date	Supp. Duty	Rate cfs	Rate cfs Est.	Max Rate cfs	Acre ft	Acre ft Est	Max Rate Acre ft	Stream Name
1	192521	Details	Map WR	Inchoate: T 14163 CF...	JACK	BIGE		IRRIGATION	11/20/1995 -	2.5	0.0675	Yes	0.27	-	-	-	PUDDING R > MOLALLA R
2	192522	Details	Map WR	Inchoate: T 14163 CF...	JACK	BIGE		NURSERY USES	11/20/1995 -	2.5	0.02250...	Yes	0.27	-	-	-	PUDDING R > MOLALLA R
3	192523	Details	Map WR	Inchoate: T 14163 CF...	JACK	BIGE		NURSERY USES	11/20/1995 -	2.5	0.02250...	Yes	0.27	-	-	-	PUDDING R > MOLALLA R
4	192524	Details	Map WR	Inchoate: T 14163 CF...	JACK	BIGE		NURSERY USES	11/20/1995 -	5	0.02250...	Yes	0.27	-	-	-	PUDDING R > MOLALLA R

T.5S. R.1W. Sec. 1 & 2, W.M.

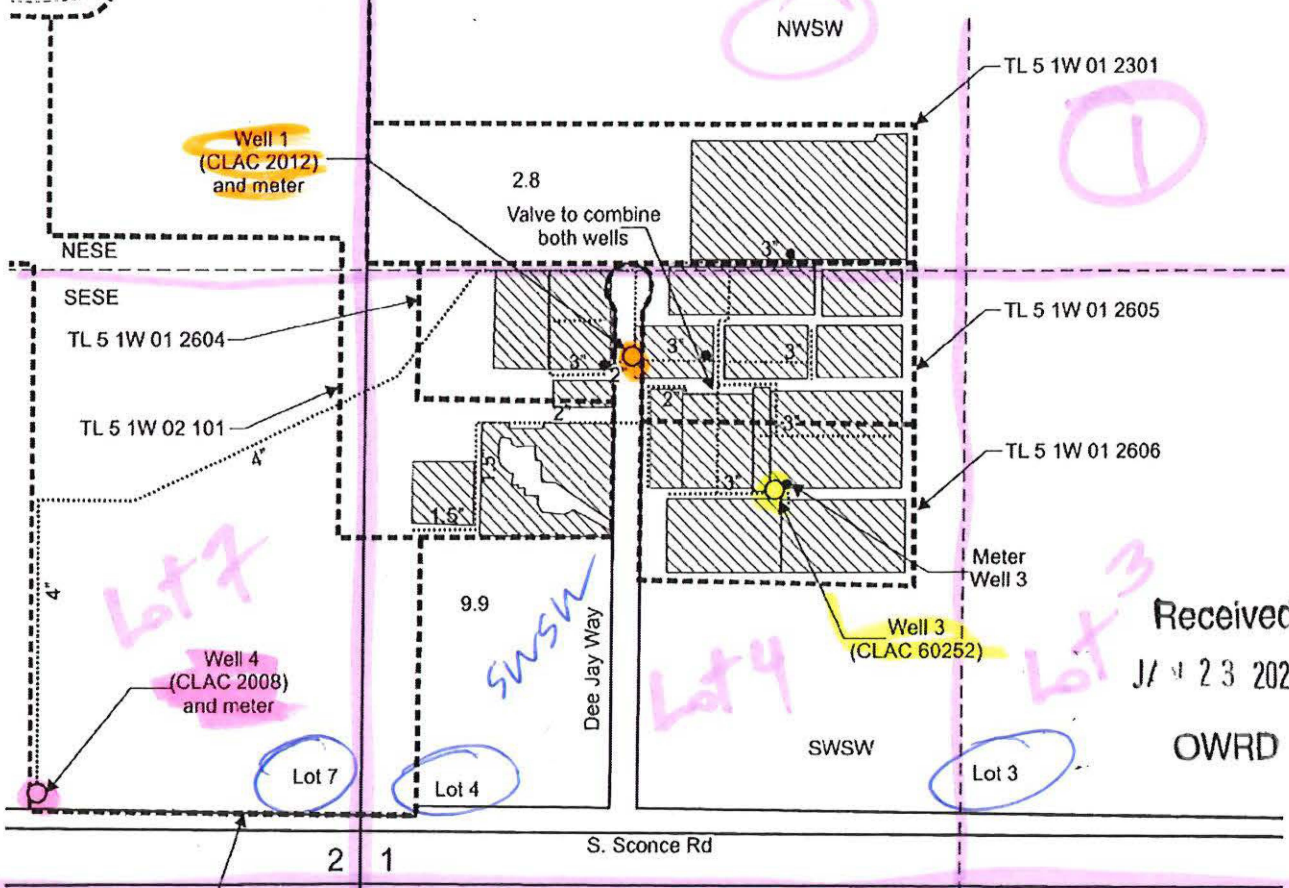


Well 1 (CLAC 2012) is located 1,120 feet north and 585 feet east from the SW corner, Section 1. *Lot 4, Sec 1*




Well 3 (CLAC 60252) is located 835 feet north and 895 feet east from the SW corner, Section 1. *Lot 11, Sec 1*

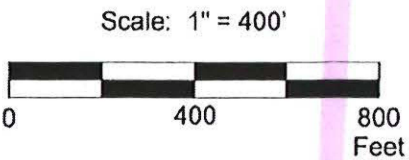
Well 4 (CLAC 2008) is located 190 feet north and 700 feet west from the SE corner, Section 2. *Lot 7 Sec 2*

 Area (12.7 Acres) of agricultural use (nursery use) and irrigation under T-14163, formerly Certificate 96771.



Received
 JUN 23 2025
 OWRD

-  Tax lot boundary
-  Irrigation mainlines
-  Injection locations



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.

Claim of Beneficial Use Map
 T-14163, formerly Certificate 96771

Pacific Hydro-Geology Inc.

Jack Bigej
 T.5S. R.1W. Sec. 1 & 2, W.M.

01/2025

AlGardenT-14163COBUMap.cdr

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

In the Matter of Transfer Application) FINAL ORDER
T-14163, CLACKAMAS County) APPROVING AN ADDITIONAL POINT OF
) APPROPRIATION

Authority

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

Applicant

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

Findings of Fact

1. On January 30, 2023, JACK R. BIGEJ, filed an application for an additional point of appropriation under Certificate 96771. The Department assigned the application number T-14163.
2. Notice of the application for transfer was published on February 7, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 15, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14163 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 15, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On April 12, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14163 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 April 16, 2024, and in the Woodburn Independent newspaper on April 24, 2024, and May 1, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

Certificate: 96771 in the name of JACK R. BIGEJ (perfected under Permit G-12926)
Use: AGRICULTURE USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES
Priority Date: NOVEMBER 20, 1995
Rate: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1 AND 0.25 CFS FROM WELL 3
Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet, per acre, per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE
Source: TWO WELLS within the PUDDING RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM THE SW CORNER OF SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM THE SW CORNER OF SECTION 1

Authorized Place of Use:

AGRICULTURE USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9
Total						12.7

6. Transfer Application T-14163 proposes an additional point of appropriation with approximate distances from the existing points of appropriation as follows:

TwP	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approx. distance from existing wells in miles (mi.)
5 S	1 W	WM	2	SE SE	7	WELL 4 – 190 FEET NORTH AND 700 FEET WEST FROM THE SE CORNER OF SECTION 2	WELL 1 (NEW) – 0.31 mi. WELL 3 (NEW) – 0.32 mi.

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

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14163.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other existing water rights.
13. All other application requirements are met.

Conclusion of Law

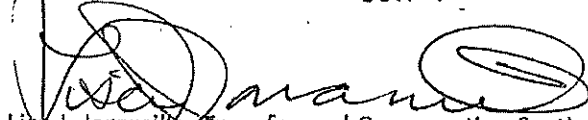
The additional point of appropriation proposed in Transfer Application T-14163 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-14163 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 96771 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
4. Water right Certificate 96771 is cancelled.

5. The quantity of water diverted at the new additional point of appropriation (WELL 4) together with that diverted at the original points of appropriation (WELL 1 (NEW) and WELL 3 (NEW)), shall not exceed the quantity of water lawfully available at the original point(s) of appropriation (WELL 1 (NEW) and WELL 3 (NEW)).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. 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.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

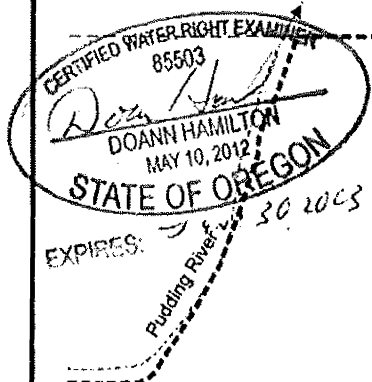
Dated in Salem, Oregon on **JUN 14 2024**



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

Mailing date JUN 17 2024

T.5S. R.1W. Section 1, W.M.

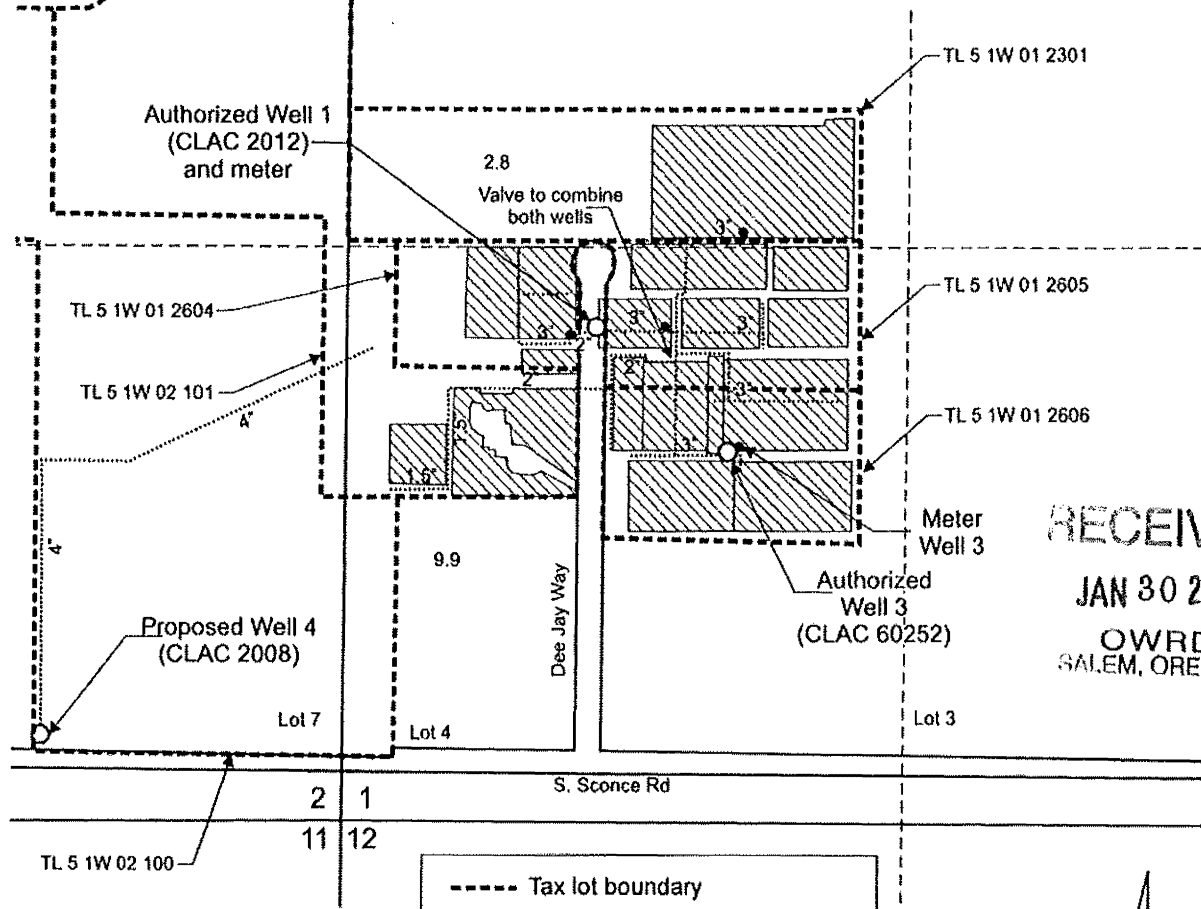


Authorized Well 1 (CLAC 2012) is located 1,120 feet north and 585 feet east from the SW corner, Section 1.

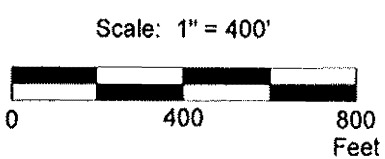
Authorized Well 3 (CLAC 60252) is located 835 feet north and 895 feet east from the SW corner, Section 1.




Proposed Well 4 (CLAC 2008) is located 190 feet north and 700 feet west from the SE corner, Section 2.

 Area (12.7 Acres) of agricultural use (nursery use) and irrigation under Certificate 96771, affected by this transfer.



RECEIVED
JAN 30 2013
OWRD
SALEM, OREGON



-  Tax lot boundary
-  Irrigation mainlines
-  Injection locations

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.



AI:GardenCertTransMap.cdr

Pacific Hydro-Geology Inc.

01/2013

Transfer Application Map
 Certificate 96771

Jack Bigej
 T.5S. R.1W. Section 1, W.M.

eng. Cert

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit G-12926. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14202

SOURCE OF WATER: TWO WELLS WITHIN THE PUDDING RIVER BASIN

PURPOSE OR USE: AGRICULTURE USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES

MAXIMUM RATE: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1 AND 0.25 CFS FROM WELL 3

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: NOVEMBER 20, 1995

POINTS OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM SW CORNER, SECTION 1

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9

AGRICULTURAL USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the authorized points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-12926. The original wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (ORIGINAL) - 900 FEET NORTH AND 700 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 2 (ORIGINAL) - 925 FEET NORTH AND 1025 FEET EAST FROM SW CORNER, SECTION 1

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

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

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued DEC 16 2022



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

STATE OF OREGON
WATER RESOURCES DEPARTMENT

Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **144738**

INVOICE # _____

RECEIVED FROM: Al's Garden Centers & Greenhouses, LLC
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-14163</u>

CASH: CHECK:# 100572 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1,755.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47123 R13115-25 \$ _____
0413 OTHER: (IDENTIFY) Certificate R.A. \$ 1,755.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

**RECEIVED
 OVER THE COUNTER**

RECEIPT: **144738** DATED: 2-22-2025 BY: Lisa D. Miller



**OREGON WATER RESOURCES DEPARTMENT
 CERTIFICATE REIMBURSEMENT AUTHORITY
 APPLICANT'S AGREEMENT**
 Contract Number: **R13115-25**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Jack Bigej, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department 725 Summer Street NE Salem OR 97301-1271 Phone: 503-979-3208 Email: Kerry.L.Kavanagh@water.oregon.gov	Name: Jack Bigej Address: 1220 N Pacific Hwy Woodburn OR 97071 Email*: drusso@als-gardencenter.com	Name: Doann Hamilton Title: Representative Company: Pacific Hyrdo-Geology, Inc. Address: 18487 S Valley Vista Rd Mulino OR 97042 Phone: 503-349-6946 Email*: phgdmh@gmail.com
*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)		

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Transfer Application Number: T-14163)
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Jack Bigej and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
5. **Consideration.** Jack Bigej shall pay OWRD in advance for actual costs incurred by OWRD. Jack Bigej agrees to pay the full amount of **\$1755** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
6. **Confidentiality.** Jack Bigej agrees that any information provided to or acquired by Agreement will be subject to the Oregon Public Records Law and shall be considered confidential.
7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon and their officers, employees, and agents from and against all claims, suits, actions, liabilities, costs and expenses of any nature resulting from or arising out of, or related to, the work of Applicant or its representatives, officers, employees, contractors, or agents under the Agreement with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

Received
 FEB 20 2025
 OWRD

PCA 47123

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: Jack Bijej
 Name: Jack Bijej
 Date: 8-13-25

For OWRD: K Kavanagh
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: 2-25-2025

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47123

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Tuesday, February 11, 2025 9:12 AM
To: drusso@als-gardencenter.com; Doann Hamilton
Cc: KAVANAGH Kerry L * WRD
Subject: Certificate RA Estimate R13115-25 for Jack Bigej involving Application T-14163
Attachments: RA contract_T-14163.pdf; estimate request_T-14163.pdf; estimate receipt_T-14163.pdf

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



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

STATE OF OREGON
WATER SOURCES DEPARTMENT

3 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **144577**

INVOICE # _____

RECEIVED FROM: A/S Garden Centers
 BY: and Greenhouses, LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-14163</u>

CASH: CHECK:# 99245 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 125.⁰⁰

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47123 R13115-25 \$
0413 OTHER: (IDENTIFY) CONTRACTOR RA \$ 125.⁰⁰

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$
 0231 HYDRO LICENSE FEE (FWWRD) \$
 HYDRO APPLICATION \$

TREASURY OTHER / RDX

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

RECEIPT: **144577** DATED: 1-23-25 BY: Lois D. M...



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number <u>NA</u> Permit Number <u>NA</u> Transfer Number/Permit Amendment (if applicable) <u>T-14163</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Jack Bigej</u>	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	<u>1220 N Pacific Hwy</u> <u>Woodburn, OR 97071</u>	18487 S. Valley Vista Road Mulino, OR 97042
Phone:	_____	(503) 349-6946 cell
Fax:	_____	(503) 632-5983
E-Mail Address:	<u>drusso@als-gardencenter.com</u>	phgdmh@gmail.com

I certify that I (check one):

- have previously filed a Claim of Beneficial Use
 am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- For a groundwater permit, a pump test or exemption request must be submitted to OWRD prior to this request.
- The fee covers reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:
**Oregon Water Resources Department
 Certificate Reimbursement Authority Program
 725 Summer St. NE, Suite A
 Salem, OR 97301-1271**

I certify that I am the (check one):

- Applicant Applicant's Representative Other (Please specify) _____

Name: Jack R. Bigej

Signature: Jack R. Bigej

Received
JAN 23 2025
OWRD

OWRD USE ONLY: Reimbursement Authority Number: R13 115 25

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14163

Transfer Specialist: *Arta*

Transfer Type: Regular Transfer

Applicant: JACK R. BIGEJ 1220 N PACIFIC HWY WOODBURN, OR 97071 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A DOANN HAMILTON 18487 S VALLEY VISTA RD MULINO, OR 97042-8741 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 County Of Clackamas Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-14202	G-12926	96771	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: January 30, 2023	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	WM District: 16	ODFW District:
Initial Public Notice: February 7, 2023	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input 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:

Electronic- Checklist is in Digital File

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: <i>Can't</i>	Date: _____ Initials: <i>find</i>	Date: _____ Initials: <i>the original</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: <i>1/13/24</i> Initials: <i>AD</i>	Date: <i>1/17/24</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: <i>2/29/24</i> Initials: <i>SAT</i>	Date: <i>3/4/24</i> Initials: <i>AD</i>	Date: <i>4/3/24</i>	Date: <i>4/12/24</i>
FO	Date: <i>4/10/24</i> Initials: <i>AD</i>	Date: <i>4/17/24</i> Initials: <i>DL</i>	Date: <i>4/17/24</i> Initials: _____	Date: <i>4/18/24</i> Initials: <i>PKS</i>	Date: <i>4/18/24</i> Initials: <i>AD</i>	Date: <i>5/15/24</i>	Date: <i>6/14/24</i>

Special Issues: *Rec'd newspaper money*

Special Order Volume: Vol. *131* Pages *71-74*

1 doc for sig



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

June 14, 2024

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

REFERENCE: Transfer Application T-14163

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

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

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

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

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

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Doann Hamilton, Agent
County of Clackamas, Local Government

Enclosure

4. On April 12, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14163 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 April 16, 2024, and in the Woodburn Independent newspaper on April 24, 2024, and May 1, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The right to be transferred is as follows:

Certificate: 96771 in the name of JACK R. BIGEJ (perfected under Permit G-12926)

Use: AGRICULTURE USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES

Priority Date: NOVEMBER 20, 1995

Rate: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1 AND 0.25 CFS FROM WELL 3

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet, per acre, per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

Source: TWO WELLS within the PUDDING RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM THE SW CORNER OF SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM THE SW CORNER OF SECTION 1

Authorized Place of Use:

AGRICULTURE USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9
Total						12.7

6. Transfer Application T-14163 proposes an additional point of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approx. distance from existing wells in miles (mi.)
5 S	1 W	WM	2	SE SE	7	WELL 4 – 190 FEET NORTH AND 700 FEET WEST FROM THE SE CORNER OF SECTION 2	WELL 1 (NEW) – 0.31 mi. WELL 3 (NEW) – 0.32 mi.

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

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14163.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other existing water rights.
13. All other application requirements are met.

Conclusion of Law

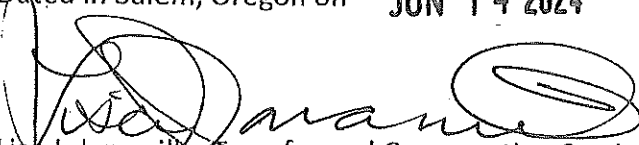
The additional point of appropriation proposed in Transfer Application T-14163 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-14163 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 96771 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
4. Water right Certificate 96771 is cancelled.

5. The quantity of water diverted at the new additional point of appropriation (WELL 4) together with that diverted at the original points of appropriation (WELL 1 (NEW) and WELL 3 (NEW)), shall not exceed the quantity of water lawfully available at the original point(s) of appropriation (WELL 1 (NEW) and WELL 3 (NEW)).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. 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.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **JUN 14 2024**



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

Mailing date **JUN 17 2024**

DAVIS Arla L * WRD

From: STARNES Patrick K * WRD
Sent: Thursday, April 18, 2024 4:02 PM
To: DAVIS Arla L * WRD
Subject: RE: Peer Review FO for RA T-14163
Attachments: T-14163 - ord approve-pks-no changes-(4-18-2024).docm

Good Afternoon Arla,

Please see attached FO doc for T-14163. No edits needed! Good to go once the protest period has expired.

Kelly

Kelly Starnes, Transfer Program Analyst
(He/Him/His)
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cell phone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@water.oregon.gov

Please Note: Under Oregon Law, messages to and from
this e-mail address may be available to the public.

From: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Sent: Tuesday, April 16, 2024 1:21 PM
To: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: Peer Review FO for RA T-14163
Importance: High

Hi Kelly,

The FO for RA T-14163 is in the peer review folder here: S:\groups\wr\TACS\6. Transfers\2. Caseworker Tools and Training\Caseworker peer reviewed scanned documents

There are no remaining rights. This is still in protest period (until 6/1/24)

[Arla L. Davis](#)
She/Her/Hers
Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129

**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 # **142639**

INVOICE # _____

RECEIVED FROM: ALS Garden Center
BY: Greenhouse LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-14163</u>

CASH: CHECK:# 97170 OTHER: (IDENTIFY)

TOTAL REC'D \$ 67.21

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	<u>4618</u>	\$
<u>0207</u> OTHER: (IDENTIFY) <u>Newspaper Notice</u>		\$ <u>67.21</u>
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____	0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES			\$
0410 RESEARCH FEES			\$
0408 MISC REVENUE: (IDENTIFY) _____			\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____			\$
0240 EXTENSION OF TIME			\$
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$	
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 (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

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

RECEIPT: **142639** DATED: 4-1-2024 BY: m-mills



PO Box 22109 Portland, OR 97269-2169
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION


State of Oregon, County of Marion, ss I, Kristine Humphries, being first duly sworn, depose and say that I am the Principal Clerk of the Woodburn Independent, a newspaper of general circulation, published in Marion County, Oregon, as defined by ORS 193.010 and 193.020, that

SEE EXHIBIT A

Ad#: 320758
Owner: Oregon Water Resources Department
Description: Notice of Preliminary Determination for Water Right Transfer T-14163

A copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 week(s) in the following issue:
04/24/2024, 05/01/2024

Received
MAY 13 2024
OWRD



Kristine Humphries (Principal Clerk)

Subscribed and sworn to before me this
05/01/2024.



NOTARY PUBLIC FOR OREGON

Acct #: 149038
Attn: ELYSE D. RICHMAN
OREGON WATER RESOURCES DEPARTMENT
725 SUMMER STREET SE, SUITE A
SALEM, OR 97301

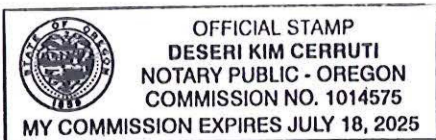


EXHIBIT A

Notice of Preliminary Determination for Water Right Transfer T-14163

T-14163 filed by Jack R. Bigej, 1220 N Pacific Hwy, Woodburn, OR 97071, proposes an additional point of appropriation under Certificate 96771. The right allows the use of 0.52 cubic foot per second from two wells in Sec. 1, T5S, R1W, WM for agriculture use (nursery use) and irrigation in Sec. 1, T5S, R1W, WM. The applicant proposes an additional point of appropriation in Sec. 2, T5S, R1W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, May 1, 2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Published April 24 & May 1, 2024.

WI320758

Received
MAY 13 2024
OWRD



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

April 12, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

JACK R. BIGEJ

1220 N PACIFIC HWY

WOODBURN, OR 97071

SUBJECT: Water Right Transfer Application T-14163

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14163. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov, if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis

Transfer Specialist

Transfer and Conservation Section

cc: T-14163
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)
Doann Hamilton, 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-14163, CLACKAMAS County)	PROPOSING APPROVAL
)	OF AN ADDITIONAL POINT OF
)	APPROPRIATION

Authority

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

Applicant

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

Findings of Fact

1. On January 30, 2023, JACK R. BIGEJ, filed an application for an additional point of appropriation under Certificate 96771. The Department assigned the application number T-14163.
2. Notice of the application for transfer was published on February 7, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 15, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14163 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 15, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. The right to be transferred is as follows:

Certificate: 96771 in the name of JACK R. BIGEJ (perfected under Permit G-12926)
Use: AGRICULTURE USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES
Priority Date: NOVEMBER 20, 1995
Rate: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1 AND 0.25 CFS FROM WELL 3
Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet, per acre, per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE
Source: TWO WELLS within the PUDDING RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM THE SW CORNER OF SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM THE SW CORNER OF SECTION 1

Authorized Place of Use:

AGRICULTURE USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9
Total						12.7

5. Transfer Application T-14163 proposes an additional point of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approx. distance from existing wells in miles (mi.)
5 S	1 W	WM	2	SE SE	7	WELL 4 – 190 FEET NORTH AND 700 FEET WEST FROM THE SE CORNER OF SECTION 2	WELL 1 (NEW) – 0.31 mi. WELL 3 (NEW) – 0.32 mi.

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

6. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14163.
8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other existing water rights.
12. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14163 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14163 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-14163 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 96771 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificate 96771 is cancelled.*

5. *The quantity of water diverted at the new additional point of appropriation (WELL 4) together with that diverted at the original points of appropriation (WELL 1 (NEW) and WELL 3 (NEW)), shall not exceed the quantity of water lawfully available at the original point(s) of appropriation (WELL 1 (NEW) and WELL 3 (NEW)).*
6. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
7. *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.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **APR 12 2024**



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

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

Protests

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

approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

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

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

Requests for Standing

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

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

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

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

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and

- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

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

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

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

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

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

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

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

DAVIS Arla L * WRD

From: HENDERSON Sarah A * WRD
Sent: Thursday, February 29, 2024 10:19 AM
To: DAVIS Arla L * WRD
Cc: HENDERSON Sarah A * WRD
Subject: Peer Review Done - T-14163 PD

Hi Arla,

I have finished the peer review for T-14163, things I looked at are:

1. T-14163 - PD approve-sarah.pr.2-29-2024
2. T-14163 Newspaper PN request letter-sarah.pr.2-29-2024
3. T-14163 pd letter approve-sarah.pr.2-29-2024-just date change
4. T-14163 pd notice-sarah.pr.2-29-2024
5. T-14163 processing checklist

I have put my peer reviewed docs in this folder: S:\groups\wr\TACS\Transfer Files\14100-14199\14163\PD

Great job, please let me know if you need anything else, or have any questions.

Hope you have a great day!

Sarah

[Sarah A. Henderson](#)

Flow Restoration Program Coordinator

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301

Work Cell 503-979-9872

Email: sarah.a.henderson@water.oregon.gov

Work Hours 7:30 AM – 4:00 PM



[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. The Salem office of OWRD is closed for customer service drop-ins from Noon – 1pm. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

DAVIS Arla L * WRD

From: BUCHHOLZ Sheila L * WRD
Sent: Thursday, January 25, 2024 8:09 AM
To: DAVIS Arla L * WRD; WRD_DL_is_data_techs
Subject: RE: review of RA - Transfer Application T-14163

Hello Arla,

(Forgot to reply all) This RA has been processed by data without issue.
Time taken: 40 Minutes.

Thanks,

[Sheila Buchholz](#)

(She/Her/Hers)

Data Technician 1

725 Summer St. NE, Suite A | Salem, Oregon 97301

Email: Sheila.L.Buchholz@water.oregon.gov



[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

From: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Sent: Wednesday, January 24, 2024 3:01 PM
To: WRD_DL_is_data_techs <WRD_DL_is_data_techs@water.oregon.gov>
Subject: review of RA - Transfer Application T-14163
Importance: High

Hi everyone!

I need a data review for the attached RA - PD ... Thank you very much! 😊

[Arla L. Davis](#)

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

Good Afternoon Doann,

Attached to this email is a copy of the letter below regarding Transfer Application T-14163. There was not an email address provided for the applicant. Normally I would mail a hard copy to the applicant, but I know that can cause confusion if the agent receives an email and the applicant does not. Please let me know if you would like for me to send this out to the applicant by regular mail. Have a great day!

March 21, 2024

Applicant

JACK R. BIGEJ

1220 N PACIFIC HWY

WOODBURN, OR 97071

Received
APR 01 2024

SUBJECT: Water Right Transfer Application T-14163

OWRD

Your water right transfer will be ready for issuance of the Preliminary Determination once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check in the amount of \$67.21 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write “for T-14163 NOTICE” on the front of your check** and submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than April 21, 2024.**

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

If we do not receive payment for newspaper notice by April 21, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please don’t hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis

Transfer Specialist

Transfer and Conservation Section

cc: T-14163

Doann Hamilton, Agent for the applicant *(via e-mail)*

Received
APR 01 2024
OWRD

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14163

GW Reviewer Dennis Orlowski Date Review Completed: May 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-14163

Applicant Name: Jack Bigej

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

Reviewer(s): Dennis Orlowski

Date of Review: May 23, 2023

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 8/3/23

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: This proposed transfer relates to certificate 96771, which authorizes the use of two wells to provide groundwater for nursery use and irrigation of 12.7 acres in the Elliot Prairie region of Clackamas County, about 3-4 miles east-northeast of Woodburn. The two authorized POA are existing wells CLAC 2012 ("Well 1") and CLAC 60252 ("Well 3") that are limited, respectively, to maximum instantaneous pumping rates of 0.27 cfs and 0.25 cfs.

The purpose for this proposed transfer is to add a POA (APOA), existing well CLAC 2008 ("Well 4"), to certificate 96771.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: Authorized POA CLAC 2012 and CLAC 60252 are 155 feet and 159 feet deep, respectively, and obtain groundwater from water-bearing sand and gravel deposits of the Willamette Aquifer system (Gannett and Caldwell, 1998; Woodward and others, 1998). Proposed APOA CLAC 2008 is slightly deeper at 176.5 feet, but obtains groundwater from the same aquifer source.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No _____

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): N/A

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: Relative to the two authorized POA locations, the proposed APOA (CLAC 2008) location is actually farther away from the known locations of existing wells. Therefore the proposed change will not likely result in an increase in interference with other groundwater rights.

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: N/A

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: Relative to the location of authorized POA CLAC 2012 ("Well 1"), the proposed location for the APOA (CLAC 2008, "Well 4") is about 1300 feet nearer to Butte Creek; therefore, the proposed change will likely result in an increase in interference with that stream.

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: Butte Creek

Minimal Significant

Stream: _____

Minimal Significant

Provide context for minimal/significant impact: To assess the potential change in interference with Butte Creek due to the proposed change, stream depletion analyses were completed using the Hunt 2003 analytical model for both the authorized POA location (CLAC 2012) and the proposed APOA location (CLAC 2008). Hydraulic parameters used for the Hunt analysis were derived from regional data and studies (pumping test reports; Woodward and others, 1998) or are within a typical range of parameter values for a comparable hydrogeologic setting (Freeze and Cherry, 1979).

Results of the Hunt 2003 stream depletion analyses indicate that despite the proposed APOA (CLAC 2008) location being about 1300 feet nearer to Butte Creek than the authorized POA location, the additional steam depletion after 365 days of 24/7 pumping is expected to be negligible (i.e., perhaps only a fraction of a percentage more) (see attached stream depletion analysis results). This result is likely because the transmissivity at CLAC 2008 is relatively much greater due to the greater aquifer thickness at that location compared to at CLAC 2012; the higher transmissivity facilitates greater overall flow to the well, thus offsetting flow contributions from (or interference to) only Butte Creek. Consequently, these analytical results indicate that it is not likely the proposed change will result in an increase with Butte Creek (or with the Pudding River, after its nearby confluence with Butte Creek).

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: N/A

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

8. Any additional comments: None

References

Application Files: T-14163, G-18171, G-17392

Freeze, R.A. and Cherry, J.A., 1979, Groundwater, Prentice Hall, Englewood Cliffs, New Jersey, 604 p.

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon: U.S. Geological Survey Scientific Investigations Report 2005-5168.

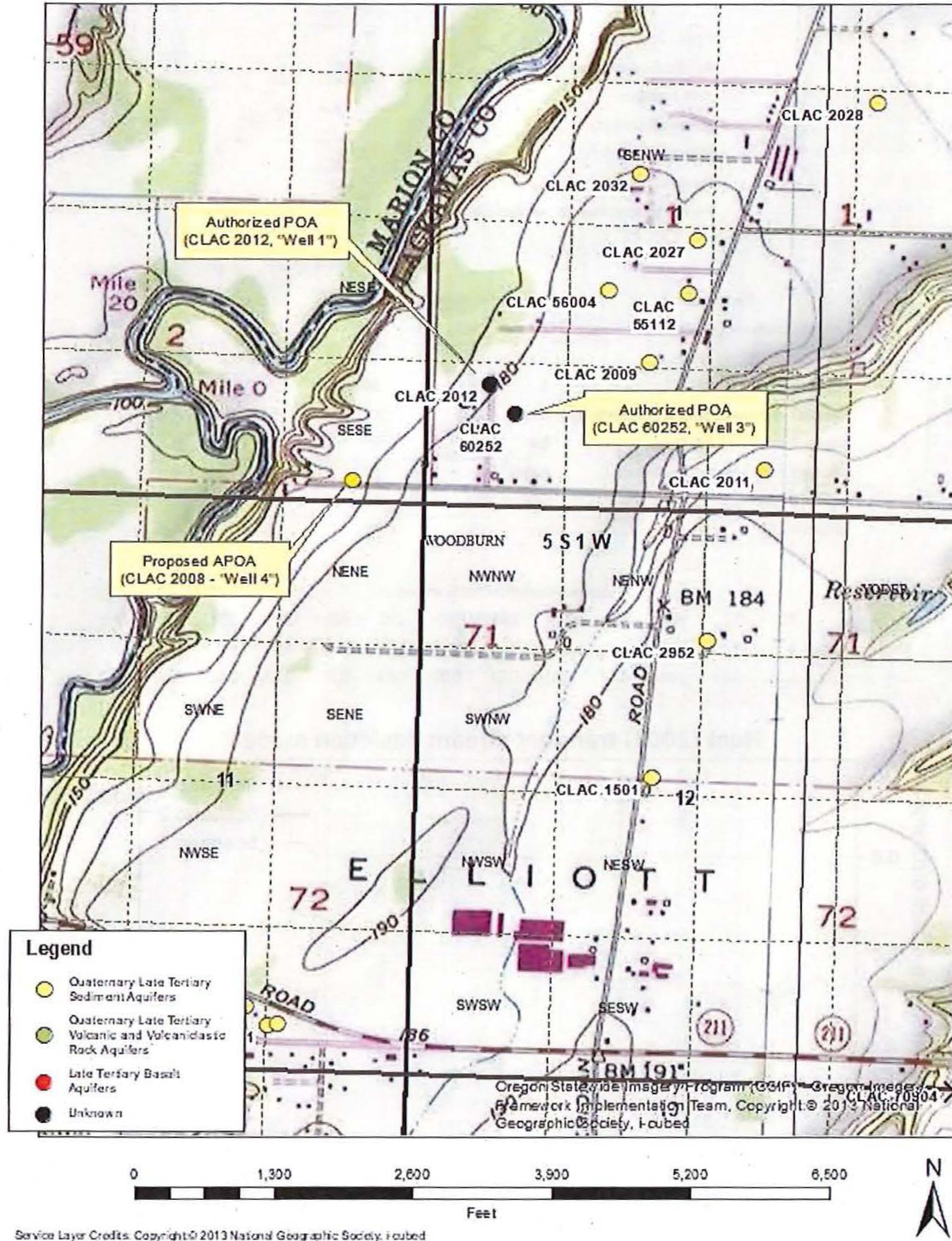
Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-A, 32 p.

Hunt, B., 2003, Unsteady stream depletion when pumping from semiconfined aquifer: Journal of Hydrologic Engineering, January/February, 2003.

United States Geological Survey, 2017, Woodburn quadrangle, Oregon [map], 1:24,000, 7.5 minute topographic series, U.S. Department of the Interior, Reston, Virginia.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

Application T-14163, Bigej T5S, R1W, Section 1



Stream Depletion Analysis – Authorized POA (CLAC 2012) to Butte Creek

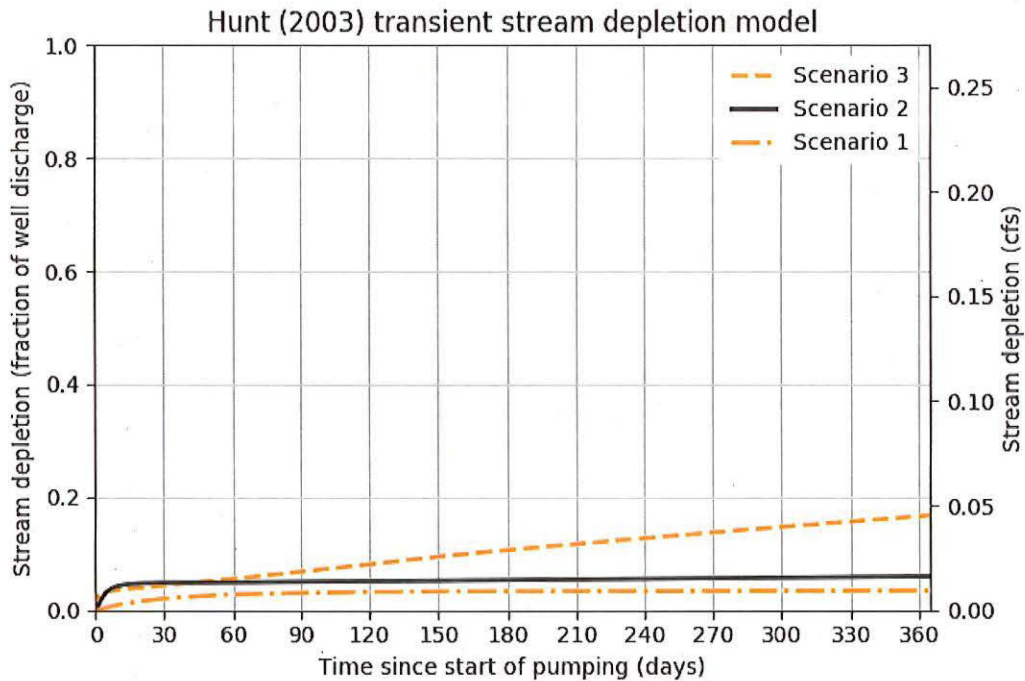
 PyHunt stream depletion analysis tool

Application type:	T
Application number:	14163
Well number:	1
Stream Number:	1
Pumping rate (cfs):	.27
Pumping duration (days):	365
Pumping start month number (3=March)	1

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	2150	2150	2150	ft
Aquifer transmissivity	T	750	1500	2250	ft ² /day
Aquifer storativity	S	.001	.001	.001	-
Aquitard vertical hydraulic conductivity	Kva	.001	.01	0.1	ft/day
Aquitard saturated thickness	ba	55	55	55	ft
Aquitard thickness below stream	babs	3	3.0	3	ft
Aquitard specific yield	Sya	0.2	0.2	0.2	-
Stream width	ws	35	35	35	ft

Stream depletion for Scenario 2:

Days	10	30	60	90	120	150	180	210	240	270	300	330	360
Depletion (%)	4	5	5	5	5	5	5	5	6	6	6	6	6
Depletion (cfs)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.02	0.02	0.02	0.02	0.02



Stream Depletion Analysis – Proposed APOA (CLAC 2008) to Butte Creek

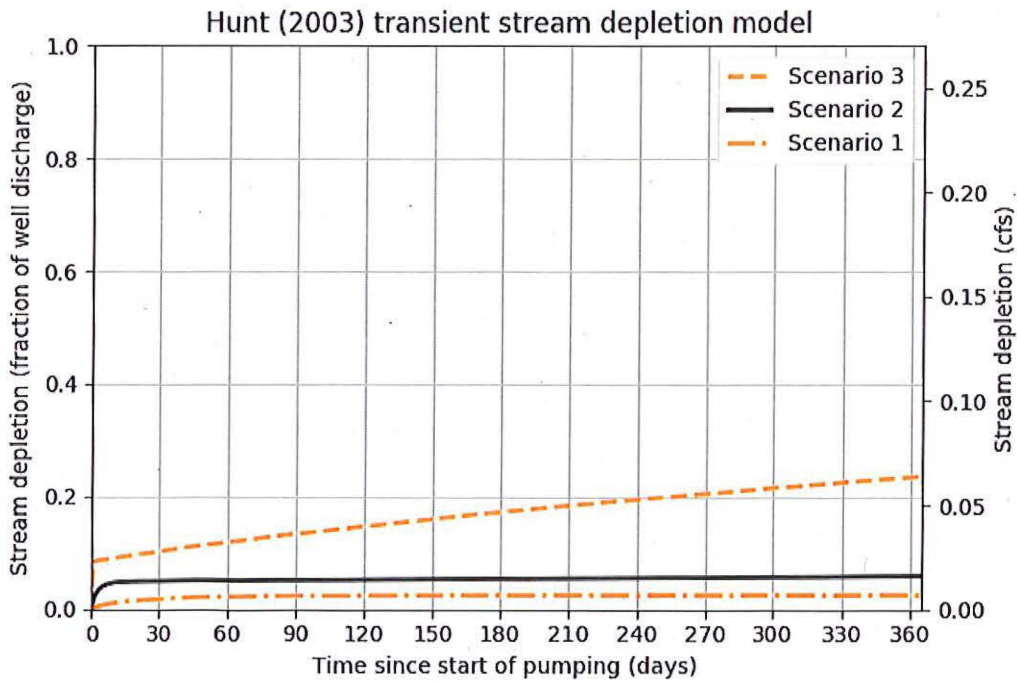
74 PyHunt stream depletion analysis tool

Application type:	T
Application number:	14163
Well number:	4
Stream Number:	1
Pumping rate (cfs):	.27
Pumping duration (days):	365
Pumping start month number (3=March)	1

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	850	850	850	ft
Aquifer transmissivity	T	2000	4000	6000	ft ² /day
Aquifer storativity	S	.001	.001	.001	-
Aquitard vertical hydraulic conductivity	Kva	.001	.01	0.1	ft/day
Aquitard saturated thickness	ba	48	48	48	ft
Aquitard thickness below stream	babs	3	3.0	3	ft
Aquitard specific yield	Sya	0.2	0.2	0.2	-
Stream width	ws	35	35	35	ft

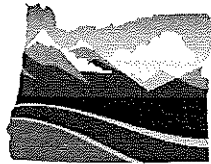
Stream depletion for Scenario 2:

Days	10	30	60	90	120	150	180	210	240	270	300	330	360
Depletion (%)	5	5	5	5	5	5	5	6	6	6	6	6	6
Depletion (cfs)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.02	0.02	0.02	0.02	0.02



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-14163

Review Due Date: 03/06/2023

Applicant Name: Jack Bigej

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): G. Wacker

Date of Review: 02/07/2023

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

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

N/A

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

N/A

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

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

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

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

Yes No If "Yes", explain:

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

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

Yes No If "Yes", explain:

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

Yes No If "Yes", answer the following:

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

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

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

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

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

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

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

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

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

Yes No If "Yes", explain:

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

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

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

A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

- Weir
- Parshall Flume
- Other: _____

- Submerged Orifice
- Flow Restrictor

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, December 15, 2023 10:38 AM
To: Doann Hamilton
Cc: WACKER Gregory J * WRD
Subject: Issuance of Draft Preliminary Determination for Permanent Transfer Application for Jack Bigej - ACTION REQUIRED!
Attachments: T-14163 - dpd letter approve.pdf; T-14163 - dpd approve.pdf; T-14163 WM REVIEW contact sheet.pdf
Importance: High

This correspondence was also sent by regular mail to the applicant



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

December 15, 2023

VIA E-MAIL

Applicant

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

Reference: Water Right Transfer Application T-14163

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14163. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by January 15, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by January 15, 2024, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.

4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a “prepared by” statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.
If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.
 - 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
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement device at the new diversion point prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Please note the proposed date by which all conditions must be met: October 1, 2025. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point(s) of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

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

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

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Please don't hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14163
Gregory J. Wacker, District 16 Watermaster *(via e-mail)*
Doann Hamilton, Agent for the applicant *(via e-mail)*

encs

[Arla L. Davis](#)

She/Her/Hers
Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.



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

December 15, 2023

VIA E-MAIL

Applicant

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

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

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Please don't hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14163
Gregory J. Wacker, District 16 Watermaster (via e-mail)
Doann Hamilton, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)
T-14163, CLACKAMAS County)

D R A F T

) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL
) OF AN ADDITIONAL POINT OF
) APPROPRIATION

Authority

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

Applicant

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

Findings of Fact

1. On January 30, 2023, JACK R. BIGEJ, filed an application for an additional point of appropriation under Certificate 96771. The Department assigned the application number T-14163.
2. Notice of the application for transfer was published on February 7, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:

Certificate: 96771 in the name of JACK R. BIGEJ (perfected under Permit G-12926)
Use: AGRICULTURE USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES
Priority Date: NOVEMBER 20, 1995
Rate: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1 AND 0.25 CFS FROM WELL 3
Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet, per acre, per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one

cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

Source: TWO WELLS within the PUDDING RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM THE SW CORNER OF SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM THE SW CORNER OF SECTION 1

Authorized Place of Use:

AGRICULTURE USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9
Total						12.7

4. Transfer Application T-14163 proposes an additional point of appropriation with approximate distances from the existing points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approx. distance from existing wells in miles (mi.)
5 S	1 W	WM	2	SE SE	7	WELL 4 – 190 FEET NORTH AND 700 FEET WEST FROM THE SE CORNER OF SECTION 2	WELL 1 (NEW) – 0.31 mi. WELL 3 (NEW) – 0.32 mi.

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

4. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
5. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14163.

6. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
7. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other existing water rights.
10. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14163 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14163 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-14163 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 96771 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificate 96771 is cancelled.*
5. *The quantity of water diverted at the new additional point of appropriation (WELL 4) together with that diverted at the original points of appropriation (WELL 1 (NEW) and WELL 3 (NEW)), shall not exceed the quantity of water lawfully available at the original point(s) of appropriation (WELL 1 (NEW) and WELL 3 (NEW)).*
6. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
7. *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.*

8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

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

WATER RIGHT TRANSFER COVER SHEET

RA

Transfer: T- 14163

Transfer Specialist:

Transfer Type: Regular Transfer

Arla

Applicant: JACK R. BIGEJ 1220 N PACIFIC HWY WOODBURN, OR 97071 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A DOANN HAMILTON 18487 S VALLEY VISTA RD MULINO, OR 97042-8741 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 County Of Clackamas Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-14202	G-12926	96771	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: January 30, 2023	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	WM District: 16	ODFW District:
Initial Public Notice: February 7, 2023	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input 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: <i>10/3/22</i> Initials: <i>AED</i>	Date: <i>10/16/23</i> Initials: <i>Jane</i>	Date: _____ Initials: _____	Date: <i>12/13/23</i> Initials: <i>PKS</i>	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

**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 # **140050**

INVOICE # _____

RECEIVED FROM: M's Garden Centers
BY: Greenhouses LLC

APPLICATION	
PERMIT	
TRANSFER	T-14163

CASH: CHECK:# 93823 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1840.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES	\$		
0410 RESEARCH FEES	\$		
0408 MISC REVENUE: (IDENTIFY)	\$		
TC162 DEPOSIT LIAB. (IDENTIFY)	\$		
0240 EXTENSION OF TIME	\$		
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>1,840.00</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 _____ \$ _____

RECEIPT: **140050** DATED: 1-30-2003 BY: [Signature]

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.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate: 96771**
 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: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Jack Bigej		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 1220 N Pacific Hwy			FAX NO.
CITY Woodburn	STATE OR	ZIP 97071	E-MAIL
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 Doann Hamilton / Pacific Hydro-Geology, Inc.		PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road			FAX NO. (503) 632-5983
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
We wish to add the existing well (CLAC 2008) to our property to help relieve the demand on the existing wells.

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

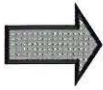
Check One Box

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

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: Woodburn Independent.
- 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.

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

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Jack R. Bigej
Applicant Signature

Jack R. Bigej
Print Name (and title if applicable)

1-17-23
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 NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Clackamas Co. Department of Transportation and Development, Planning Division		ADDRESS 150 Beaver Creek Road	
CITY Oregon City	STATE Oregon	ZIP 97045	

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 # 96771

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Description of Water Delivery System

System capacity: **0.52 cfs** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is pumped from Well 1 (CLAC 2012) using both a 7.5 Hp submersible pump and a 2.0 Hp submersible pump, and from Well 3 (60252) using a 10 Hp submersible pump to convey water through 3-inch mainlines to several injection systems to add fertilizer as needed. From this injection system a 2-inch mainline with fertilized water and a 2-inch mainline with fresh water distribute water throughout the green houses to supply various impact sprinklers and drip emitters.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 2012	5	S	1	W	1	SW	SW	Lot 4	1,120 feet north and 585 feet east from the SW corner, Section 1
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	CLAC 60252	5	S	1	W	1	SW	SW	Lot 4	835 feet north and 895 feet east from the SW corner, Section 1
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	CLAC 2008	5	S	1	W	2	SE	SE	Lot 7	190 feet north and 700 feet west from the SE corner, Section 2 (Re-described from Certificate 85808.)

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 type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |

- Additional Point of Diversion (APOD) Substitution (SUB)
 Surface Water POD to Ground Water POA (SW/GW) Government Action POD (GOV)

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 96771

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	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										APOA	5	S	1	W	1	NW	SW	2301	NA	2.8	IR	Wells 1, 3 and 4	11-20- 1995
										APOA	5	S	1	W	1	NW	SW	2301	NA	NA	AG	Wells 1, 3 and 4	11-20- 1995
										APOA	5	S	1	W	1	SW	SW	2301, 2604, 2605, 2606, 101	Lot 4	9.9	IR	Wells 1, 3 and 4	11-20- 1995
										APOA	5	S	1	W	1	SW	SW	2604, 2605, 2606, 101	Lot 4	NA	AG	Wells 1, 3 and 4	11-20- 1995
TOTAL ACRES:							TOTAL ACRES:										12.7						

Additional remarks: Well 4 location varies from description in Certificate 85808, but is the same well.

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For Place of Use or Character of Use Changes - NA

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: NA.

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 # NA;

Surface water primary Certificate # NA.



For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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
Well 1	Yes	CLAC 2012	See Well Log CLAC 2012							Not less than full rate of water right
Well 3	Yes	CLAC 60252	See Well Log CLAC 60252							
Well 4	Yes	CLAC 2008	See Well Log CLAC 2008							

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of CLACKAMAS)

I, DOROTHY RUSSO, in my capacity as CHIEF OF GROWING OPERATIONS,
 mailing address 1220 N PACIFIC HWY, WOODBURN, OR 97071
 telephone number (971) 563-1692, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

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

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

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

OR

- Confirming Certificate # 96771 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

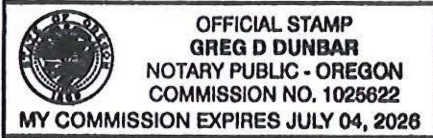
3. The water right was used for: (e.g., crops, pasture, etc.): NURSERY PLANTS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Dorothea Russo
Signature of Affiant

1-19-23
Date

Signed and sworn to (or affirmed) before me this 19 day of January 2023.



[Handwritten Signature]
Notary Public for Oregon
My Commission Expires: July 4, 2026

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Clackamas)

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I Darcy Ruef in my/our capacity as member of KDB Investments, LLC,

mailing address 1220 N Pacific Hwy, Woodburn, OR 97071,

telephone number 971-563-1693, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 96771

described in a Water Right Transfer Application (T-NA),

(transfer number, if known)

submitted by Jack Bigej

on the property in tax lot number(s) 100, Section 2, Township 5 South, Range 1 West, W.M.,

located at 4801 S. Sconce Rd, Hubbard, OR 97032

(site address)

Darcy Ruef

Signature of Affiant

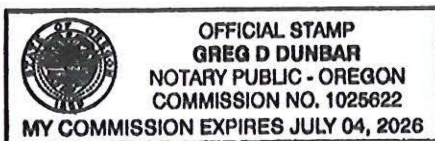
1/19/23

Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 19 day of January, 2026.



[Signature]
Notary Public for Oregon

My commission expires July 4 2026

Land Use Information Form



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

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SALEM, OREGON

Applicant(s): Jack Bigej

Mailing Address: 1220 N Pacific Hwy

City: Woodburn

State: OR

Zip Code: 97071

Daytime Phone: _____

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>5S</u>	<u>1W</u>	<u>1</u>	_____	<u>2301</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR and AG</u>
<u>5S</u>	<u>1W</u>	<u>1</u>	_____	<u>2604</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR and AG</u>
<u>5S</u>	<u>1W</u>	<u>1</u>	_____	<u>2605</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR and AG</u>
<u>5S</u>	<u>1W</u>	<u>1</u>	_____	<u>2606</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR and AG</u>
<u>5S</u>	<u>1W</u>	<u>2</u>		<u>100</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>IR and AG</u>
<u>5S</u>	<u>1W</u>	<u>2</u>		<u>101</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR and AG</u>

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

Clackamas County

B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 0.52 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other Agriculture

Briefly describe:

This Land Use Information Form is to accompany a water right transfer application that proposes to add an additional point of appropriation (well) to existing water right Certificate 96771.



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

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Section 401; EFU, Exclusive Farm Use
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Clayton Glasgow, Planner Title: Planner

Signature: _____ Phone: 503 742-4520 Date: 1/27/2023

Government Entity: Clackamas County



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



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

OCT 20 1989

5S/1W/1cc

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

CLAC WATER RESOURCES DEPT.
02008 SALEM, OREGON

(START CARD) # 7021

(1) OWNER: Well Number: _____
Name Raymond Schwabauer
Address 4801 S. Sconce Rd.
City Hubbard State OR Zip 97032

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No
Yes No
Explosives used Type _____ Amount _____
Depth of Completed Well 176 1/2 ft.

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
1.6"	0	210	Bentonite	1	20'	58 sacks
			cement	0	1	3 sacks

How was seal placed: Method A B C D E
 Other OAR 690-210-340
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from 20 ft. to 210 ft. Size of gravel pea gravel

Casing:	Diameter	From	To	Gauge	Steel				Welded		Threaded	
					Plastic	Welded	Threaded	Welded	Threaded	Welded	Threaded	
	10"	+1 1/2	112	307	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	10"	129	176 1/2	307	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	6"	+1	99	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 6" at 99'

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type _____ Material stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
112	129	150		10"	pipe	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time
395 58' _____ 1 hr.
305 47' _____ 4 hrs.

Temperature of water 54 ° 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 Clackamas Latitude _____ Longitude _____
Township 5S Nor S, Range 1W E or W, WM.
Section 1 SW 1/4 SW 1/4
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 4801 S. Sconce Rd.
Hubbard, OR 97032

(10) STATIC WATER LEVEL:
57 ft. below land surface. Date 9/22/89
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 111

From	To	Estimated Flow Rate	SWL
111	129	400	57'

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
Topsoil	0	1	
Clay sandy brown	1	48	
Clay sandy blue	48	54	
Clay sandy blue hard	54	56	
Clay sticky blue	56	58	
Clay sandy blue hard	58	65	
Clay sandy brown	65	79	
Clay sticky blue	79	84	
Clay sticky blue very hard	84	91	
Clay sandy grey	91	96	
Clay sticky blue	96	102	
Clay sandy grey	102	105	
Sand black, clay grey	105	111	
Sand black	111	117	
Sand black, clay grey	117	123	
gravel	123	130	
Sand black, gravel	130	134	
Gravel, sand black, clay grey	134	138	
Gravel, clay grey	138	145	
Clay sticky blue	145	151	
Clay sandy grey	151	153 1/2	
Clay sticky blue	153 1/2	168	

Date started 8/8/89 Completed 9/22/89

(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 well construction standards. Materials used and information reported above are true to my best knowledge and belief.
Signed Kermit Martin WWC Number 1371 Date 10/18/89

(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 well construction standards. This report is true to the best of my knowledge and belief.
Signed Dean Gussan WWC Number 783 Date 10/13/89

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

JUN 29 2004

WELL I.D. # L 48560
START CARD # 154108

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

(1) LAND OWNER
Name JACK BIGET
Address 30851 DEE JAY WAY
City HUBBARD State OR Zip 97032

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

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 159 ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Sacks or pounds	
Diameter	From To	Material	From To		
10	1 25	BENTONITE	1		
12	25 50	BENTONITE	50	33	
8	50 159				

How was seal placed: Method A B C D E

Other BENTONITE METHOD
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 8	0	139	1.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 6	130	159	3/4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) 139

(7) DEBRIS SCREENS:

Screens Type SLOTTED Material PVC

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
140	149	.010		6		<input type="checkbox"/>	<input checked="" type="checkbox"/>
151	158	.030		6		<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

<input checked="" type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input type="checkbox"/> Air	Flowing <input type="checkbox"/> Artesian
Yield gal/min	Drawdown	Drill stem at	Time
80	32		1 hr. 24R

Temperature of water 52 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 CLACKAMAS Latitude _____ Longitude _____
Township J5 N or S Range 1W E or W. WM.
Section 1 SW 1/4 SW 1/4
Tax Lot 2606 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) _____
SAME

(10) STATIC WATER LEVEL:
58 ft. below land surface. Date 31 MAY 04
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
83	159		58

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
SOIL	1	3	
CLAY BROWN	3	19	
CLAY GRAY	19	32	
CLAY BROWN SANDY	32	41	
CLAY TAN STICKY	41	83	
CLAY BROWN w/ SAND & Cement Gravel	83	87	
CLAY BROWN	87	101	
CLAY GRAY	101	125	
CLAY GRAY SILTY	125	138	
CEMENTED GRAVEL	138		
CLAY BLUE	157	159	

Date started 11/4/2004 Completed 31 MAY 2004

(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.

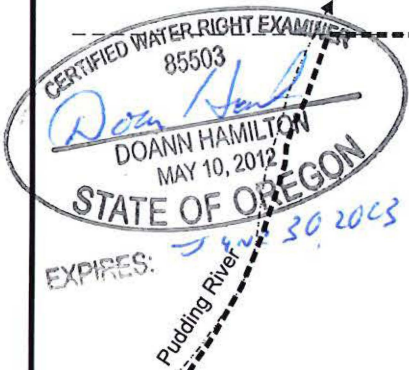
Signed _____ WWC Number _____ Date _____

(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 R. Beal WWC Number 243 Date 27 June 04


T.5S. R.1W. Section 1, W.M.

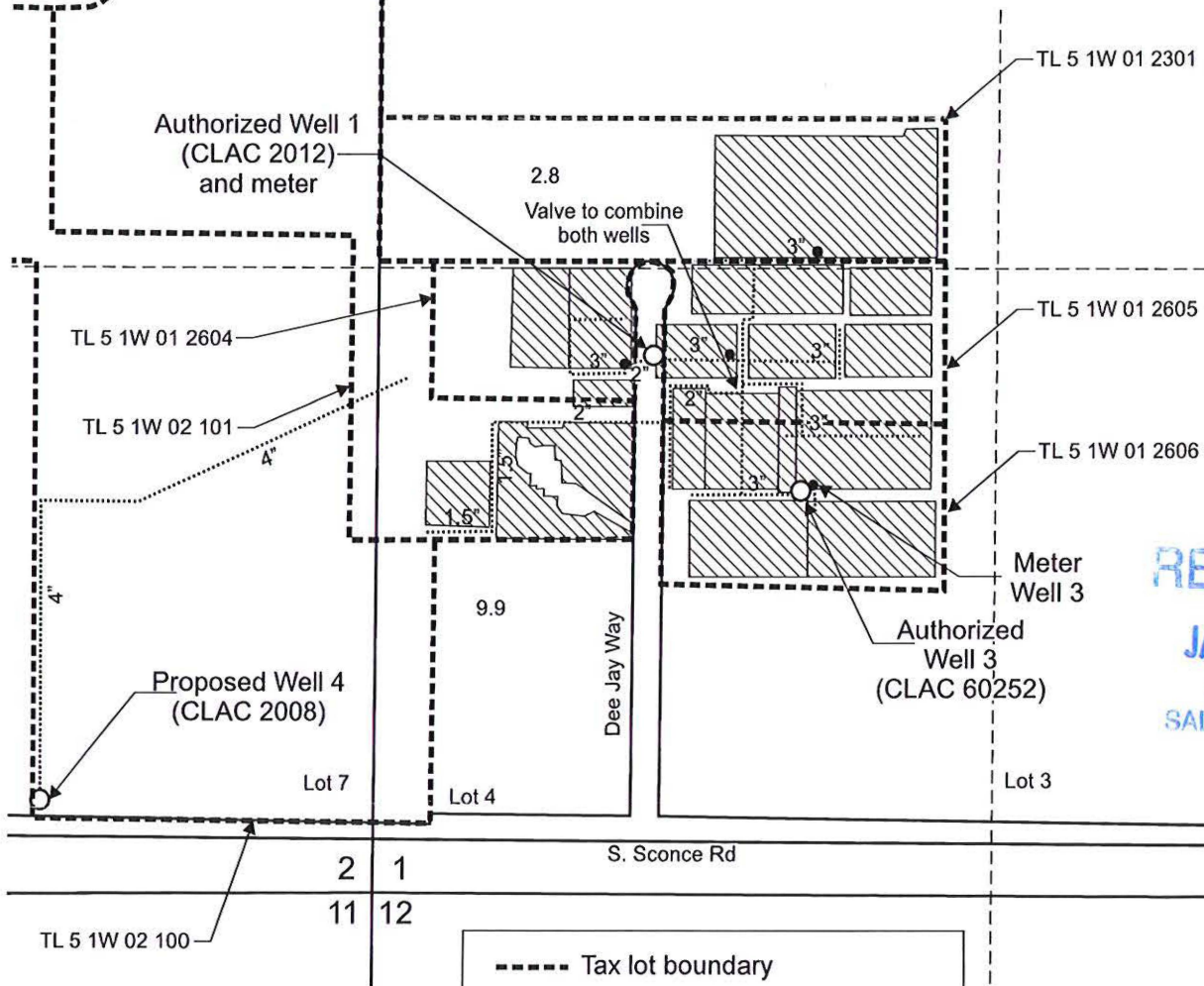


Authorized Well 1 (CLAC 2012) is located 1,120 feet north and 585 feet east from the SW corner, Section 1.




Authorized Well 3 (CLAC 60252) is located 835 feet north and 895 feet east from the SW corner, Section 1.

Proposed Well 4 (CLAC 2008) is located 190 feet north and 700 feet west from the SE corner, Section 2.

 Area (12.7 Acres) of agricultural use (nursery use) and irrigation under Certificate 96771, affected by this transfer.



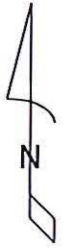
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-  Tax lot boundary
-  Irrigation mainlines
-  Injection locations

Scale: 1" = 400'



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.



Transfer Application Map
Certificate 96771

Pacific Hydro-Geology Inc.

Jack Bigej
 T.5S. R.1W. Section 1, W.M.

01/2023

AI:GardenCertTransMap.cdr

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JAN 30 2023

OWRD
SALEM, OREGON

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit G-12926. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14202

SOURCE OF WATER: TWO WELLS WITHIN THE PUDDING RIVER BASIN

PURPOSE OR USE: AGRICULTURE USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES

MAXIMUM RATE: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1 AND 0.25 CFS FROM WELL 3

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: NOVEMBER 20, 1995

POINTS OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM SW CORNER, SECTION 1

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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 SALEM, OREGON

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9

AGRICULTURAL USE						
Twp	Rng	Mer	Sec	Q-Q	GLot	
5 S	1 W	WM	1	NW SW		
5 S	1 W	WM	1	SW SW	4	

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the authorized points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-12926. The original wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (ORIGINAL) - 900 FEET NORTH AND 700 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 2 (ORIGINAL) - 925 FEET NORTH AND 1025 FEET EAST FROM SW CORNER, SECTION 1

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

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

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

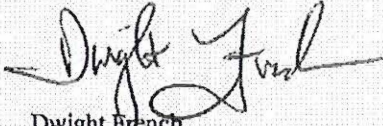
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued DEC 16 2022



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

RECEIVED
JAN 30 2023
OWRD
SALEM, OREGON

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T-14163

Checked by <u>_Dante_</u>	Type of Change(s) Proposed: NO other changes allowed other than those listed	
Date <u>2-1-2023</u>	<input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input checked="" type="checkbox"/> APOA <input type="checkbox"/> USE	
Fee Received: \$1840		How many rights to be Transferred? 1
Calculated Fee: \$1840		Certificate #(s) 96771
Deficiencies and Observations:		

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

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

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

OR:

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

Actions taken:

_____ date _____

Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » Subtotal:	6	0
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172

RA
 Transfer

RECEIPT # **140105**

INVOICE # _____

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

RECEIVED FROM: Al's Garden Centers + Greenhouses LLC
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14163

CASH: CHECK:# 94006 OTHER: (IDENTIFY)

TOTAL REC'D \$ 2,394.27

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R-11419-23 \$
CH12 OTHER: (IDENTIFY) Reimbursement Authority \$ 2,394.27

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

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 _____ \$

RECEIPT: **140105** DATED: 2/13/23 BY: Mouel Kay

FEB 13 2023

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-419-23**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Jack Bigej**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Jack Bigej	Name: Pacific Hydro-Geology, Inc.
Title: Transfer Advisor	Contact:	Contact: Doann Hamilton
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 1220 N Pacific Hwy Woodburn, OR 97071	Address: 18487 S. Valley Vista Rd. Mulino, OR 97042
Phone: 503 979-3511	Phone: (971) 563-1692	Phone: (503) 349-6946
Fax: 503 986-0901	Fax:	Fax: (503) 632-5983
Email: patrick.k.starnes@water.oregon.gov	Email: drusso@als-gardencenter.com	Email: phgdmh@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-14163**)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$2,394.27**. Applicant agrees to pay the full amount of **\$2,394.27** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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 # **140021**

INVOICE # _____

RECEIVED FROM: Al's Garden Centers & Greenhouses LLC
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14163

CASH: CHECK:# 93824 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	<u>47124 Transfer R11419-23</u>	\$
<u>0412</u> OTHER:	(IDENTIFY) <u>Reimbursement Authority</u>	\$ <u>125.00</u>
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES			\$
0410 RESEARCH FEES			\$
0408 MISC REVENUE: (IDENTIFY)			\$
TC162 DEPOSIT LIAB. (IDENTIFY)			\$
0240 EXTENSION OF TIME			\$
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
			0220 \$
	OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **140021** DATED: 1-30-2023 BY: [Signature]



**OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**



*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.
Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.
The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.*

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-141163</u> <u>NA</u>

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Jack Bigej</u>	Pacific Hydro-Geology, Inc. c/o Doann Hamilton
Address:	<u>1220 N Pacific Hwy</u> <u>Woodburn, OR 97071</u>	18487 S. Valley Vista Road Mulino, OR 97042
Phone:	<u>971-563-1692</u>	(503) 349-6946 cell
Fax:	_____	(503) 632-5983
E-Mail Address:	<u>drusso@als-gardencenter.com</u>	phgdmh@gmail.com

I understand the following:

- That upon receipt of my non-refundable application fee of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271**

RECEIVED
JAN 30 2023
OWRD
SALEM, OREGON

I certify that I am the (check one):

Applicant Applicant's Representative Other (Please specify) _____

Name: Jack R. Bigej _____

Signature: Jack R Bigej _____

OWRD USE ONLY: Reimbursement Authority Number: R11-419 -23



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

February 4, 2023

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN, OR 97071

Reference: Application T-14163

On January 30, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Receipt number 140050 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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

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

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

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

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

Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)
Doann Hamilton, Agent
Clackamas County

Enclosure

RA

PERMANENT TRANSFER APPLICATION CHECKLIST – Single Cert

Transfer #: T-14163			Applicant: JACK R. BIGEJ		Caseworker: ARLA	
CW	PR	Coord	County: CLACKAMAS	Certificate(s): 96771 <i>For multiple certificates, check OAR 690-380-3220 for criteria</i>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Type of Change(s) Proposed: <input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input checked="" type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Transfer requiring supplemental review criteria (<i>supplemental checklists to be developed</i>) <input type="checkbox"/> CHAR OF USE <input type="checkbox"/> CONSENT TO INJURY OF ISWR <input type="checkbox"/> SW to GW <input type="checkbox"/> SUPPLEMENTAL IR to PRIMARY IR			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Print for file or save all certificates in electronic "T" folder and highlight Priority Date, Rate, Use and Limit/Duty paragraph</i>			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Supplemental checklist for transfers w/in a District (<i>S:\groups\wr\TACS\WRISApps Templates\Transfer Checklists\SUPP_Within District Processing Checklist 9-5-2019</i>) District Name: _____ If this is a Living Certificate – check with Ann Reece			
Supplemental Language document referenced below is located here: S:\groups\wr\TACS\6. Transfers\2. Caseworker Tools and Training\Supplemental Language						

Transfer Application Review and Deficiencies

CW	PR	Coord	Deficiencies that may cause a denial – please explain		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are all applicants/agents listed in WRIS with email addresses, if available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Have all permit/certificates been entered in WRIS under Transfer #?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Were Public Comments received? (<i>if yes, enter commenter names/email on mailing list</i>)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, were they timely?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Add finding for any comments received (<i>see Supplemental Language document</i>)		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Assign file in WRIS		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Notes:		

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

CW	PR	Coord			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are only the authorized POD(s)/POA(s)/POU listed on the "from" map?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the "from" map match the certificate map? If No, what is different?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Compare FROM POU in application (Table 2) with certificate. <i>Mark certificate with acres being xferred, any RR acres and any acres being cancelled.</i>		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Compare TO POU in Table 2 with the TO Lands on map (<i>for accuracy</i>)		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any of the "from" lands being cancelled/diminished?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If Yes, were cancellation/diminution affidavits submitted? (<i>see findings in Supplemental Language doc</i>)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any instream water rights affected? If Yes, Cert # (If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
-------------------------------------	-------------------------------------	--------------------------	--	------------------------------	--

Layered/Supplemental Rights					
CW	PR	Coord			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> N/A		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any layered irrigation rights?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, were they included in application? If No, they must move with the primary, to a "like" primary, or they will be cancelled through the transfer process	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Layered right(s) Cert:		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any supplemental rights being transferred? (verify that it is actually a supplemental right)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, are they being transferred to a "like" primary (i.e. similar reliability)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notes:		

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

Reviews and Conditions					
CW	PR	Coord	If review is required and has not been submitted, contact reviewer. DPD cannot be issued without reviews.		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the WM review been received? Conditions: TFM	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the ODFW review been received? (required on SW POD or APOD change only) <input checked="" type="checkbox"/> N/A Conditions:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the GW review been received? <input type="checkbox"/> N/A Conditions: (required on POA change, APOA or SW to GW only)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Draft Preliminary Determination and Cover Letter – 12 pt. Calibri font					
CW	PR	Coord			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare ModPod workareas		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Prepare DPD (save as T-XXXXX-dpd) (where XXXXX is the transfer number)		

DAVIS Arla L * WRD

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Friday, December 22, 2023 11:36 AM
To: DAVIS Arla L * WRD; Dorothy Russo; Greg Kupillas
Subject: Fwd: Document Delivery Notice - Order #WAPR2302094LER Ref 1: 30851 S Dee Jay Way, Hubbard OR 97032 Ref 2: Deanna Bigej
Attachments: DOR Report 2302094LER -1.pdf; Property_1454 MAP PLAT.pdf; Property_2015-57110 DEW 08-24-2015.pdf; DOR Report 2302094LER -2.pdf; Property_2008-79 MAP PLAT.pdf; Property_2015-23296 DEW 04-24-2015.pdf; Corporate Invoice.pdf

Hi Arla

I am forwarding the list pack for our client Jack Bigej of Al's Garden c/o Dorothy Russo T-14163, from the title company.

We trust this full-fills the requirement of land ownership as required in the Draft Preliminary Determination dated December 15, 2023

In addition to the report of ownership, we would like to respond on behalf of the applicant, Jack Bigej of Al's Garden c/o Dorothy Russo that we agree to the proposed action and conditions set out in this Draft Preliminary Determination.

Thank you
Doann Hamilton
Pacific Hydro-Geology, Inc.
[503-349-6946](tel:503-349-6946)

----- Forwarded message -----

From: Amy Alexander <amy.alexander@fnf.com>
Date: Fri, Dec 22, 2023 at 11:01 AM
Subject: Document Delivery Notice - Order #WAPR2302094LER Ref 1: 30851 S Dee Jay Way, Hubbard OR 97032 Ref 2: Deanna Bigej
To: <phgge@bctonline.com>
Cc: <phgdmh@gmail.com>

This message was sent securely using Zix®



Fidelity National Title
Company

Please click on the attachment(s) to access your documents.

Doann,

Please see the attached DOR reports for the 5 properties requested. I had to do 2 reports as the property on the map 51W02 101 had a different vesting deed.

I have sent along the Invoice as well since it is almost the end of the year.

Let me know if you need anything else or have any questions.

Thank you for your business. We will be open today until 2pm and the office will be back open on December 26th, normal hours.

Have a Happy Holiday!

Amy Alexander

Fidelity National Title / WAPR

From: **Amy Alexander - Fidelity National Title Company of Oregon**
amy.alexander@fnf.com

This message was secured by [Zix](#)^{®}.

--

Pacific Hydro-Geology, Inc.
18487 S. Valley Vista Rd.
Mulino, OR 97042
(503) 349-6946
Fax: (503) 632-5983
email: phgdmh@gmail.com



Fidelity National Title[®]

Company of Oregon

900 SW Fifth Avenue, Portland, OR 97204

Phone: (503)796-6616 / Fax: (503)229-0615

DEED ONLY REPORT

Prepared For:	Pacific Hydro-Geology Inc.	Date: December 22, 2023
Attn:	Greg Kupillas	Order: WAPR2302094LER-1
	18487 S. Valley Vista Rd	Ref. No: 51W01, 2301,2604-2606
	Mulino, OR 97214	Charge: \$25.00
Effective Date:	December 18, 2023	
Title Officer:	Amy Alexander	

A search of the public records of Clackamas County as of the effective date shown above, shows the last deed of record runs to:

Jack R. Bigej and Deanna Bigej, Trustees of the Jack and Deanna Bigej Family Trust, U/T/A dated 08/12/2015

(A) Legal Description:

The Property described in Exhibit 'A' attached hereto and made a part hereof.

Tax Account No: 01081055, 01081126, 01081135 & 01081144
Map Identification No: 51W01 2301, 2604, 2605, 2606

THIS INFORMATION IS A PLANT SERVICE OF FIDELITY NATIONAL TITLE. IT IS NOT TITLE INSURANCE OR A GURANTEE. THIS SERVICE DOES NOT INCLUDE ANY SUPPLEMENTAL REPORTS OR ANY OTHER INFORMATION. LIABILITY FOR ERRORS IS LIMITED TO THE AMOUNT CHARGED.

Thank you very much for doing business with Fidelity National Title Company/Western American Property Research. If you have any questions, please contact Amy Alexander, Title Examiner or May Patel, Unit Supervisor at 796-6616.

Fidelity National Title Company of Oregon
Amy Alexander, Title Examiner

EXHIBIT A

PARCEL 1:

Beginning at the Southwest corner of the North one-half of the Southwest one-quarter of Section 1, Township 5 South, Range 1 West of the Willamette Meridian, Clackamas County, Oregon: thence East, along the South line of the North one-half of the Southwest one-quarter of said section, to the Northeast corner of Lot 5, BIG-E SUBDIVISION; thence North 18°28' East 314 feet, more or less, to the South line of that property conveyed to Harold Owings by Deed recorded September 17, 1943, in Book 313, Page 421; thence South 89°41 '30" West, along the South line of said Owings tract, to the West line of Section 1; thence South, along said section line, 297.99 feet, more or less, to the point of beginning.

Excepting therefrom the following described tract conveyed to Richard Ziegenbein and Florence Ziegenbein by deed recorded July 17, 1979, Fee No. 79 30466:

Beginning at the Northeast corner of Lot 5, BIG-E SUBDIVISION, in the Southwest one-quarter of Section 1, Township 5 South, Range 1 West of the Willamette Meridian, Clackamas County, Oregon; thence North 0°09'30" West, along the Northerly extension of the East line of Lot 5, 298.24 feet to a point on the South line of that property conveyed to Harold Owings by deed recorded September 17, 1943, in Book 313, Page 421, Deed Records; thence North 89°40' East, along the South line of the Owings tract, 110.0 feet, more or less, to the Northeast corner of that tract conveyed to Jack R. and Deanna Bigej and recorded in Fee No. 72 16559, Deed Records; thence South 18°28' West, along the East line of said tract, 314.0 feet, more or less, to the point of beginning.

PARCEL II

Lots 4, 5 and 6, BIG-E SUBDIVISION, Clackamas County, Oregon

BIG-E SUBDIVISION

TOWNSHIP 5 SOUTH RANGE 1 WEST WILLAMETTE MERIDIAN CLACKAMAS COUNTY, OREGON SW 1-4 SECTION 1

SURVEYOR'S CERTIFICATE

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

I, DAVID F. BATES, being first duly sworn, depose and say that I have surveyed and marked with proper monuments, the land hereon shown as Big-E Subdivision, which is described as follows:

Beginning at the INITIAL CORNER of this subdivision which is a section of galvanized iron pipe 2 inches in diameter and 36 inches in length set 6 inches below the surface of the ground at a point which is 1.71 chains East and 1149.52 feet S.0°12'W. from the Northwest corner of Lot 4 of Section 1 in Township 5 South Range 1 West of the Willamette Meridian in Clackamas County, Oregon; thence S.0°12'W. 30.00 feet to the center of County Road No. 625; thence S.89°28'E. along the center of the said County Road 485.85 feet; thence N.0°12'E. 514.89 feet; thence S.89°28'E. 603.23 feet; thence N.0°12'E. 674.80 feet; thence West 1089.05 feet; thence S.0°12'W. 1149.52 feet to the place of beginning, and containing 22.486 acres of land.

REGISTERED
OREGON
LAND SURVEYOR

DAVID F. BATES
JULY 7, 1964
24



David F. Bates
OREGON LAND SURVEYOR No. 24

Subscribed and sworn to before me this 21st day of May 1970.

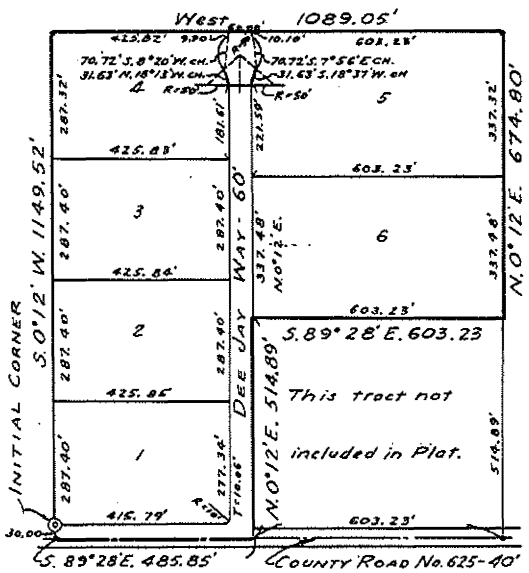
Edith M. Bates
Notary Public for Oregon
My commission expires 8-17-71

The above plat is hereby approved.

James B. Had (6-2-70)
County Planning Commission

Repton E. Miles 6-19-70
County Surveyor

John C. McIntyre (6-5-70) By Carl H. Knice
County Roadmaster



Scale ~ 1" = 200'

Iron pipes set at all lot corners and points of curve. Pipes found in place indicated thus: *

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

I, Donald S. Hattan, County Assessor, and Fred Stefani, Thomas D. Telford and Robert Schumacher, Commissioners for the said County and state do hereby approve the within Plat and Dedication which are in due and legal form.

Attest:

County Clerk

County Assessor

Fred Stefani
County Commissioner

Thomas D. Telford
County Commissioner

Donald S. Hattan
County Commissioner

DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That we, Percy A. and Anne M. Conrad, husband and wife; Jack R. Bigej and Deanna Bigej, his wife, being the owners of the land described in the Surveyor's Certificate hereon made and desiring to dispose of same in lots, have caused the same to be surveyed and plotted. The name is to be known as Big-E Subdivision.

We hereby dedicate to the public use forever the streets laid out through said land as shown on the within plat.

We hereby certify that all taxes and assessments levied against said land have been paid.

In witness whereof, we have hereunto set our hands and seals this 21st day of May 1970.

Percy A. Conrad Jack R. Bigej
Anne Conrad Deanna Bigej

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

On this 21st day of May 1970, personally came before me, a Notary Public in and for said County and State, the within named Jack R. Bigej and Deanna Bigej, his wife, to me personally known to be the identical persons described in and who executed the above instrument and who acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named and without fear or compulsion from anyone.

Witness my hand and seal this 21st day of May 1970.
* Percy A. Conrad and Anne M. Conrad, husband and wife;



Edith M. Bates
Notary Public for Oregon
My commission expires 8-17-71

Pursuant to ORS 92.095 I hereby certify that all taxes are paid for 1970-71 as of 7-10-70.

Donald S. Hattan by
Thyn L. Walker

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

I, George D. Poppen, certify that the within plat was received and duly recorded by me in Clackamas County Records in Book of Town Plats in Volume 46 at Page 21 on the 19th day of July 1970 at 3:24 o'clock P.M.

George D. Poppen by Bunty Walker
County Clerk deputy

Taxes are paid to 6-30-70

Joe Stokes by Fred Taylor
Sheriff and Tax Collector

38
631

Clackamas County Official Records
Sherry Hall, County Clerk

2015-057110



\$63.00

01881071201500571100030032

08/24/2015 02:33:17 PM

D-D Cnt=1 Stn=5 LESLIE
\$15.00 \$10.00 \$16.00 \$22.00

WARRANTY DEED

Grantors Jack R. Bigej, Trustee of the **JACK R. BIGEJ TRUST**, a revocable living trust established by agreement dated December 4, 1991, as to an **undivided one-half interest**; and Deanna Bigej, Trustee of the **DEANNA BIGEJ TRUST**, a revocable living trust established by agreement dated December 4, 1991, as to an **undivided one-half interest**; as tenants in common, conveys and warrants to *Grantee*, Jack R. Bigej and Deanna Bigej, Trustees of the **JACK AND DEANNA BIGEJ FAMILY TRUST, U/T/A dated 08/12/2015**, the hereinafter described real property, free of encumbrances except as specifically set forth herein, situated in Clackamas County, Oregon.

Consideration: The true and actual consideration for this transfer is \$None, this transfer being for the purpose of estate planning.

Tax Statements: Until a change is requested, all tax statements shall be sent to the following address: **Jack R. Bigej and Deanna Bigej, Trustees of the Jack and Deanna Bigej Family Trust, 30851 S. Dee Jay Way, Hubbard, OR 97032.**

Person authorized to receive the instrument after recording: Robert L. Engle, 610 Glatt Circle, Woodburn, OR 97071.

[LEGAL DESCRIPTION]

That certain real property described in EXHIBIT A attached hereto and by this reference incorporated herein.

The property is free from encumbrances **Save and Except** encumbrances of record.

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature and terms of any right or indemnification available to Grantor under any title insurance policy, and Grantor shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantor under any such title insurance policy.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND ORS 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7,

Page 1 of 2 -- **WARRANTY DEED [JACK & DEANNA BIGEJ FAMILY TRUST / CLACKAMAS COUNTY PROPERTY]**

ENGLE & SCHMIDTMAN
ATTORNEYS AT LAW
NORTHWOOD OFFICE PARK - 610 GLATT CIRCLE, WOODBURN, OREGON 97071
TELEPHONE (503) 981-0155 • FAX: 503) 981-0158
ROBERT L. ENGLE E-MAIL: renglelaw@qwest.net • KIRK A. SCHMIDTMAN E-MAIL: schmidtmalan@qwest.net

CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 12th day of August, 2015.

Jack R. Bigej

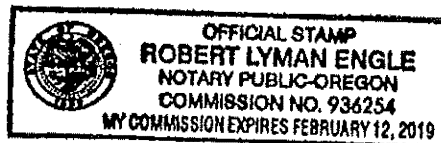
Jack Bigej, Trustee

Deanna Bigej

Deanna Bigej, Trustee

STATE OF OREGON)
) ss.
County of Marion)

The foregoing instrument was acknowledged before me this 12th day of August, 2015, by JACK R. BIGEJ, Trustee of the Jack R. Bigej Trust and DEANNA BIGEJ, Trustee of the Deanna Bigej Trust.



[Signature]

Notary Public for Oregon

EXHIBIT A

Farm located at 30851 S. Dee Jay Way,
Hubbard, Clackamas County

PARCEL I

Beginning at the Southwest corner of the North one-half of the Southwest one-quarter of Section 1, Township 5 South, Range 1 West of the Willamette Meridian, Clackamas County, Oregon: thence East, along the South line of the North one-half of the Southwest one-quarter of said section, to the Northeast corner of Lot 5, BIG-E SUBDIVISION; thence North 18°28' East 314 feet, more or less, to the South line of that property conveyed to Harold Owings by Deed recorded September 17, 1943, in Book 313, Page 421; thence South 89°41'30" West, along the South line of said Owings tract, to the West line of Section 1; thence South, along said section line, 297.99 feet, more or less, to the point of beginning.

Excepting therefrom the following described tract conveyed to Richard Ziegenbein and Florence Ziegenbein by deed recorded July 17, 1979, Fee No. 79 30466:

Beginning at the Northeast corner of Lot 5, BIG-E SUBDIVISION, in the Southwest one-quarter of Section 1, Township 5 South, Range 1 West of the Willamette Meridian, Clackamas County, Oregon; thence North 0°09'30" West, along the Northerly extension of the East line of Lot 5, 298.24 feet to a point on the South line of that property conveyed to Harold Owings by deed recorded September 17, 1943, in Book 313, Page 421, Deed Records; thence North 89°40' East, along the South line of the Owings tract, 110.0 feet, more or less, to the Northeast corner of that tract conveyed to Jack R. and Deanna Bigej and recorded in Fee No. 72 16559, Deed Records; thence South 18°28' West, along the East line of said tract, 314.0 feet, more or less, to the point of beginning.

PARCEL II

Lots 4, 5 and 6, BIG-E SUBDIVISION, Clackamas County, Oregon.

[JACK R. BIGEJ & DEANNA BIGEJ TRUSTS / CLACKAMAS COUNTY PROPERTY]

ENGLE & SCHMIDTMAN
ATTORNEYS AT LAW
NORTHWOOD OFFICE PARK - 610 GLATT CIRCLE, WOODBURN, OREGON 97071
TELEPHONE (503) 961-0155 * FAX: (503) 961-0158
ROBERT L. ENGLE E-MAIL: renglelaw@qwest.net - KIRKA A. SCHMIDTMAN E-MAIL: schmidtmanlaw@qwest.net



Fidelity National Title[®]

Company of Oregon

900 SW Fifth Avenue, Portland, OR 97204

Phone: (503)796-6616 / Fax: (503)229-0615

DEED ONLY REPORT

Prepared For: Pacific Hydro-Geology Inc.
Attn: Greg Kupillas
18487 S. Valley Vista Rd
Mulino, OR 97214

Date: December 22, 2023
Order: WAPR2302094LER-2
Ref. No: 51W02 101
Charge: \$25.00

Effective Date: December 18, 2023
Title Officer: Amy Alexander

A search of the public records of Clackamas County as of the effective date shown above, shows the last deed of record runs to:

Mark D. Bigej and Amy M. Bigej, or either of them, Trustee of The Mark and Amy Bigej Family Trust, U/T/D 03/19/2015

(A) Legal Description:

The Property described in Exhibit 'A' attached hereto and made a part hereof.

Tax Account No: 05022102
Map Identification No: 51W02, 101

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Fidelity National Title Company of Oregon
Amy Alexander, Title Examiner

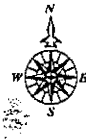
EXHIBIT A

Parcel 2, PARTITION PLAT NO. 2008-079, in the County of Clackamas and State of Oregon.

PARTITION PLAT NO. 2008 - 079

A REPLAT OF LOT 3, "BIG-E SUBDIVISION" AND OTHER PROPERTY LOCATED IN THE S.E. 1/4 OF SECTION 2, T.5S., R.1W., AND THE S.W. 1/4 OF SECTION 1, T.5S., R.1W., W.M. CLACKAMAS COUNTY, OREGON

CLACKAMAS COUNTY PLANNING DIVISION FILE NO. 20025-08-PLA
APRIL 21, 2008 SCALE: 1" = 200'
SHEET 1 OF 3



NOTE:
THE PROPERTY OWNERSHIP ON THIS PLAT IS DEPICTED TO THE CENTER OR BUREAU OF THE RIVER. A DETERMINATION OF NAVIGABILITY BY THE OREGON LEGISLATURE OR OREGON STATE LAND BOARD AND/OR THE FEDERAL COURT HAS NOT BEEN MADE. AT THIS TIME, AN OFFICIAL DETERMINATION IS MADE THAT THE RIVER IS NAVIGABLE, THE BOUNDARY WILL THEN BE AS DETERMINED BY "THOSE IN AUTHORITY."

GRAPHICAL LOCATION OF PUDDING RIVER SHOWN FOR REFERENCE ONLY

REEL 2385
PAGE 253

MARION COUNTY
PUDDING RIVER

PARCEL 2
847,832 SQUARE FEET
19.36 ACRES

PARCEL 1
1,118,846 SQUARE FEET
25.74 ACRES

NOTE: WHEN THE COUNTY SURVEYOR RE-ESTABLISHES THE QUARTER CORNER AND ITS ACCESSORIES WHICH ARE PUBLIC LAND SURVEY MONUMENTS, THEY SHALL BE PROTECTED AND PRESERVED AT ALL TIMES. ACCESS FOR SURVEY PURPOSES SHALL BE ALLOWED AT ALL TIMES PURSUANT TO O.R.S. 672.047.

INITIAL POINT
FOUND 0.4" X 0.8" STONE SCRIBED WITH AN "X" AT WEST 1/4 CORNER SECTION 1, (U.G.) (POST NOTED IN VOLUME 1, PAGE 276) HELD. STONE IS NOTED AS 1/4 CORNER IN S.N. 8347, S.N. 11629 AND S.N. 16786 AND IS 5' NORTH OF FENCE CORNER.

TAX LOT 600
MAP 5-1W-1
DOC. NO. 79-25945

TAX LOT 2201
MAP 5-1W-1
DOC. NO. 2007-063800

TAX LOT 2202
MAP 5-1W-1
DOC. NO. 2007-063600

TAX LOT 2301
MAP 5-1W-1
DOC. NO. 2006-095386

TAX LOT 200
MAP 5S-1W-2
BOOK 653, PAGE 655

FOUND 3" MARION COUNTY BRASS DISC IN CONCRETE AT NORTHWEST CORNER J.M. BACON D.L.C. NO. 71, HELD. MARION COUNTY SURVEY RECORD 44094912



FOUND 3/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" (R1) HELD.

FOUND 3-1/4" BRONZE DISC U.S.B.T. ENTRY 2000-028, AT SOUTHEAST CORNER SECTION 2 HELD.

LEGEND

- DENOTES MONUMENT FOUND AS NOTED
- DENOTES 3/8" DIAMETER BY 30" LONG IRON ROD WITH YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" SET ON 10' X 10' 2000
- M DENOTES MEASURED DIMENSION
- R DENOTES RECORD DIMENSION, SEE REFERENCE SURVEYS
- P DENOTES PLAT DIMENSION, SEE REFERENCE SURVEYS
- D DENOTES DEED DIMENSION, SEE REFERENCE DEEDS
- S.N. SURVEY OF RECORD ON FILE AT THE CLACKAMAS COUNTY SURVEYOR'S OFFICE
- U.G. UNKNOWN ORIGIN

NOTE: TAX LOT NUMBERS BASED ON CURRENT TAX ASSESSOR'S MAP 5-1W-1 AND 5-1W-2 AND ARE SHOWN FOR REFERENCE ONLY.

INDEX

- SHEET 1 SITE, NARRATIVE
- SHEET 2 PARCELS 2 & 3
- SHEET 3 SURVEYOR'S CERTIFICATE, DECLARATION, PLAT RESTRICTIONS, ACKNOWLEDGMENTS, APPROVALS

NARRATIVE

- 1) CLIENT: MARK DIEGL
- 2) THE PURPOSE OF THIS SURVEY WAS TO LOCATE AND MONUMENT A PARTITION PLAT, CONSISTING OF LOT 3, "BIG-E SUBDIVISION" AND ADJOINING PROPERTY TO THE WEST, FOR THE CLACKAMAS COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT LAND USE AND ENVIRONMENTAL PLANNING DIVISION FILE NO. 20025-08-PLA CONDITIONS OF APPROVAL.
- 3) BASIS OF BEARINGS: THE NORTH LINE OF THE J.M. BACON D.L.C. NO. 71, AS MONUMENTED AND SHOWN AS N.89°54'53"W, BY U.S.B.T. 2000-028, WAS HELD AS THE BASIS OF BEARINGS FOR THIS MAP.
- 4) THE SUBJECT TRACTS LIE WITHIN SECTION 1 AND 2, TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M., CLACKAMAS COUNTY, OREGON. HE RECENTLY COMPLETED A RECORD OF SURVEY IN 2007 FOR THE PREVIOUS OWNER OF THAT PORTION OF THE PLAT LOCATED IN SECTION 2, FILED AS S.N. 2007-333. THAT SURVEY WAS HELD TO CONTROL THE BOUNDARY OF SUBJECT TRACT WITHIN SECTION 2 AS NOTED.
- THE ADDITIONAL TRACTS INVOLVED IN THIS SURVEY LIE WITHIN SECTION 1, BEING A STRIP OF LAND ADJOINING THE WEST LINE OF "BIG-E SUBDIVISION" AND LOT 3 OF SAID PLAT. A RANDOM CLOSED TRAVERSE WAS RUN, LOCATING EXISTING MONUMENTS OF RECORD WITHIN THE PLAT AS SHOWN.
- 5) THE NORTH LINE OF THE PLAT WAS HELD TO THE EXISTING PLAT MONUMENTS AT THE NORTHEAST CORNER OF LOT 4, AND THE NORTHWEST AND NORTHEAST CORNER OF LOT 4 AS NOTED. THIS LINE WAS EXTENDED TO THE WEST TO THE SECTION LINE PER DEED CALLS.
- 6) THE WEST RIGHT-OF-WAY LINE OF DEE JAY WAY WAS HELD FROM THE IRON PIPE AT THE NORTHEAST CORNER OF LOT 4, AND THE NORTHWEST AND NORTHEAST CORNER OF LOT 1 AS NOTED. RECORD PLAT DATA WAS HELD TO ESTABLISH THE CURVES AT THE CO.-DE-SAC, AND THE NORTHEAST CORNER OF LOT 1. THE NORTHEAST CORNER OF LOT 2 WAS ESTABLISHED AT A PRO-RATED DIMENSION FROM THE NORTHEAST CORNER OF LOT 3 AND THE IRON PIPE AT THE NORTHEAST CORNER OF LOT 1.
- 7) THE WEST LINE OF LOTS 1 THROUGH 4, "BIG-E SUBDIVISION" WAS HELD TO THE NORTH TO THE IRON PIPE AT THE NORTHWEST CORNER OF LOT 4, AND THE 2" IRON PIPE AT THE INITIAL POINT OF SAID PLAT, BEING THE SOUTHWEST CORNER OF LOT 1.
- 8) THE NORTH LINE OF LOT 1 WAS HELD TO THE IRON PIPE AT THE NORTHEAST CORNER OF LOT 1, AND TO THE WEST TO THE IRON PIPE 0.28' WEST OF THE PLAT LINE, INTERSECTING THE WEST LINE OF THE PLAT AS DESCRIBED ABOVE.
- 9) THE NORTH LINE OF LOT 2 WAS HELD TO THE EAST TO THE PROBATED POSITION OF THE NORTHEAST CORNER OF LOT 2, AND TO THE WEST TO THE IRON PIPE 0.28' FEET WEST OF THE PLAT LINE, INTERSECTING THE WEST LINE OF THE PLAT AS DESCRIBED ABOVE.
- 10) THE WEST LINE OF LOT 4 WAS HELD TO THE WEST TO THE 3/4" DIAMETER IRON PIPE FOUND AND HELD AT THE SOUTHWEST CORNER OF LOT 4. THE LINE TO THE EAST WAS HELD AS NOTED IN NOTE 8 ABOVE.
- 11) THE ADJUSTED LINES WERE ESTABLISHED PER THE CLIENT'S DIRECTION.
- 12) FIELDWORK: RANDOM CLOSED TRAVERSE WITH A 5 SECOND TOTAL STATION.

REFERENCE DEEDS:

- BOOK 653, PAGE 544
- DOC. NO. 74-22483
- DOC. NO. 79-25945
- DOC. NO. 80-43148
- DOC. NO. 2003-121623
- DOC. NO. 2006-095386
- DOC. NO. 2007-063800

REFERENCE SURVEYS:

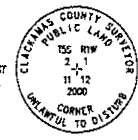
- P1 "BIG-E SUBDIVISION", PLAT NO. 1454
- P2 PARTITION PLAT NO. 2007-074
- S.N. 8347
- S.N. 9989
- S.N. 11629
- S.N. 16786
- S.N. 20183
- S.N. 25724
- S.N. 2007-333

REGISTERED PROFESSIONAL LAND SURVEYOR

Michael A. Rademacher
OREGON
JULY 16, 1987
MICHAEL A. RADEMACHER
2303

ENGINEER/SURVEYOR
COMPASS ENGINEERING
4105 INTERNATIONAL WAY, SUITE 501
MILWAUKEE, OREGON 97222
PHONE: 503-653-9093
6486.1 Part.07g (MRRM)
JOB NO. 07-6406.1 (PARTITION)

DATE OF SIGNATURE: 6-24-08
COPIES 12/31/2008



PARTITION PLAT NO. 2008 - 079

A REPLAT OF LOT 3, "BIG-E SUBDIVISION" AND OTHER PROPERTY
LOCATED IN THE S.E. 1/4 OF SECTION 2, T.5S., R.1W., AND
THE S.W. 1/4 OF SECTION 1, T.5S., R.1W., W.M.
CLACKAMAS COUNTY, OREGON

CLACKAMAS COUNTY PLANNING DIVISION FILE NO. 20025-08-PLA
APRIL 21, 2008
SHEET 3 OF 3

SURVEYOR'S CERTIFICATE

I, MICHAEL A. RADEMACHER, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, CERTIFY AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND DESCRIBED ON THE ATTACHED PARTITION MAP, THE BOUNDARY BEING DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 1 AND THE SOUTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAHETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING A REPLAT OF LOT 3, "BIG-E SUBDIVISION"; A SUBDIVISION PLAT OF RECORD (NO. 1454) AND OTHER PROPERTY IN SAID CLACKAMAS COUNTY, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, A ROUND 0.4" X 0.8" STONE, SITUATED WITH AN "X" ACCEPTED AS THE WEST ONE-QUARTER CORNER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAHETTE MERIDIAN, CLACKAMAS COUNTY, OREGON; THENCE ALONG THE WEST LINE OF SAID SECTION 1, S.00°15'35"E, 1324.13 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO JACK R. BIGEL, TRUSTEE OF THE JACK R. BIGEL TRUST, DATED DECEMBER 4, 1991 AND DEANNA BIGEL, TRUSTEE OF THE DEANNA BIGEL TRUST, RECORDED DECEMBER 4, 1991, SAID DEED BEING RECORDED OCTOBER 16, 2008, IN CLACKAMAS COUNTY RECORDS; DOCUMENT NO. 2008-095536; THENCE ALONG THE SOUTH LINE OF SAID BIGEL TRACT, N.85°20'21"E, 113.00 FEET TO A 3/4" DIAMETER IRON PIPE AT THE NORTHWEST CORNER OF LOT 4, "BIG-E SUBDIVISION"; A SUBDIVISION PLAT OF RECORD (NO. 1454) IN SAID CLACKAMAS COUNTY; THENCE ALONG THE WEST LINE OF SAID LOT 4, S.00°15'35"E, 287.48 FEET TO A 3/4" DIAMETER IRON PIPE AT THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE SOUTH LINE OF SAID LOT 4, S.89°54'50"E, 425.87 FEET TO THE WEST RIGHT-OF-WAY LINE OF DEET JAY WAY (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S.00°15'28"E, 287.48 FEET TO THE NORTHEAST CORNER OF LOT 2, "BIG-E SUBDIVISION"; THENCE ALONG THE NORTH LINE OF SAID LOT 2, N.89°20'29"W, 425.85 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE ALONG THE WEST LINE OF LOTS 2 AND 1, "BIG-E SUBDIVISION", AND ITS SOUTHERLY EXTENSION, S.00°15'35"E, 584.94 FEET TO THE NORTH RIGHT-OF-WAY LINE OF S. SECOND ROAD (COUNTY ROAD NO. 623) (20.00 FEET FROM CENTERLINE); THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N.89°54'53"W, 809.84 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" AT THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO RICHARD A. SCHNABAUER AND WANDA LANE SCHNABAUER, RECORDED IN DEED BOOK 833, PAGE 853, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE EAST LINE OF SAID SCHNABAUER TRACT N.00°15'35"W, 1151.50 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" AT THE NORTHEAST CORNER OF SAID SCHNABAUER TRACT; THENCE ALONG THE NORTH LINE THEREOF, N.89°54'53"W, 618.00 FEET, MORE OR LESS, TO THE CENTERLINE OF THE PUDGING RIVER; THENCE DOWNSTREAM ALONG THE CENTERLINE OF THE PUDGING RIVER 1899 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAHETTE MERIDIAN; THENCE ALONG SAID NORTH LINE, N.89°00'00"E, 187.43 FEET, MORE OR LESS, TO THE INITIAL POINT, CONTAINING 1.965879 SQUARE FEET (45.15 ACRES), MORE OR LESS.

PLAT RESTRICTIONS

1. THIS PARTITION IS SUBJECT TO CONDITIONS OF APPROVAL AS PER CLACKAMAS COUNTY PLANNING FILE NUMBER 20025-08-PLA.
2. SUBJECT TO FARM/FOREST LAND DEED RESTRICTIONS RECORDED IN DOCUMENT NO. 2008-018191, CLACKAMAS COUNTY DEED RECORDS.
3. SUBJECT TO TERMS AND CONDITIONS RECORDED IN DOCUMENT NO. 2004-088388, CLACKAMAS COUNTY DEED RECORDS, REGARDING WATER WELL RIGHTS AND OBLIGATIONS.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT JACK R. BIGEL, TRUSTEE OF THE JACK R. BIGEL TRUST, AND DEANNA BIGEL, TRUSTEE OF THE DEANNA BIGEL TRUST, AND KOB INVESTMENTS, LLC, OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THE ANNEXED MAP TO BE A CORRECT MAP OF THE PARTITION PLAT OF SAID PROPERTY AND THAT THEY HAVE CAUSED THIS PARTITION MAP TO BE PREPARED AND THE PROPERTY PARTITIONED INTO PARCELS AS SHOWN IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 82 OF OREGON REVENUE STATUTES. THE PLATTED PROPERTY HEREON IS SUBJECT TO RESTRICTIONS AS NOTED HEREON. THE DECLARANT MAKES NO CLAIM TO LAND BEYOND THE BOUNDARY AS PLATTED AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE.

Jack R. Bigel

JACK R. BIGEL TRUSTEE
JACK R. BIGEL TRUST

Deanna Bigel

DEANNA BIGEL TRUSTEE
DEANNA BIGEL TRUST

Jack R. Bigel

JACK R. BIGEL, MANAGER
KOB INVESTMENTS, LLC

ACKNOWLEDGMENTS

STATE OF OREGON
COUNTY OF CLACKAMAS } SS

THIS DECLARATION WAS ACKNOWLEDGED BEFORE ME ON June 30, 2008
BY JACK R. BIGEL, TRUSTEE, JACK R. BIGEL TRUST, AND DEANNA BIGEL, TRUSTEE, DEANNA BIGEL TRUST.

Tyler Motlagh

NOTARY SIGNATURE
416235
COMMISSION NO.

Tyler Motlagh
NOTARY PUBLIC - OREGON
April 10, 2011
MY COMMISSION EXPIRES

STATE OF OREGON
COUNTY OF CLACKAMAS } SS

THIS DECLARATION WAS ACKNOWLEDGED BEFORE ME ON June 30, 2008
BY JACK R. BIGEL, MANAGER, KOB INVESTMENTS, LLC.

Tyler Motlagh

NOTARY SIGNATURE
416235
COMMISSION NO.

Tyler Motlagh
NOTARY PUBLIC - OREGON
April 10, 2011
MY COMMISSION EXPIRES



APPROVALS

APPROVED THIS 2 DAY OF July, 2008
CLACKAMAS COUNTY PLANNING COMMISSION

BY: *[Signature]*

DIRECTOR, PLANNING DEPARTMENT

APPROVED THIS 8TH DAY OF July, 2008

Carl R. Platter

CLACKAMAS COUNTY SURVEYOR

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED
BY ORS 82.080 HAVE BEEN PAID THRU JUNE 30, 2008.

APPROVED THIS 10TH DAY OF July, 2008
CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY: *[Signature]*

DEPUTY

STATE OF OREGON
COUNTY OF CLACKAMAS } SS

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR
RECORD ON THE 10 DAY OF July, 2008
AT 2:54 O'CLOCK P.M.

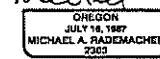
AS PARTITION PLAT NO. 2008-079

DOCUMENT NO. 2008-49480

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY: *[Signature]*

DEPUTY



DATE OF SIGNATURE: 6-24-08
EXPIRES 12/31/2008

ENGINEER/SURVEYOR
COMPASS ENGINEERING
4185 INTERNATIONAL WAY, SUITE 501
MILWAUKIE, OREGON 97222
PHONE: 503-653-0093
6406.1 Part.dwg (NMBE)
JOB NO. 07-8406.1 (PARTITION)

28
58

Clackamas County Official Records
Sherry Hall, County Clerk

2015-023296



\$58.00

01843586201500232960020021

04/24/2015 10:06:33 AM

D-D Cnt=1 Stn=54 COUNTER2
\$10.00 \$10.00 \$16.00 \$22.00

WARRANTY DEED

Grantor **MARK D. BIGEJ** and **AMY M. BIGEJ**, individually and as husband and wife, conveys and warrants to *Grantee* Mark D. Bigej and Amy M. Bigej, or either of them, Trustee of the **MARK AND AMY BIGEJ FAMILY TRUST, UTD 03/19/2015**, all **their right, title and interest** in the hereinafter described real property, free of encumbrances except as specifically set forth herein, situated in **Clackamas County, Oregon**.

Consideration: The true and actual consideration for this transfer is \$None, this transfer being for the purpose of estate planning.

Tax Statements: Until a change is requested, all tax statements shall be sent to the following address: **No change**.

Person authorized to receive the instrument after recording: ^{Amy Leath} Robert L. Engle, 610 Glatt Circle, Woodburn, OR 97071.

The Mark and Amy Bigej Family Trust is a Revocable Living Trust established under the laws of the state of Oregon, by an agreement dated March 19, 2015.

[LEGAL DESCRIPTION]

Parcel 2, PARTITION PLAT NO. 2008-079, in the County of Clackamas and State of Oregon.

Site Address: 30851 Dee Jay Way, Hubbard, Oregon 97032
Mail Address: 4795 Sconce Rd, Hubbard, Oregon 97032
Tax Account: 05022102 Map/Tax Lot: 51 W 02 00101 19.46 acres

The property is free from encumbrances **Save and Except** encumbrances of record.

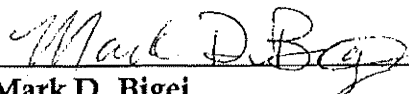
The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature and terms of any right or indemnification available to Grantor under any title insurance policy, and Grantor shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantor under any such title insurance policy.

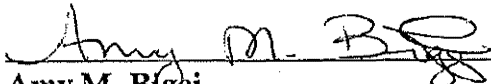
Page 1 of 2 - **WARRANTY DEED** [MARK AND AMY BIGEJ FAMILY TRUST / 4795 SCONCE RD PROPERTY]

ENGLE & SCHMIDTMAN
ATTORNEYS AT LAW
NORTHWOOD OFFICE PARK - 610 GLATT CIRCLE, WOODBURN, OREGON 97071
TELEPHONE (503) 881-0155 • FAX: 503) 991-0158
ROBERT L. ENGLE E-MAIL: rengle@woodburnlaw.net • KIRK A. SCHMIDTMAN E-MAIL: kschmidtman@woodburnlaw.net

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND ORS 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS AND 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

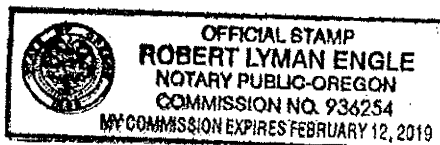
DATED this 19th day of March, 2015.


Mark D. Bigej


Amy M. Bigej

STATE OF OREGON)
) ss.
County of Marion)

The foregoing instrument was acknowledged before me this 19th day of March, 2015, by MARK D. BIGEJ and AMY M. BIGEJ.



Notary Public for Oregon

Page 2 of 2 - WARRANTY DEED [MARK AND AMY BIGEJ FAMILY TRUST / 4795 SCONCE RD PROPERTY]

ENGLE & SCHMIDTMAN
ATTORNEYS AT LAW
NORTHWOOD OFFICE PARK - 610 GLATT CIRCLE, WOODBURN, OREGON 97071
TELEPHONE (503) 981-0155 * FAX: 503) 981-0158
ROBERT L. ENGLE E-MAIL: rengle@woodburnlaw.net - KIRK A. SCHMIDTMAN E-MAIL: kschmidtman@woodburnlaw.net



Fidelity National Title[®]

Company of Oregon

WAPR2302094LER

Remit Payment To:

Fidelity National Title Company of Oregon
900 SW 5th Avenue
Portland, OR 97204
Phone: (503)796-6616 Fax: (503)229-0615

Due upon receipt

Pacific Hydro-Geology, Inc.
18487 S. Valley Vista Road
Mulino, OR 97042

INVOICE

Order Number: WAPR2302094LER
Customer Reference No.: T-14163

Invoice Date: 12/22/2023
Invoice Number: WAPR2302094LER
Operation: 01520.470022

Buyer/Borrower(s): Deanna Bigej
Title Officer: Amy Alexander

Property Description (1):
30851 S Dee Jay Way, Hubbard, OR 97032

Bill Code	Description	Amount
RPT	51W01, Lot 2301, 2604, 2605 2606	25.00
RPT	51W02, Lot 101	25.00

Invoice total amount due: \$50.00

Thank you for the opportunity to serve you.
Please return a copy of this invoice with your payment

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK R. BIGEJ
1220 N PACIFIC HWY
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit G-12926. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14202

SOURCE OF WATER: TWO WELLS WITHIN THE PUDDING RIVER BASIN

PURPOSE OR USE: AGRICULTURE USE (NURSERY USE) AND IRRIGATION OF 12.7 ACRES

MAXIMUM RATE: NOT TO EXCEED 0.52 CUBIC FOOT PER SECOND (CFS), BEING 0.27 CFS FROM WELL 1 AND 0.25 CFS FROM WELL 3

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR AGRICULTURAL USE

DATE OF PRIORITY: NOVEMBER 20, 1995

POINTS OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (NEW) - 1120 FEET NORTH AND 585 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 3 (NEW) - 835 FEET NORTH AND 895 FEET EAST FROM SW CORNER, SECTION 1

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	1	NW SW		2.8
5 S	1 W	WM	1	SW SW	4	9.9

AGRICULTURAL USE					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	1	NW SW	
5 S	1 W	WM	1	SW SW	4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The combined quantity of water diverted at the new points of appropriation (wells), together with that diverted at the authorized points of appropriation, shall not exceed the maximum rate and duty allowed under Permit G-12926. The original wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	1	SW SW	4	WELL 1 (ORIGINAL) - 900 FEET NORTH AND 700 FEET EAST FROM SW CORNER, SECTION 1
5 S	1 W	WM	1	SW SW	4	WELL 2 (ORIGINAL) - 925 FEET NORTH AND 1025 FEET EAST FROM SW CORNER, SECTION 1

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

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

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

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

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued DEC 16 2022




Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Final Proof Map

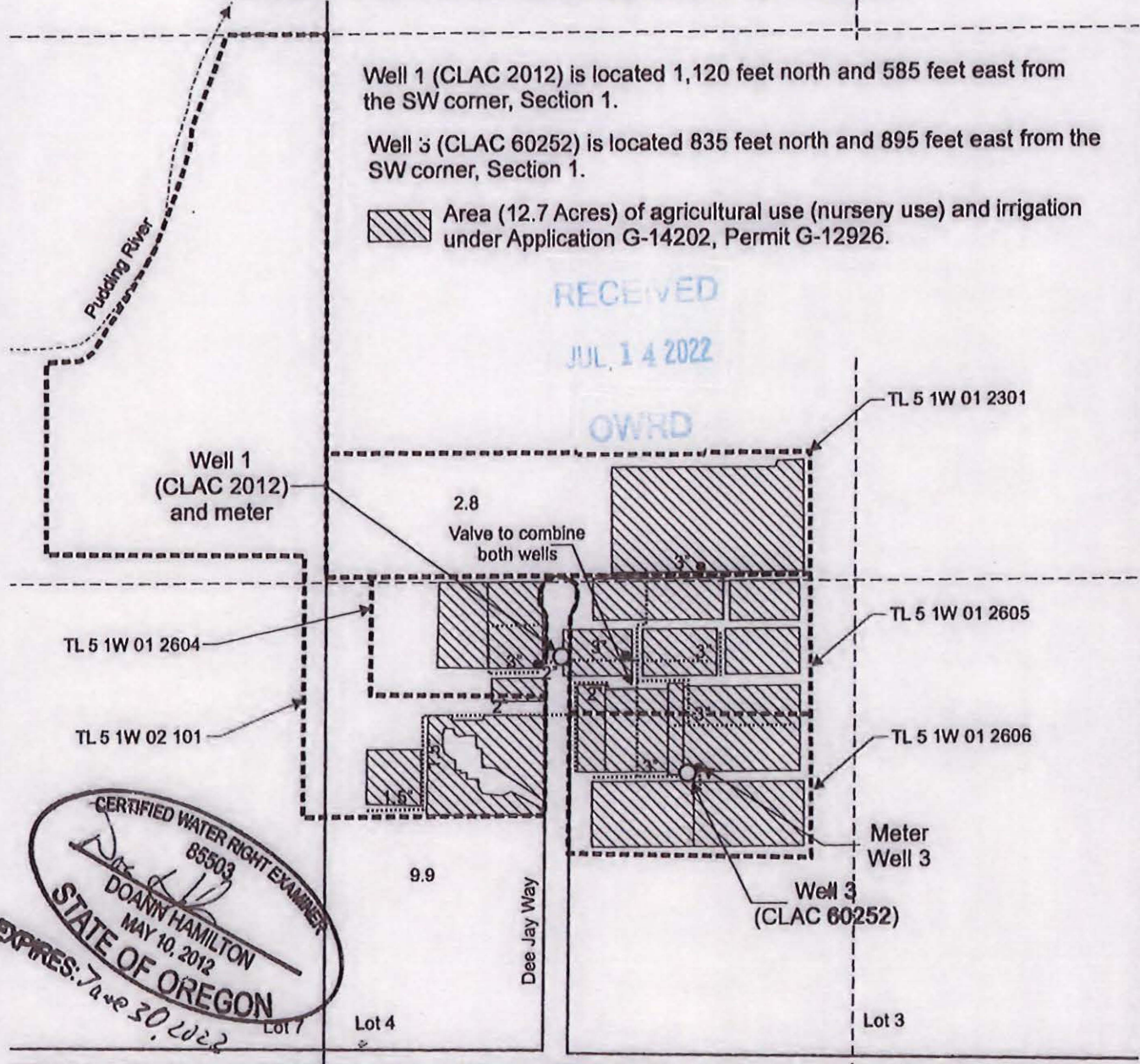
T.5S. R.1W. Section 1, W.M.

Well 1 (CLAC 2012) is located 1,120 feet north and 585 feet east from the SW corner, Section 1.





Well 3 (CLAC 60252) is located 835 feet north and 895 feet east from the SW corner, Section 1.

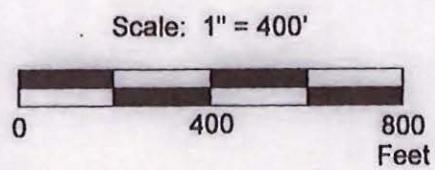
 Area (12.7 Acres) of agricultural use (nursery use) and irrigation under Application G-14202, Permit G-12926.

RECEIVED
JUL 14 2022
OWRD

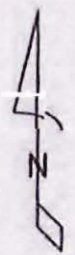


CERTIFIED WATER RIGHT EXAMINER
85503
DOANNY HAMILTON
MAY 10, 2012
STATE OF OREGON
EXPIRES: 7/30/2022

-  Donation Land Claim boundary
-  Tax lot boundary
-  Irrigation mainlines
-  Injection locations



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.



Claim of Beneficial Use Map Application G-14202, Permit G-12926

Pacific Hydro-Geology Inc.

Al's Garden and Greenhouse, LLC
T.5S. R.1W. Section 1, W.M.

07/2022

AlGardenCOBUMap.cdf