

Regular

Name David & Barbara Brazelton

Address 39938 McKenzie Highway
Springfield, OR 97478
DaveB@fallcreeknursery.com

Change in SW/GW
Date Filed 11/15/2023
Initial notice date 11/28/2023
DPD issued date _____
PD issued date 9/30/2025
PD notice date 9/30/2025
Date of FO 11/13/2025 Vol 138 Page 54-60

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

Assignments: _____

Irrigation District _____

Agent Shonee Langford - Schwabe, Williamson & Wyatt
slangford@schwabe.com

CWRE _____

CC's list _____

- Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream McKenzie River

Trib. of Willamette River

Use Irrigation County Lane

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

Name of ditch _____

App# 523843 Per # 518782 Cert # 75779 PR Date 6-15-1949

App# 518883 Per # 514388 Cert # 86849 PR Date 7-25-1940

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

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

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

FEES PAID		
Date	Amount	Receipt #
<u>11-15-2023</u>	<u>\$3,200.00</u>	<u>141922</u>

FEES REFUNDED		
Date	Amount	Receipt #

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 # **141922**

INVOICE # _____

RECEIVED FROM: David M Brazelton
 BY: Barbara L Brazelton

APPLICATION	
PERMIT	
TRANSFER	T-14351

CASH: CHECK:# 1566 OTHER: (IDENTIFY)

TOTAL REC'D \$ 3200.00

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>3,200.00</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 **RECEIVED**
 OBJ. CODE _____ **OVER THE COUNTER**
 DESCRIPTION _____ \$ _____

RECEIPT: **141922**

DATED: 11-15-2023 BY: [Signature]

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

November 13, 2025

David and Barbara Brazelton
39938 Mckenzie Highway
Springfield, OR 97478

REFERENCE: Transfer Application T-14351

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, Corey Courchane, by telephone at (503) 979-3917 or by e-mail at Corey.a.courchane@water.oregon.gov.

Sincerely,

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

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)
Shonee D. Langford, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING CHANGES
T-14351, Lane County	)	FROM A SURFACE WATER POINT OF
	)	DIVERSION TO GROUNDWATER POINTS
	)	OF APPROPRIATION AND PARTIAL
	)	CANCELLATION OF A WATER RIGHT

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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

DAVID AND BARBARA BRAZELTON
39938 MCKENZIE HIGHWAY
SPRINGFIELD, OR 97478

Findings of Fact

1. On November 15, 2023, David and Barbara Brazelton filed an application to change from a surface water point of diversion to groundwater points of appropriation under Certificates 75779 and 86849. The Department assigned the application number T-14351.
2. Notice of the application for transfer was published on November 28, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

3. On July 16, 2025, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14351. The draft Preliminary Determination cover letter provided a deadline of August 15, 2025, for the applicants to respond and submit the required information. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
4. On September 30, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14351 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 30, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
5. The portion of the first right to be transferred is as follows:

Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 12.9 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.159 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	23	SW SW	3	6.1
17 S	1 W	WM	23	SE SW		2.4
17 S	1 W	WM	26	NE NW	2	2.0
17 S	1 W	WM	26	NW NW	3	2.4
					Total	12.9

6. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 75779, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

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

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)
Use: IRRIGATION of 24.1 ACRES
Priority Date: JULY 25, 1940
Rate: 0.30 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	6.7
17 S	1 W	WM	23	SW SW	40	16.2
17 S	1 W	WM	26	NW NW	40	1.2
Total						24.1

8. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 86849, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

9. Transfer Application T-14351 proposes to change from a surface water point of diversion to groundwater points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approximate distance from original point of diversion in feet (ft.)
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 1 - 480 FEET SOUTH AND 1190 FEET EAST FROM THE NW CORNER OF SECTION 26	686 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 2 - 430 FEET SOUTH AND 1270 FEET EAST FROM THE NW CORNER OF SECTION 26	775 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 3 - 150 FEET SOUTH AND 1030 FEET EAST FROM THE NW CORNER OF SECTION 26	915 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 4 - 160 FEET SOUTH AND 1070 FEET EAST FROM THE NW CORNER OF SECTION 26	917 ft. NE

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and 690-380-2130]

10. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14351.
12. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed points of appropriation meet the requirements of ORS 540.531 and OAR 690-380-2130(2).
14. The proposed changes, as conditioned, would not result in enlargement of the rights.
15. The proposed changes, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

Partial Cancellation of a Water Right

17. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 1.2 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.015 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	26	NE NW	2	0.9
17 S	1 W	WM	26	NW NW	3	0.3
Total						1.2

18. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)
Use: IRRIGATION of 1.4 ACRES
Priority Date: JULY 25, 1940
Rate: 0.018 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	1.0
17 S	1 W	WM	23	SW SW	40	0.4
Total						1.4

Conclusions of Law

The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights will be cancelled.

Now, therefore, it is ORDERED:

1. The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 are approved. The portion of the rights that have been abandoned are cancelled.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 75779 and 86849, 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 points of appropriation.
4. Water right Certificates 75779 and 86849 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.
5. The quantity of water diverted at the new points of appropriation (Proposed Wells 1, 2, 3, and 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (POD).
6. The wells from which water is taken under these rights shall be constructed so that the use of the wells will affect the surface water source similarly to the use of the original authorized point of diversion.
7. The use of water under these rights shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

8. All applicable restrictions that existed at the original point of diversion shall apply to the proposed wells.
9. The original date of priority shall be retained. However, if within five years after approving the transfer, the Department finds that the transfer results in substantial interference with existing groundwater rights that would have occurred in the absence of the transfer, the proposed wells shall be subordinate to any existing right injured by the transferred water rights.
10. 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, 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.
11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
12. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **NOV 13 2025**


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

Mailing date: NOV 14 2025

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J IRA MCNUTT
351 1/2 EAST BROADWAY
EUGENE, OR 97401

confirms the right to use the waters of MCKENZIE RIVER, tributary to WILLAMETTE RIVER for IRRIGATION of 43.2 ACRES.

This right was perfected under Permit S-14388. The date of priority is JULY 25, 1940. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.54 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	NE SE	42	0.6
17 S	1 W	WM	22	SE SE	40	1.1
17 S	1 W	WM	22	SE SE	42	8.0
17 S	1 W	WM	23	NW SW	42	2.0
17 S	1 W	WM	23	SW SW	42	4.6
17 S	1 W	WM	23	SW SW	40	1.0
17 S	1 W	WM	26	NW NW	40	13.9
17 S	1 W	WM	27	NE NE	40	12.0
Total						43.2

This certificate describes that portion of water right Certificate 86849, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 13 2025, approving Transfer Application T-14351.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed NOV 13 2025.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line. To the right of the signature is a circular stamp or seal, partially obscured by the signature's loops.

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

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. IRA MCNUTT
ROUTE 2, BOX 350
SPRINGFIELD, OR 97477

confirms the right to use the waters of the MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER for IRRIGATION of 0.5 ACRE.

This right was perfected under Permit S-18782. The date of priority is JUNE 15, 1949. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.006 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	JAMES W. STORMENT DLC 40

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

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

A description of the place of use to which this right is appurtenant is as follows:

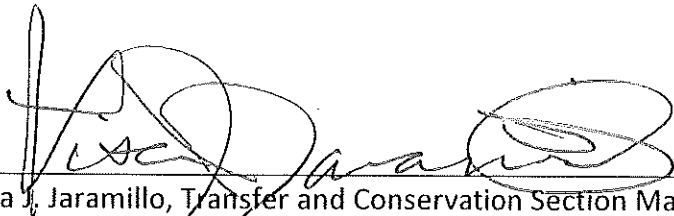
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	26	NW NW	3	0.5

This certificate describes that portion of water right Certificate 75779, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 13 2025, approving Transfer Application T-14351.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed NOV 13 2025.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", written over a horizontal line.

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14351

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority?

Corey

Applicant: David & Barbara Brazelton, 39938 McKenzie Highway Springfield, OR 97478	Agent: Shonee Langford 530 Center St NE, Suite 730 Salem, OR 97301	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts:	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>				<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 (Support Staff)

Rec'd: November 15, 2023	Proposed Action(s): POINT OF DIVERSION, SURFACE WATER TO GROUND WATER	
Fees Pd: 3200.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice: 11/28/2023	County sent cc: of Ack Letter <input type="checkbox"/>	County: LANE
WM District: 2 Lanaya F. Blakely	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

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

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>7/10/25</u> Initials: <u>ce</u>	Date: <u>7/16/25</u> Initials: <u>SG</u>	Date: <u>7/16/25</u> Initials: <u>SH</u>	Date: <u>7/16/25</u> Initials: <u>ce</u>	CW Sent: <u>7/16/25</u> WM Sheet <input checked="" type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <u>8/29/25</u> Initials: <u>ce</u>	Date: <u>8/29/25</u> Initials: <u>SG</u>	Date: <u>9/8/25</u> Initials: <u>SH</u>	Date: <u>9/19/25</u> Initials: <u>ce</u> Data Review Date: <u>9/23/25</u>	Date: <u>9/25/25</u>	Date: <u>9/30/25</u>
FO	Date: <u>10/23/25</u> Initials: <u>ce</u>	Date: <u>10/23/25</u> Initials: <u>SG</u>	Date: <u>10/23/25</u> Initials: <u>SH</u>	Date: <u>11/5/25</u> Initials: <u>ce</u>	Date: <u>11/6/25</u> No. of docs for sig: <u>3</u>	Date: <u>11/13/2025</u>

Special Issues: _____

Special Order Volume: Vol. 138 Pages 54-60



Oregon

Tina Kotek, Governor

SEP 30, 2025

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

VIA CERTIFIED MAIL AND E-MAIL

DAVID AND BARBARA BRAZELTON
39938 MCKENZIE HIGHWAY
SPRINGFIELD, OR 97478

SUBJECT: Water Right Transfer Application T-14351

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14351. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me, at corey.a.courchane@water.oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

Corey Courchane
Allocation of Conserved Water
Transfer and Conservation Section

cc: Transfer Application file T-14351
Lanaya F. Blakely, District 2 Watermaster (via e-mail)
Shonee D. Langford, Agent for the applicant (via e-mail)

encs

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
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**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14351, Lane County	)	PROPOSING APPROVAL OF CHANGES
	)	FROM A SURFACE WATER POINT OF
	)	DIVERSION TO GROUNDWATER POINTS
	)	OF APPROPRIATION AND PARTIAL
	)	CANCELLATION OF A WATER RIGHT

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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

DAVID AND BARBARA BRAZELTON
39938 MCKENZIE HIGHWAY
SPRINGFIELD, OR 97478

Findings of Fact

1. On November 15, 2023, David and Barbara Brazelton filed an application to change from a surface water point of diversion to groundwater points of appropriation under Certificates 75779 and 86849. The Department assigned the application number T-14351.
2. Notice of the application for transfer was published on November 28, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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.

3. On July 16, 2025, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14351. The draft Preliminary Determination cover letter provided a deadline of August 15, 2025, for the applicants to respond and submit the required information. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

4. The portion of the first right to be transferred is as follows:

Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 12.9 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.159 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	23	SW SW	3	6.1
17 S	1 W	WM	23	SE SW		2.4
17 S	1 W	WM	26	NE NW	2	2.0
17 S	1 W	WM	26	NW NW	3	2.4
Total						12.9

5. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 75779, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

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

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)
Use: IRRIGATION of 24.1 ACRES
Priority Date: JULY 25, 1940
Rate: 0.30 CUBIC FOOT PER SECOND

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

Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	6.7
17 S	1 W	WM	23	SW SW	40	16.2
17 S	1 W	WM	26	NW NW	40	1.2
Total						24.1

7. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 86849, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

8. Transfer Application T-14351 proposes to change from a surface water point of diversion to groundwater points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approximate distance from original point of diversion in feet (ft.)
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 1 - 480 FEET SOUTH AND 1190 FEET EAST FROM THE NW CORNER OF SECTION 26	686 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 2 - 430 FEET SOUTH AND 1270 FEET EAST FROM THE NW CORNER OF SECTION 26	775 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 3 - 150 FEET SOUTH AND 1030 FEET EAST FROM THE NW CORNER OF SECTION 26	915 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 4 - 160 FEET SOUTH AND 1070 FEET EAST FROM THE NW CORNER OF SECTION 26	917 ft. NE

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and 690-380-2130]

9. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights subject to forfeiture under ORS 540.610.
10. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14351.
11. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed points of appropriation meet the requirements of ORS 540.531 and OAR 690-380-2130(2).
13. The proposed changes, as conditioned, would not result in enlargement of the rights.
14. The proposed changes, as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

Partial Cancellation of a Water Right

16. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 1.2 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.015 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	26	NE NW	2	0.9
17 S	1 W	WM	26	NW NW	3	0.3
					Total	1.2

17. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)
Use: IRRIGATION of 1.4 ACRES
Priority Date: JULY 25, 1940
Rate: 0.018 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	1.0
17 S	1 W	WM	23	SW SW	40	0.4
					Total	1.4

Determination and Proposed Action

The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

If Transfer Application T-14351 is approved, the final order will include the following:

- 1. The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 are approved. The portion of the rights that have been abandoned are cancelled.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 75779 and 86849, 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 points of appropriation.*
4. *Water right Certificates 75779 and 86849 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.*
5. *The quantity of water diverted at the new points of appropriation (Proposed Wells 1, 2, 3, and 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (POD).*
6. *The wells from which water is taken under these rights shall be constructed so that the use of the wells will affect the surface water source similarly to the use of the original authorized point of diversion.*
7. *The use of water under these rights shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.*
8. *All applicable restrictions that existed at the original point of diversion shall apply to the proposed wells.*
9. *The original date of priority shall be retained. However, if within five years after approving the transfer, the Department finds that the transfer results in substantial interference with existing groundwater rights that would have occurred in the absence of the transfer, the proposed wells shall be subordinate to any existing right injured by the transferred water rights.*
10. *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, 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.*
11. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right*

Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

12. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **SEP 30 2025**


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

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov

Protests

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

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

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$720 required by ORS 536.050; and

- If you are not the applicant, a protest fee of \$1425 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

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

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

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

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

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

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department

provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

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

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

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

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

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

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July 16, 2025

VIA E-MAIL

DAVID AND BARBARA BRAZELTON
39938 MCKENZIE HIGHWAY
SPRINGFIELD, OR 97478

Reference: Water Right Transfer Application T-14351

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-14351. 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 August 15, 2025.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by AUGUST 15, 2025, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water rights are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

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

Conditions of your water right...

The Watermaster has required a water measurement device at the new diversion points 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) devices.

Please note the proposed date by which all conditions must be met: October 1, 2026. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

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

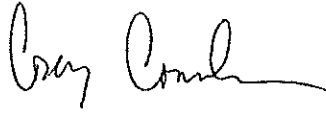
Issuance of the Preliminary Determination will occur shortly after we receive:

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

If we do not receive the items listed above by August 15, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@water.oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Courchane". The signature is fluid and cursive, with a long horizontal stroke at the end.

Corey Courchane
Allocation of Conserved Water
Transfer and Conservation Section

cc: Transfer Application file T-14351
Lanaya F. Blakely, District 2 Watermaster (*via e-mail*)
Shonee D. Langford, Agent for the applicant (*via e-mail*)
Steven Bruce, CWRE #439 (*via e-mail*)

encs

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

In the Matter of Transfer Application)
T-14351, Lane County)

D R A F T

) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF CHANGES
) FROM A SURFACE WATER POINT OF
) DIVERSION TO GROUNDWATER POINTS
) OF APPROPRIATION AND PARTIAL
) CANCELLATION OF A WATER RIGHT

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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

DAVID AND BARBARA BRAZELTON
39938 MCKENZIE HIGHWAY
SPRINGFIELD, OR 97478

Findings of Fact

1. On November 15, 2023, David and Barbara Brazelton filed an application to change from a surface water point of diversion to groundwater points of appropriation under Certificates 75779 and 86849. The Department assigned the application number T-14351.
2. Notice of the application for transfer was published on November 28, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:
Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 12.9 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.159 CUBIC FOOT PER SECOND

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

Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	23	SW SW	3	6.1
17 S	1 W	WM	23	SE SW		2.4
17 S	1 W	WM	26	NE NW	2	2.0
17 S	1 W	WM	26	NW NW	3	2.4
					Total	12.9

4. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 75779, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

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

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)

Use: IRRIGATION of 24.1 ACRES

Priority Date: JULY 25, 1940

Rate: 0.30 CUBIC FOOT PER SECOND

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

Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	6.7
17 S	1 W	WM	23	SW SW	40	16.2
17 S	1 W	WM	26	NW NW	40	1.2
Total						24.1

6. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 86849, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

7. Transfer Application T-14351 proposes to change from a surface water point of diversion to groundwater points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approximate distance from original point of diversion in feet (ft.)
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 1 - 480 FEET SOUTH AND 1190 FEET EAST FROM THE NW CORNER OF SECTION 26	686 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 2 - 430 FEET SOUTH AND 1270 FEET EAST FROM THE NW CORNER OF SECTION 26	775 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 3 - 150 FEET SOUTH AND 1030 FEET EAST FROM THE NW CORNER OF SECTION 26	915 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 4 - 160 FEET SOUTH AND 1070 FEET EAST FROM THE NW CORNER OF SECTION 26	917 ft. NE

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and 690-380-2130]

8. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14351.
10. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

11. The proposed points of appropriation meet the requirements of ORS 540.531 and OAR 690-380-2130(2).
12. The proposed changes, as conditioned, would not result in enlargement of the rights.
13. The proposed changes, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

Partial Cancellation of a Water Right

15. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 1.2 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.015 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	26	NE NW	2	0.9
17 S	1 W	WM	26	NW NW	3	0.3
					Total	1.2

16. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)
Use: IRRIGATION of 1.4 ACRES
Priority Date: JULY 25, 1940
Rate: 0.02 CUBIC FOOT PER SECOND

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

Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	1.0
17 S	1 W	WM	23	SW SW	40	0.4
Total						1.4

Determination and Proposed Action

The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights will be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

If Transfer Application T-14351 is approved, the final order will include the following:

1. *The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 are approved. The portion of the rights that have been abandoned are cancelled.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 75779 and 86849, 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 points of appropriation.*
4. *Water right Certificates 75779 and 86849 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.*
5. *The quantity of water diverted at the new points of appropriation (Proposed Wells 1, 2, 3, and 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (POD).*

6. *The wells from which water is taken under these rights shall be constructed so that the use of the wells will affect the surface water source similarly to the use of the original authorized point of diversion.*
7. *The use of water under these rights shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.*
8. *All applicable restrictions that existed at the original point of diversion shall apply to the proposed wells.*
9. *The original date of priority shall be retained. However, if within five years after approving the transfer, the Department finds that the transfer results in substantial interference with existing groundwater rights that would have occurred in the absence of the transfer, the proposed wells shall be subordinate to any existing right injured by the transferred water rights.*
10. *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, 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.*
11. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
12. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14351

GW Reviewer James Hootsmans Date Review Completed: 6/17/2024

Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-14351

Applicant Name: Brazelton

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

Reviewer(s): James Hootsmans

Date of Review: 6/17/2024

Date Returned to WRSD: 6/18/2024

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

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

-
1. Basic description of the changes proposed in this transfer: The applicant proposes to complete a surface water (SW) to groundwater (GW) transfer from a Point of Diversion (POD) on the McKenzie River to up to 4 points of appropriation (POA) adjacent to the river on both Certificates 75779 and 86849. Since this is a SW-GW transfer, OAR 690-380-2130 rules apply. The four To-POA are displayed as PROP 484 through 487.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: The existing SW POD is pumping from the McKenzie River and the proposed well construction of the 4 proposed To-POA all target the alluvium adjacent to the river.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No All To-POA will develop in the alluvium (O'Conner et al. 2001). All To-POA will be hydraulically connected to McKenzie River.
 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.): _____
 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: The proposed POA in this SW-GW transfer are within 500 feet of the McKenzie River and would be all hydraulically connected to the river, and therefore, it is unlikely that there will be any injury to 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:
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: NA – SW to GW transfer
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
 Stream: _____ Minimal Significant
 Stream: _____ Minimal Significant
 Provide context for minimal/significant impact: _____
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: All proposed To-POA will be constructed in unconfined alluvium in the McKenzie River alluvial floodplain, which is bounded by basalt flows to the north and south. Using Jenkins stream depletion model, and the distance of the POAs in relation to the river, the proposed To-POAs would affect the surface water similarly to the authorized POD (See stream depletion figures below).
7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____
8. Any additional comments: _____

References

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, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.

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

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

Jenkins, C.T., 1968, Techniques for computing rate and volume of stream depletion by wells, Ground Water, vol. 6, no. 2, pp. 37-46.

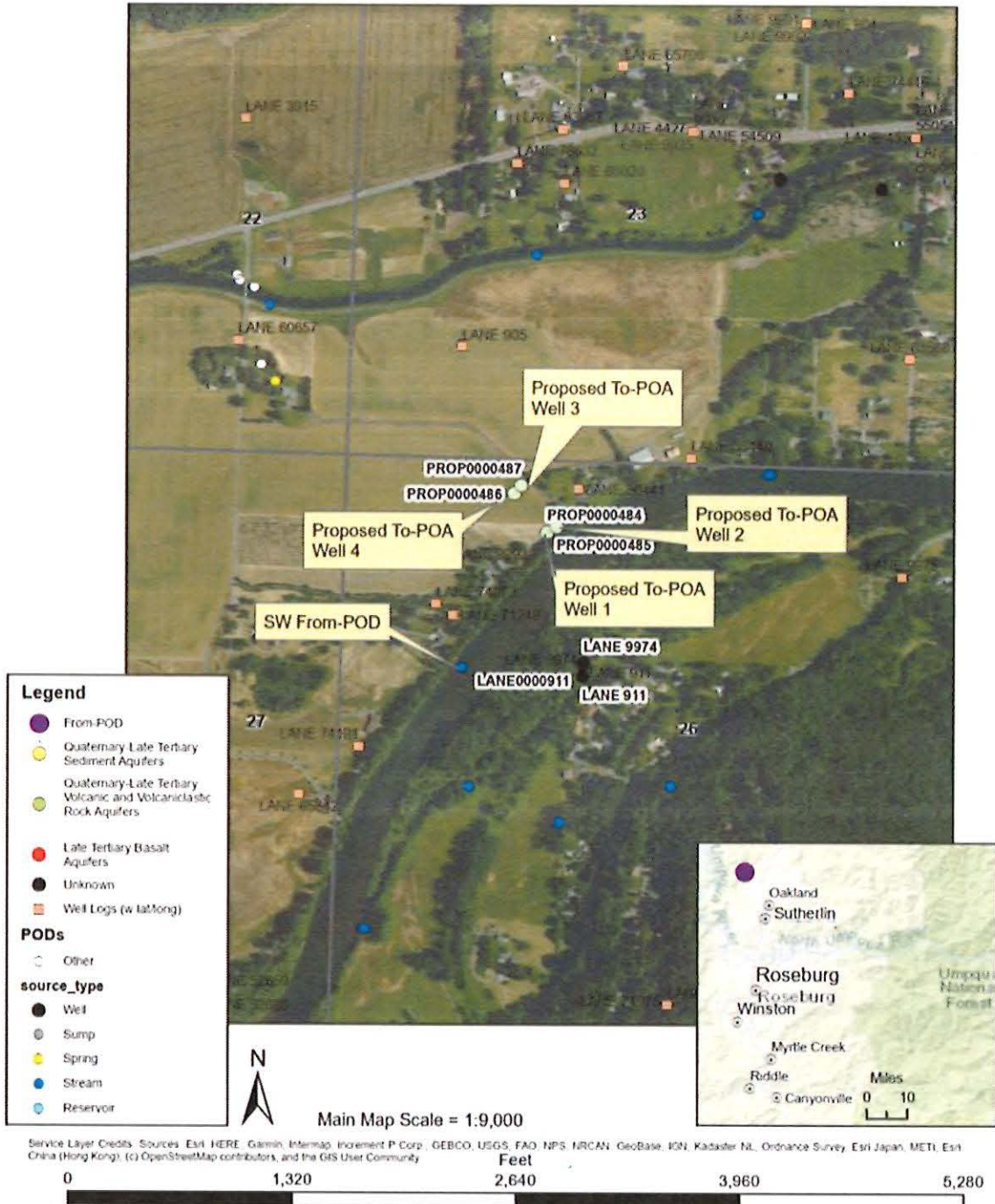
Lohman, S.W., 1972, Ground-water hydraulics, U.S. Geological Survey Prof. Paper 708, 70p.

O'Connor, J.E., Sarna-Wojcick, A., Wozniak, K.C., Polette, D.J., Fleck, R.J., 2001, Origin, Extent, and Thickness of Quaternary Geologic Units in the Willamette Valley, Oregon; U.S. Geological Survey, Professional Paper 1620, 51 p.

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.

Location Map

T-14351 Brazelton SW to GW



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

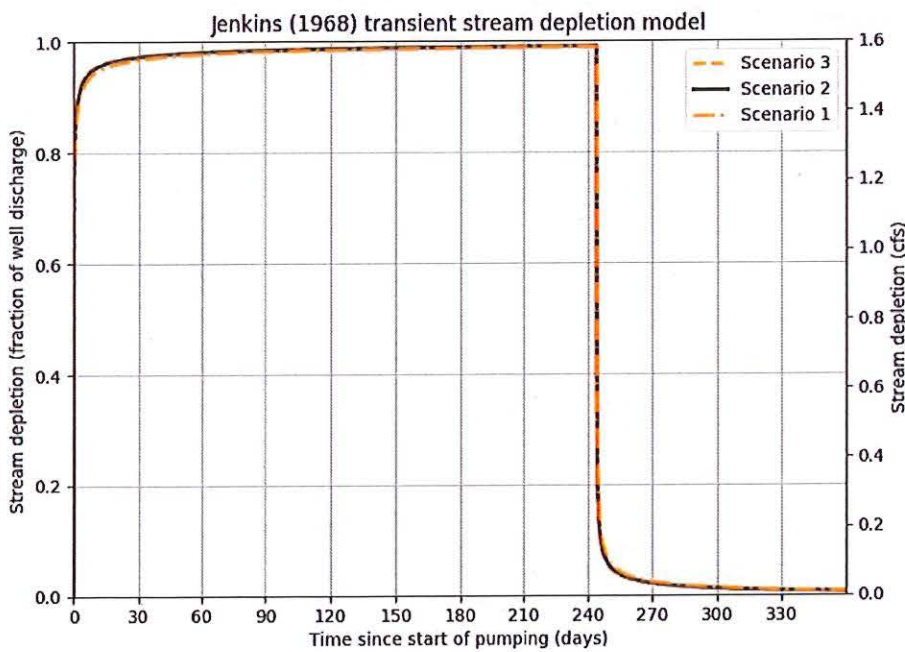
Stream Depletion from To-POA 1 and 2

Application type:	T
Application number:	14351
Well number:	1
Stream Number:	1
Pumping rate (cfs):	1.6
Pumping duration (days):	244.0
Pumping start month number (3=March)	3.0

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	100.0	100.0	100.0	ft
Aquifer transmissivity	T	10000.0	20000.0	30000.0	ft ² /day
Aquifer storativity	S	0.1	0.15	0.2	-
Not used		1.0	1.0	1.0	
Not used		90.0	90.0	90.0	
Not used		3.0	3.0	3.0	
Not used		0.2	0.2	0.2	
Not used		200.0	200.0	200.0	

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	95	1	1	97	98	98	99	99	99	99	99	2	1
Depletion (cfs)	1.52	0.01	0.01	1.55	1.57	1.57	1.58	1.58	1.58	1.58	1.58	0.03	0.02



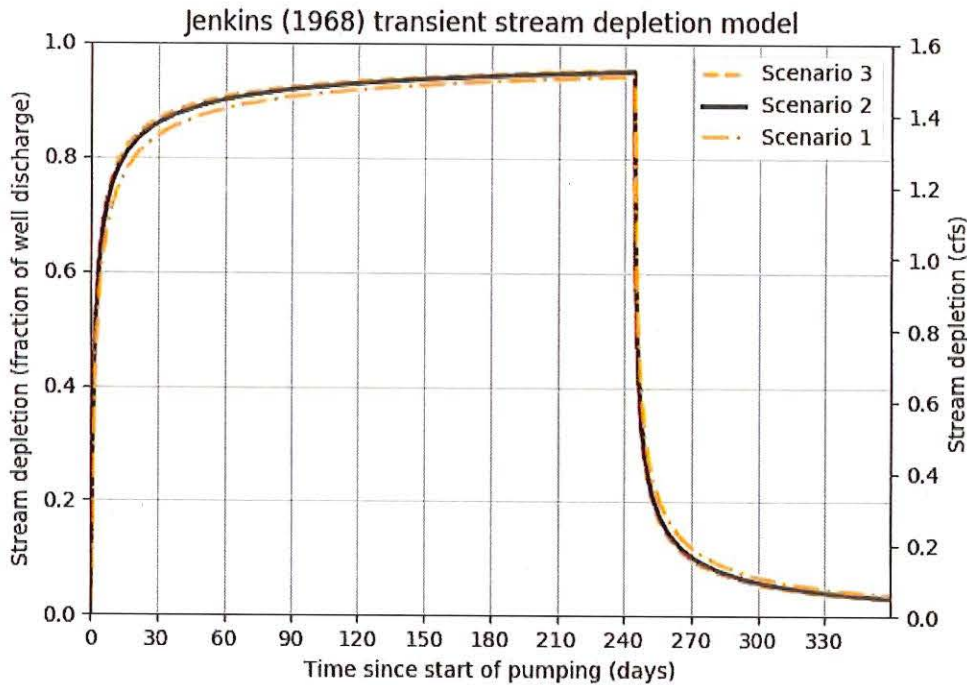
Stream Depletion from To-POA 3 and 4

Application type:	T
Application number:	14351
Well number:	3
Stream Number:	1
Pumping rate (cfs):	1.6
Pumping duration (days):	244.0
Pumping start month number (3=March)	3.0

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	500.0	500.0	500.0	ft
Aquifer transmissivity	T	10000.0	20000.0	30000.0	ft ² /day
Aquifer storativity	S	0.1	0.15	0.2	-
Not used		1.0	1.0	1.0	
Not used		90.0	90.0	90.0	
Not used		3.0	3.0	3.0	
Not used		0.2	0.2	0.2	
Not used		200.0	200.0	200.0	

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	76	4	3	86	90	92	93	94	94	95	95	10	6
Depletion (cfs)	1.22	0.07	0.05	1.38	1.44	1.47	1.49	1.50	1.51	1.51	1.52	0.17	0.09



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-14351

Review Due Date:

Applicant Name: BRAZELTON

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): L. Blakely

Date of Review: 02/05/2024

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)

2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
Water rights on the McKenzie River has not been regulated.

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:

unknown

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

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

Transfer #: T- 14351

- In order to avoid enlargement of the right or injury to other rights, a **Totalizing Flow Meter** will be required to be installed **prior to diversion of water**, as a condition of this transfer:
 - at each point of diversion/appropriation (new and existing) **OR**
 - at each new point of diversion/appropriation.

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

Watermaster name:

District:

Address:

City/State/Zip:

Phone:

Email:

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

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

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

Watermaster signature District Date

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

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

November 20, 2023

David & Barbara Brazelton
39938 McKenzie Highway
Springfield, OR 97478
Reference: Application T-14351

On November 15, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$3200.00. Receipt number 141922 is enclosed.

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

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

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

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

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

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

Cc: Watermaster Dist. #2, Lanaya F. Blakely (*via email*)
Shonee D. Langford, Agent

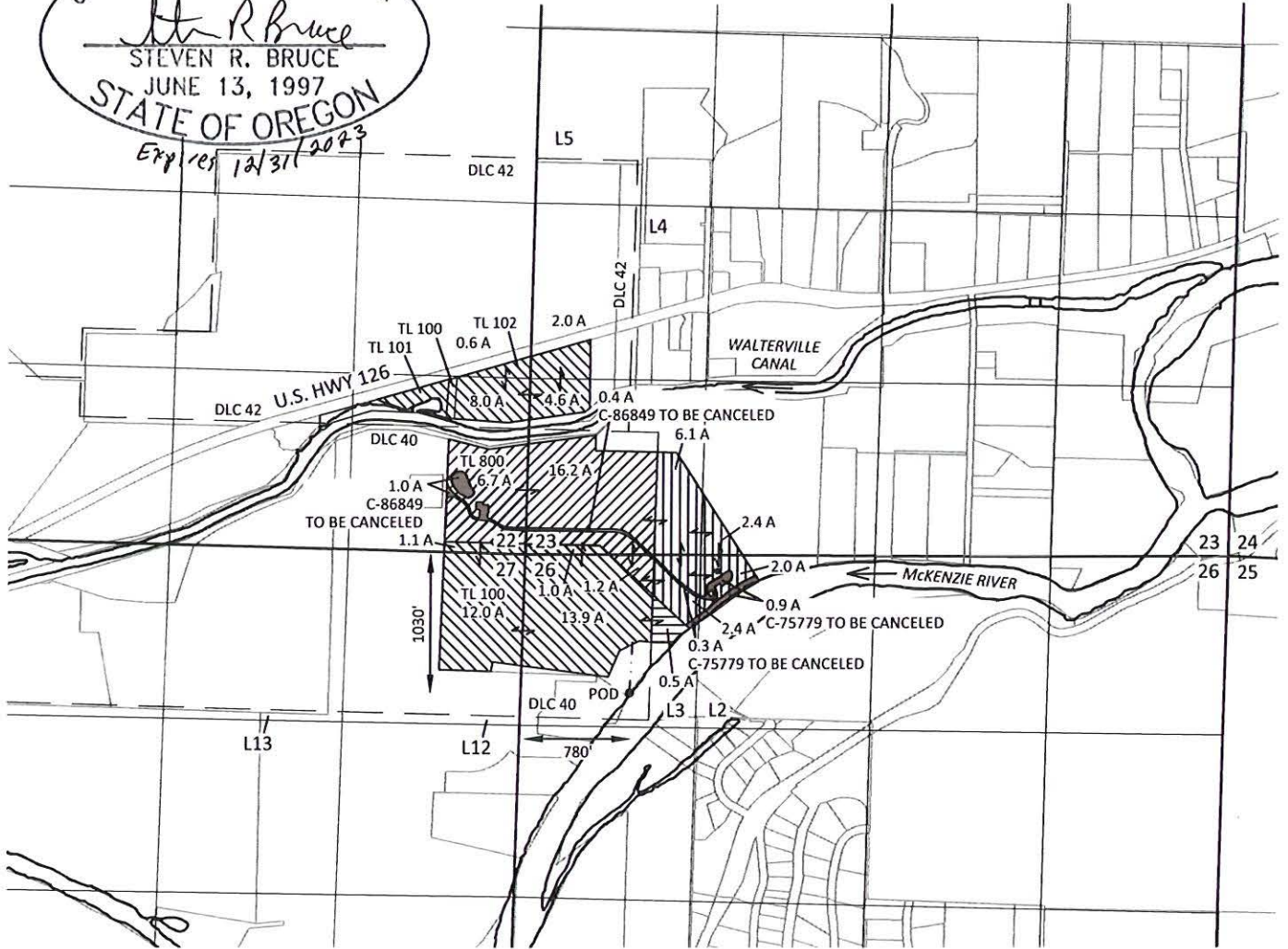
Enclosure

Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

SW/GW TRANSFER APPLICATION MAP
FROM LANDS

Certificates 75779 & 86849
David & Barbara Brazelton

CERTIFIED WATER RIGHT EXAMINER
439
St R Bruce
STEVEN R. BRUCE
JUNE 13, 1997
STATE OF OREGON
Expires 12/31/2023



EXPLANATION

FROM LANDS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
24.1 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
12.9 ACRES

• POINT OF DIVERSION (POD)
--- 6" PIPELINE

REMAINING RIGHTS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
43.2 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
0.5 ACRES

RIGHTS TO BE CANCELED

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
1.4 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
1.2 ACRES

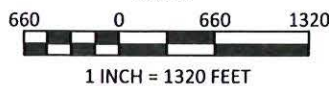
KPFF 2200002.17

SKOOKUM
WATER ASSOCIATES INC

1626 VICTORIAN WAY
EUGENE, OR 97401
(503) 319-8926



SCALE



RECEIVED

NOV 15 2023

OWRD

November 8, 2023

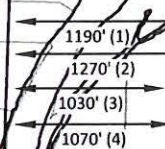
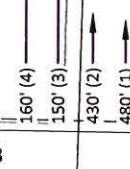
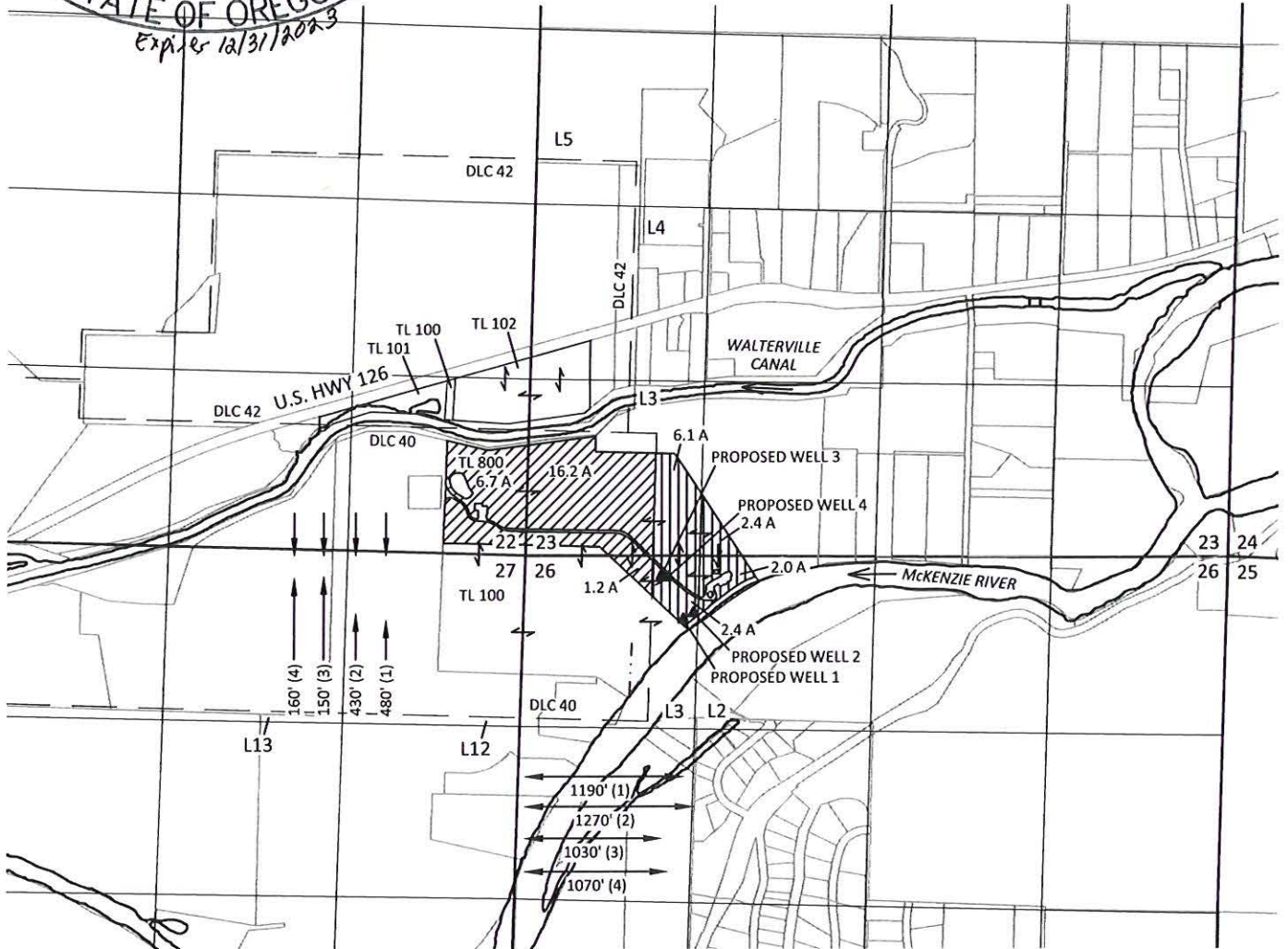
This map is not intended to provide legal dimensions or locations of property ownership lines

Figure 1

Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

SW/GW TRANSFER APPLICATION MAP
TO LANDS

Certificates 75779 & 86849
David & Barbara Brazelton



**EXPLANATION
TO LANDS**

-  CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
24.1 ACRES
-  CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
12.9 ACRES
-  PROPOSED WELL

RECEIVED

NOV 15 2023

OWRD



SCALE



1 INCH = 1320 FEET

November 8, 2023

This map is not intended to provide legal
dimensions or locations of property
ownership lines

Figure 2

KPFF 2200002.17

SKOOKUM
WATER ASSOCIATES INC

1626 VICTORIAN WAY
EUGENE, OR 97401
(503) 319-8926

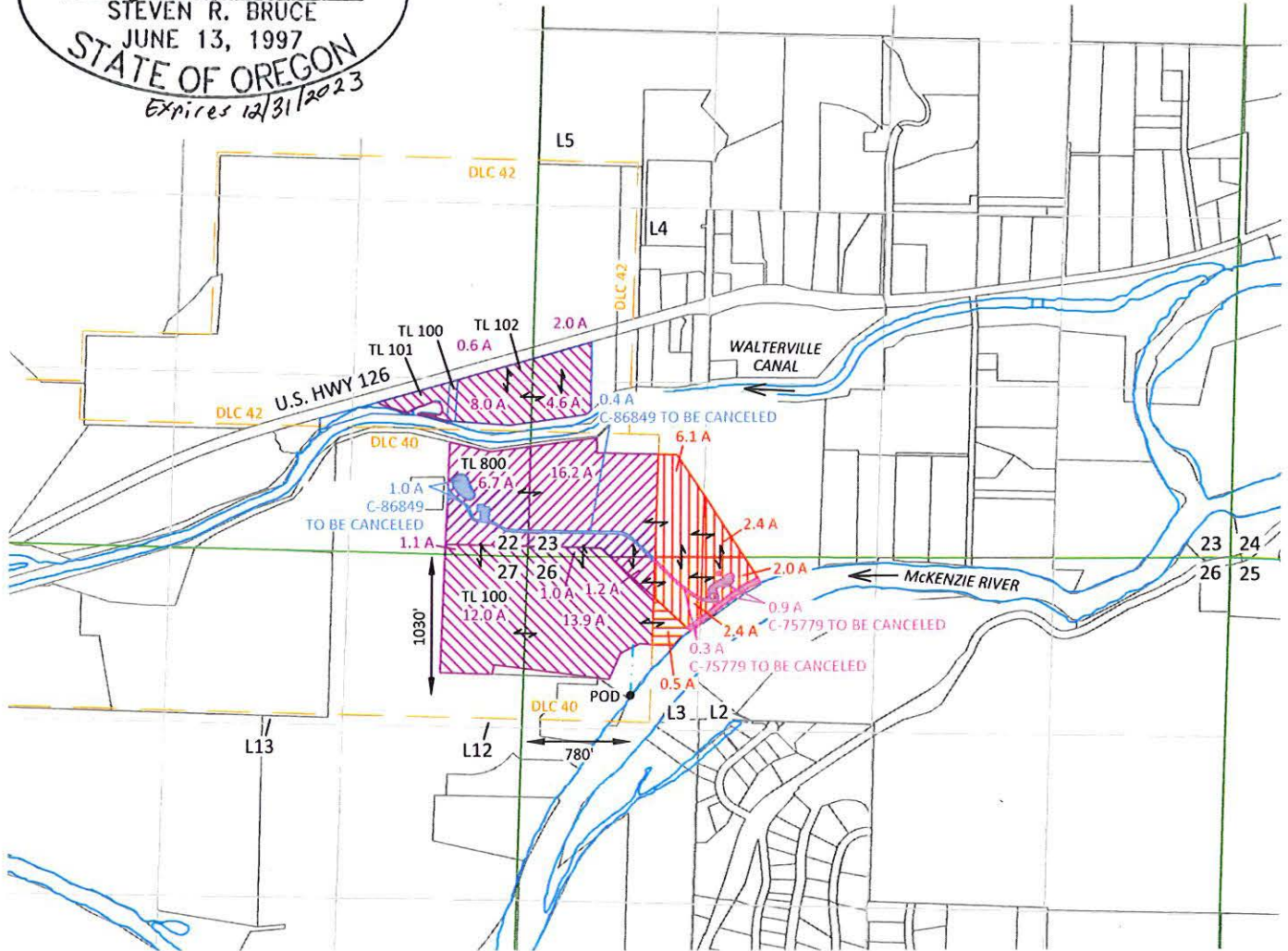
NOTE: Point of Diversion to be
abandoned for the acres
involved in this transfer

Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

SW/GW TRANSFER APPLICATION MAP
FROM LANDS

Certificates 75779 & 86849
David & Barbara Brazelton

CERTIFIED WATER RIGHT EXAMINER
439
Steven R. Bruce
STEVEN R. BRUCE
JUNE 13, 1997
STATE OF OREGON
Expires 12/31/2023



EXPLANATION

FROM LANDS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
24.1 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
12.9 ACRES

• POINT OF DIVERSION (POD)
--- 6" PIPELINE

REMAINING RIGHTS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
43.2 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
0.5 ACRES

RIGHTS TO BE CANCELED

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
1.4 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
1.2 ACRES

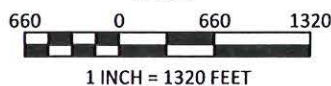
KPFF 2200002.17

SKOOKUM
WATER ASSOCIATES INC

1626 VICTORIAN WAY
EUGENE, OR 97401
(503) 319-8926



SCALE



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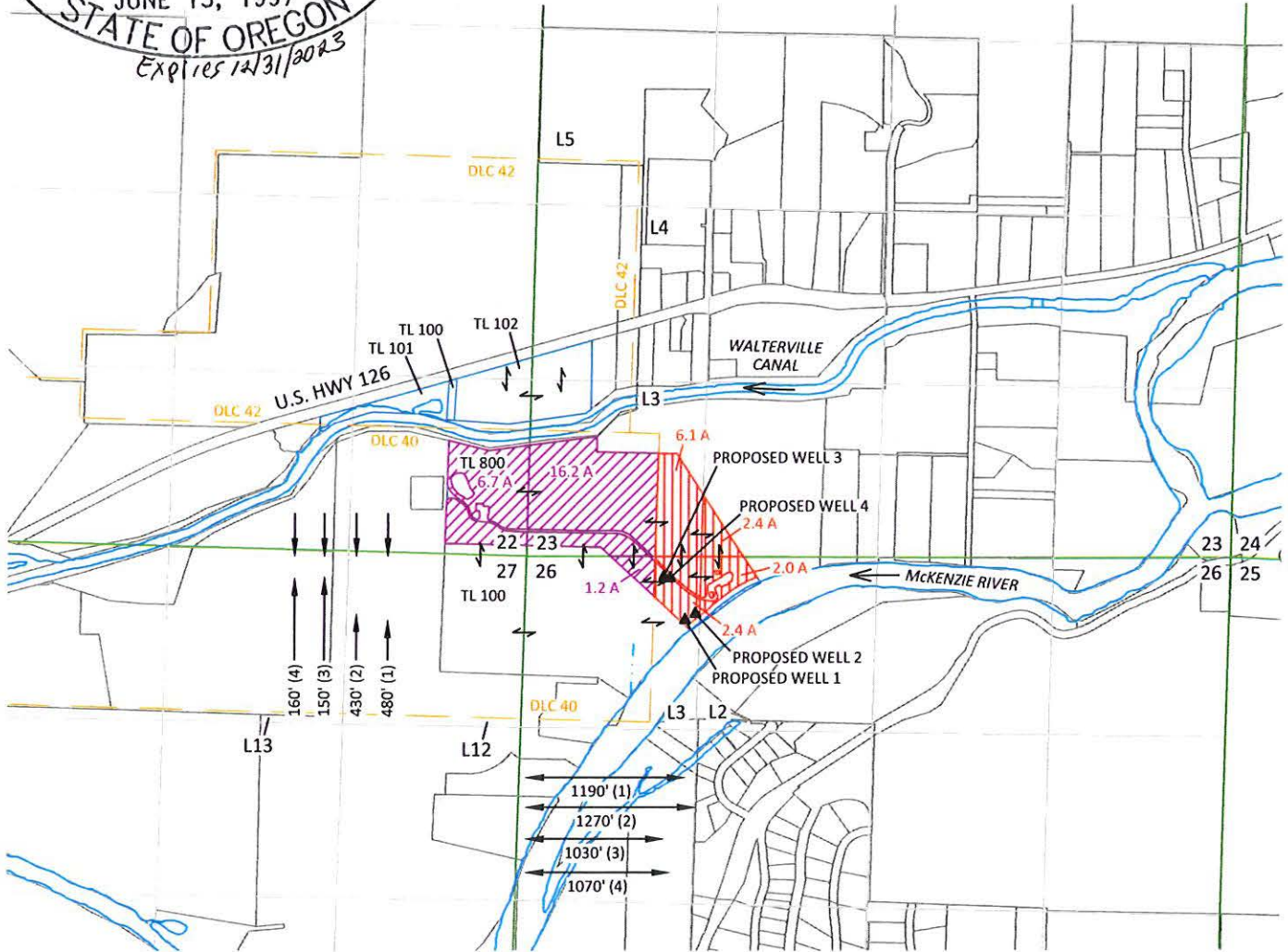
This map is not intended to provide legal dimensions or locations of property ownership lines

Figure 1

Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

SW/GW TRANSFER APPLICATION MAP
TO LANDS

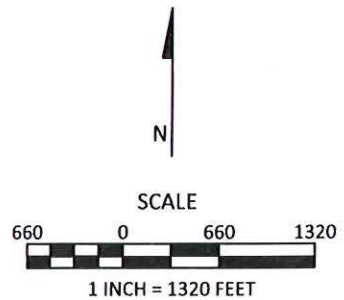
Certificates 75779 & 86849
David & Barbara Brazelton



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EXPLANATION
TO LANDS

-  CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
24.1 ACRES
-  CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
12.9 ACRES
-  PROPOSED WELL



November 8, 2023

This map is not intended to provide legal dimensions or locations of property ownership lines

Figure 2

KPFF 2200002.17

SKOOKUM
WATER ASSOCIATES INC

1626 VICTORIAN WAY
EUGENE, OR 97401
(503) 319-8926

NOTE: Point of Diversion to be abandoned for the acres involved in this transfer

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 75779 and 86849**
 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.

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Attachments:

OWRD

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- Not drilled 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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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
2	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »		
3	Number of water rights included in transfer <u>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3	\$610
4	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 checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>3 (4b)</u> Add line 4a to line 4b and enter »	4	\$1,230
5	Do you propose to change the place of use or character of use? <input checked="" 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 below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$410, then enter on line 5 »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3,200
7	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 » If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$3,200

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CWRD

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:
 1. For irrigation calculate cfs for each water right involved as follows:
 a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
 b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
 2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i> Multiply line 2b by \$480 and enter »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	NA

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME David and Barbara Brazelton		PHONE NO. (541) 954-5283	ADDITIONAL CONTACT NO. OWRD
ADDRESS 39938 McKenzie Highway			FAX NO.
CITY Springfield	STATE OR	ZIP 97478	E-MAIL DaveB@fallcreeknursery.com
<p>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.</p>			

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

AGENT/BUSINESS NAME Shonee Langford Schwabe, Williamson & Wyatt		PHONE NO. (503) 540-4261	ADDITIONAL CONTACT NO.
ADDRESS 530 Center Street, Suite 730			FAX NO.
CITY SALEM	STATE OR	ZIP 97301	E-MAIL slangford@schwabe.com
<p>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.</p>			

Explain in your own words what you propose to accomplish with this transfer application, and why:
We are requesting authorization to drill up to four wells on our property to replace a POD on the McKenzie River that is located on a neighbor's property. The requested change will only affect the portion of the authorized place of use located on our property under Certificates 75779 and 86849. In addition, we are canceling rights under a reservoir (Permit R- 15428, Application R-88763), a roadway and buildings. We do not expect to drill all four wells, but want flexibility in where we finally site a well or 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: Register Guard.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.



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

[Signature]
Applicant signature

David Brazelton, Landowner
Print Name (and Title if applicable)

Nov 14 2023
Date

[Signature]
Applicant signature

Barbara Brazelton, Landowner
Print Name (and Title if applicable)

November 14, 2023
Date

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

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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME 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	

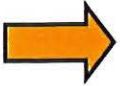
Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME NA	ADDRESS		
CITY	STATE	ZIP	

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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 Lane County Land Management Division	ADDRESS 3050 N. Delta Highway	
CITY Eugene	STATE OR	ZIP 97408
ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 75779

Description of Water Delivery System

System capacity: **0.8** cubic feet per second (cfs) for the **12.9** acres being transferred 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 diverted from the POD on the McKenzie River using a 30-hp centrifugal pump. The lift from the pump to the river is approximately 10 feet and the operating pressure is 1200 psi. The fields are at approximately the same elevation as the pump. The pump's capacity is 0.63 cfs based on the Department's online calculators for CWREs.

Water is conveyed to the place of use by approximately 440 feet of buried 8-inch-diameter mainline and 1,200 feet of above ground 5-inch-diameter pipe. There are approximately 600 feet of 3-inch-diameter lateral handlines. Water is applied using a traveling reel gun equipped with 1,200 feet of hose and a 1.2-inch nozzle that delivers approximately 0.66 cfs. In addition, supplemental handlines with a maximum of 25 3/16" nozzles that can deliver an estimated 0.43 cfs are used in areas not practical to irrigate with the reel.

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)
POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	40	1030 ft S and 780 ft E from NW corner Sec 26
Proposed Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	480 ft S and 1190 ft E from NW corner Sec 26
Proposed Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	430 ft S and 1270 ft E from NW corner Sec 26
Proposed Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	150 ft S and 1030 ft E from NW corner Sec 26
Proposed Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	160 ft S and 1070 ft E from NW corner Sec 26

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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 type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input checked="" type="checkbox"/> Surface Water POD to Ground Water
POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

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

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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 # 75779

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date							
EXAMPLE																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901	
															2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
17	S	1	W	23	SW	SW	800	L3	6.1	Irrigation	POD	6/15/ 1949	SW/GW	17	S	1	W	23	SW	SW	800	L3	6.1	No Change	Wells 1, 2, 3 & 4	6/15/ 1949	
17	S	1	W	23	SE	SW	800	--	2.4	Irrigation	POD	6/15/ 1949	SW/GW	17	S	1	W	23	SE	SW	800	--	2.4	No Change	Wells 1, 2, 3 & 4	6/15/ 1949	
17	S	1	W	26	NE	NW	800	L2	2.0	Irrigation	POD	6/15/ 1949	SW/GW	17	S	1	W	26	NE	NW	800	L2	2.0	No Change	Wells 1, 2, 3 & 4	6/15/ 1949	
17	S	1	W	26	NW	NW	800	L3	2.4	Irrigation	POD	6/15/ 1949	SW/GW	17	S	1	W	26	NW	NW	800	L3	2.4	No Change	Wells 1, 2, 3 & 4	6/15/ 1949	
TOTAL ACRES:						12.9							TOTAL ACRES:						12.9								

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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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 (gpm). If less than full water right
Proposed Well 1	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--
Proposed Well 2	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--
Proposed Well 3	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--
Proposed Well 4	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 86849

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Description of Water Delivery System

System capacity: 0.8 cubic feet per second (cfs) for the 24.1 acres being transferred 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. The same pumping and distribution system equipment previously described in Part 5 of 5 for Certificate 75779 is used to irrigate the lands authorized under Certificate 86849.

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)
POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	40	1030 ft N and 780 ft E from NW corner Sec 26
Proposed Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	480 ft S and 1190 ft E from NW corner Sec 26
Proposed Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	430 ft S and 1270 ft E from NW corner Sec 26
Proposed Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	150 ft S and 1030 ft E from NW corner Sec 26
Proposed Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	--	17	S	1	W	26	NW	NW	Lot 3	160 ft S and 1070 ft E from NW corner Sec 26

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 type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input checked="" type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 86849

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
EXAMPLE																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901	
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901	
17	S	1	W	22	SE	SE	800	40	6.7	Irrigation	POD	7/25/ 1940	SW/GW	17	S	1	W	22	SE	SE	800	40	6.7	No Change	Wells 1, 2, 3 & 4	7/25/ 1940	
17	S	1	W	23	SW	SW	800	40	16.2	Irrigation	POD	7/25/ 1940	SW/GW	17	S	1	W	23	SW	SW	800	40	16.2	No Change	Wells 1, 2, 3 & 4	7/25/ 1940	
17	S	1	W	26	NE	NW	800	40	1.2	Irrigation	POD	7/25/ 1940	SW/GW	17	S	1	W	26	NE	NW	800	40	1.2	No Change	Wells 1, 2, 3 & 4	7/25/ 1940	
TOTAL ACRES:									24.1					TOTAL ACRES:									24.1				

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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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
Proposed Well 1	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--
Proposed Well 2	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--
Proposed Well 3	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--
Proposed Well 4	No	--	110 ft +/-	8 in	0 to 110 ft +/-	0 to 20 ft	70 to 110 ft +/-	NA	Alluvium	--

Land Use Information Form

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Applicant(s): David and Barbara Brazelton

Mailing Address: 39938 McKenzie Highway

City: Springfield

State: OR

Zip Code: 97477

Daytime Phone: (541) 954-5283

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:
17 S	1 W	22	SE SE	800	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
17 S	1 W	23	SW SW	800	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
17 S	1 W	23	SE SW	800	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
17 S	1 W	26	NE NW	800	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change
17 S	1 W	26	NW NW	800	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change

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

Lane 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) McKenzie River

Estimated quantity of water needed: 0.46 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

We are requesting Oregon Water Resources Department approval to drill up to four wells on our property to replace an authorized point of diversion located on a neighbor's property. The transfer will affect only our portions of Water-Right Certificates 75779 and 86849.



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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **LANE CODE 16.212(3) USE TABLE.**
- 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
		<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.

USE IS PERMITTED BY LC16.212(3)-1.1 FOR IRRIGATION

Name: LUIS SORIA Title: LAND MANAGEMENT TECHNICIAN

Signature: [Signature] Phone: (541) 682-4082 Date: 7/10/2023

Government Entity: LANE COUNTY LAND MANAGEMENT

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.

14351 -



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 LANE)

I, DAVID BRAZELTON, in my capacity as LANDOWNER,
 mailing address 39938 MCKENZIE HIGHWAY SPRINGFIELD, OR 97478
 telephone number (541) 954-5283, 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)
75779	17	S	1	W	WM	23	SW	SW	L3	6.1
75779	17	S	1	W	WM	23	SE	SW	--	2.4
75779	17	S	1	W	WM	26	NE	NW	L2	2.0
75779	17	S	1	W	WM	26	NW	NW	L3	2.4
86849	17	S	1	W	WM	22	SE	SE	40	6.7
86849	17	S	1	W	WM	23	SW	SW	40	16.2
86849	17	S	1	W	WM	26	NE	NW	40	1.2

OR

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

(continues on reverse side)

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

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.

Signature of Affiant

Nov 14 2023
Date

Signed and sworn to (or affirmed) before me this 14 day of Nov, 2023.



Karri J. Mealy
Notary Public for Oregon

My Commission Expires: 15 Aug 2026

Supporting Documents	Examples
<input 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 checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water <u>Attached is a seed invoice (Egge Seed and Nursery, LLC leases our fields).</u>	<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 checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph <u>Aerial photographs we obtained from a drone are attached.</u>	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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SMITH SEED
SERVICES

POST OFFICE BOX 288
26890 POWERLINE ROAD
HALSEY, OREGON 97348
TELEPHONE 541-369-2831
FAX 541-369-2757

Invoice

NO 283658

SOLD TO:

EGGE SEED & NURSERY, LLC
30991 CROSSROADS LANE W
EUGENE, OR 97408

DATE: 9/11/2023

TERMS: Net 30 Days

Service Charge 1½% per month
on overdue Invoices.
Annual Percentage Rate 18%

SEEDSTOCK TICKET(S): 107773

QUANTITY	LOT NO.	DESCRIPTION	PER
2,650	L73-18-30AA	ED ANNUAL RYEGRASS	100.00
3,350	M22-22-200	ED ANNUAL RYEGRASS	100.00
150	L178-20-19	ATTAIN TETRAPLOID ANNUAL RYEGRASS	100.00
* 1,144	M22-21-206	ATTAIN TETRAPLOID ANNUAL RYEGRASS	100.00
3,500	M22-22-201	LOWBOY ANNUAL RYEGRASS	100.00
4,000	L43-23-24FP	FROSTPROOF ANNUAL RYEGRASS	100.00
Total			

* See below

* Seed for Brazelton - 39938 McKenzie Hwy
800lbs of the 1,144 lbs.

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Please Remit To: Smith Seed Services
P.O. Box 288
Halsey, OR 97348


ANY SHORTAGES MUST BE
REPORTED AT TIME OF DELIVERY

PLEASE REFERENCE INVOICE
NUMBER WITH PAYMENT

14351 -



NOV 15 2023 10/17/2023 4:19 PM
OWF 122° 47' 12" W 44° 4' 10" N



10/20/2023 10:35 AM
122° 46' 57" W 44° 4' 19" N

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NOV 15 2023
OWB



10/20/2023 10:42 AM NOV 15 2023
122° 46' 55.002" W 44° 4' 15" N

RECEIVED
OWRD



10/20/2023 10:49 AM RECEIVED

122° 46' 51" W 44° 4' 17" N NOV 15 2023



Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

VOLUNTARY CANCELLATION is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statute (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

VOLUNTARY DIMINUTION is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

Describe in your own words what you want to accomplish with this affidavit: We are voluntarily canceling 0.6 acres of the place of use authorized by Certificate 75779 as part of a water-right transfer. The lands to be canceled are under a driveway and a building that have been in place for more than 5 years and in a 40-foot-wide buffer along the bank of the McKenzie River that has not been irrigated in more than 5 years.

Certificate of Water Right Information:

Certificate Number: 75779

Issued for use within the State of Oregon, County of Lane.

Issued in the name of: J. Ira McNutt.

Date of priority: June 15, 1949

Rate or Volume on entire certificate: 0.18 cfs (cubic foot per second *or* gallons per minute *or* acre-feet).

Source(s) of water on certificate: McKenzie River.

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 14.6, supplemental IR NA.

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Statements of Oath:

We (or authorized agent), David and Barbara Brazelton,
residing at 39938 McKenzie Highway Springfield, OR 97478,
with a mailing address of (if different) See Above,

and a telephone number of (541) 954-5283, being **first duly sworn** depose and say:

1. We are the legal owners of property appurtenant to all *or* a portion (**check one box**) of the water right described above. Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [must include at a

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)].

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here: T17S, R1W, Sec 26: Lot 2 (NENW) & Lot 3 (NWNW) all within Tax Lot 800.

2. We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # _____.

voluntary cancellation of and have abandoned any and all interest in a PORTION of water right Certificate # **75779**.

voluntary diminution of the ENTIRE water right Certificate # _____.

voluntary diminution of a PORTION of water right Certificate # _____.

3. The appurtenant water right is or is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: _____.

a. The water right, or portion thereof, being cancelled or diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

Signature of district manager Printed Name
Date _____

4. Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.

We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) Irrigation
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled **1.2**
- In the amount of **0.015** cubic foot per second
- From the water source (s) McKenzie River
- At the following location(s) (*attach a larger table if needed*):

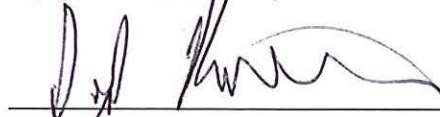
ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
17	S	1	W	WM	26	--	Lot 2	NE NW	0.9	800
17	S	1	W	WM	26	--	Lot 3	NW NW	0.3	800

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Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

- Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled) **SEE TRANSFER MAP**
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is **NOT** to be cancelled. **SEE TRANSFER MAP**

Signatures and Notary:



Signature of legal owner as listed on deed, or authorized agent

Printed Name David Brazelton

Date Nov 14 2023

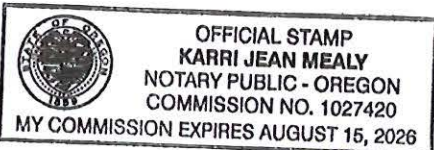


Signature of legal co-owner as listed on deed (if applicable)

Printed Name Barbara Brazelton

Date November 14, 2023

Subscribed and Sworn to Before Me this 14 day of NOV, 2023.



My Commission Expires 15 Aug 2026



Signature of Notary Public for Oregon

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REQUIRED ATTACHMENTS (LEGIBLE COPIES):

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
 - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
 - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right **NOT** being cancelled or diminished, if any.

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

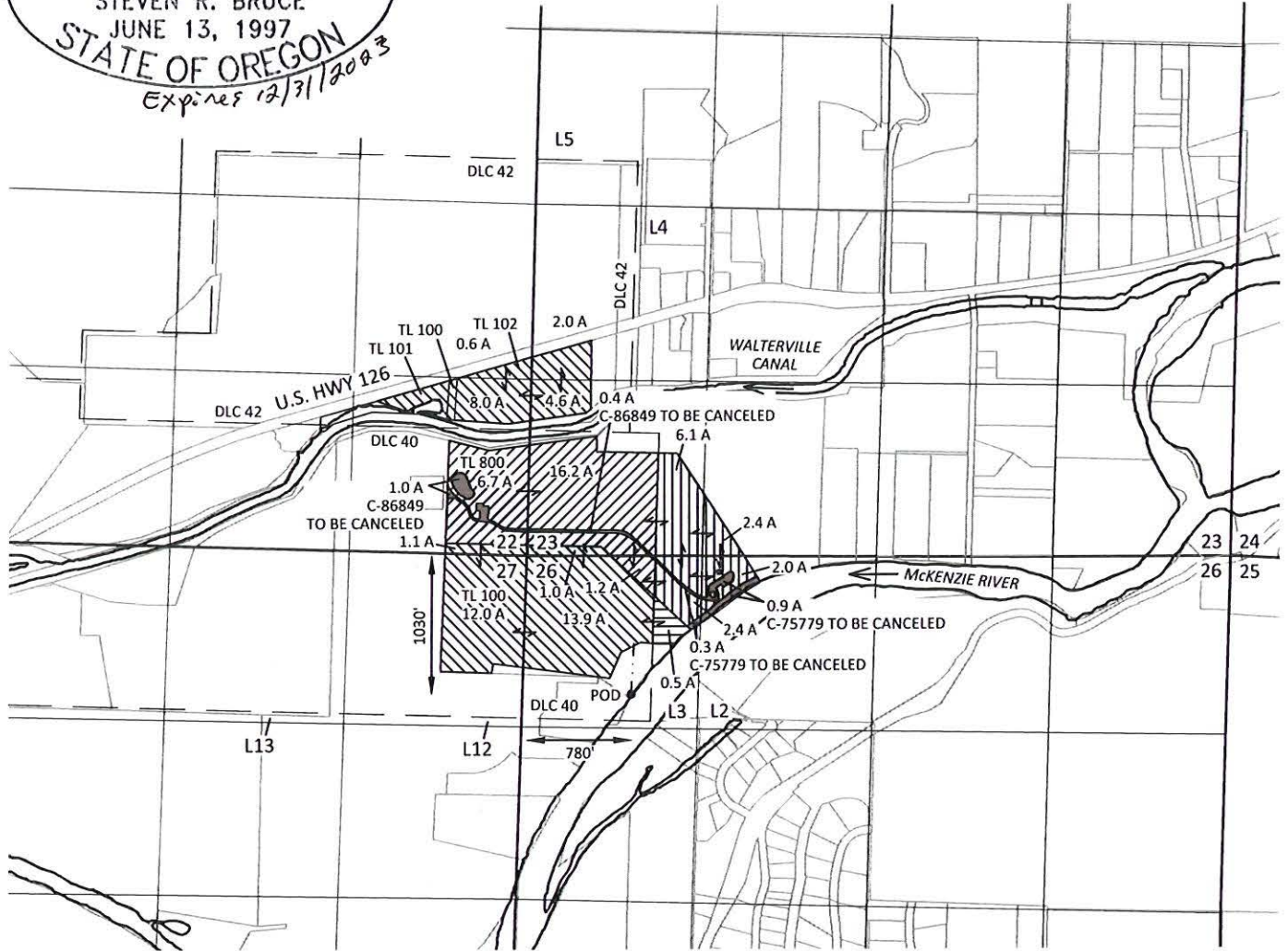
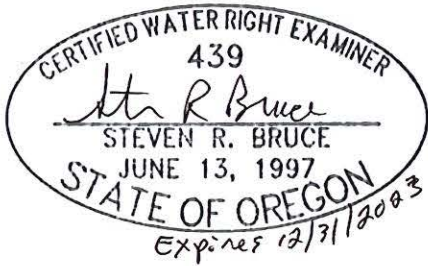
MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.

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Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

SW/GW TRANSFER APPLICATION MAP
FROM LANDS

Certificates 75779 & 86849
David & Barbara Brazelton



EXPLANATION

FROM LANDS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
24.1 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
12.9 ACRES

• POINT OF DIVERSION (POD)

--- 6" PIPELINE

REMAINING RIGHTS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
43.2 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
0.5 ACRES

RIGHTS TO BE CANCELED

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
1.4 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
1.2 ACRES

KPFF 2200002.17

SKOOKUM
WATER ASSOCIATES INC

1626 VICTORIAN WAY
EUGENE, OR 97401
(503) 319-8926



SCALE



1 INCH = 1320 FEET

November 8, 2023

This map is not intended to provide legal dimensions or locations of property ownership lines

Figure 1

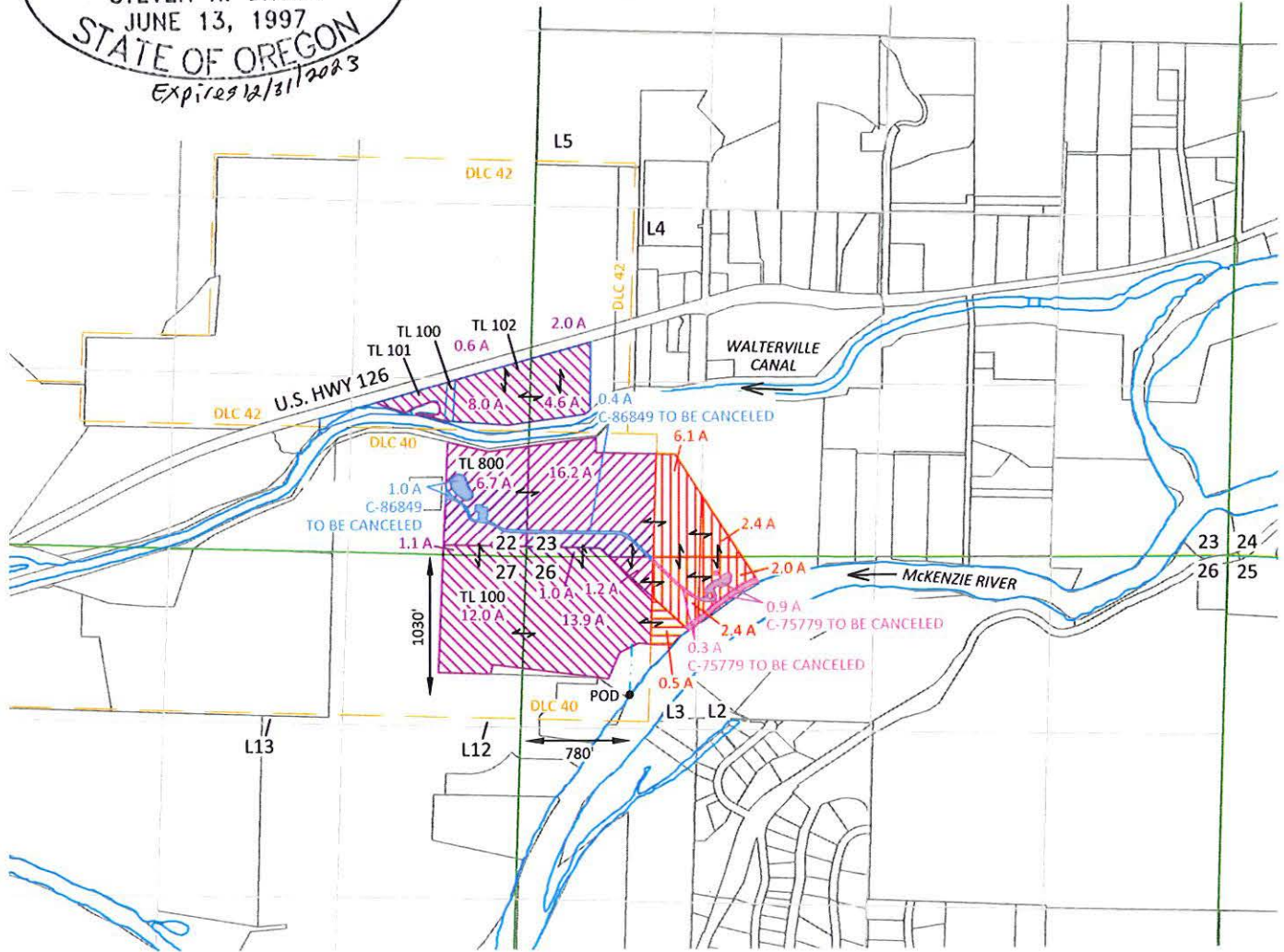
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Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

SW/GW TRANSFER APPLICATION MAP

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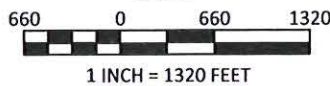
KPFF 2200002.17

SKOOKUM
WATER ASSOCIATES INC

1626 VICTORIAN WAY
EUGENE, OR 97401
(503) 319-8926



SCALE



November 8, 2023

This map is not intended to provide legal dimensions or locations of property ownership lines

Figure 1

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COPY

After Recording Return to:
Barbara Brazelton
P.O. Box 156
Walterville, OR 97489

Until Further Notice, Send Tax Statements to:
Barbara Brazelton
P.O. Box 156
Walterville, OR 97489

Tax Lot No.: 17-01-22-44-00800

BARGAIN & SALE DEED

Barbara Brazelton, Grantor, conveys to David Brazelton, Grantee, an undivided 50% interest in the real property commonly known as 39938 McKenzie Highway in the County of Lane and State of Oregon and legally described as:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

The true and actual consideration paid for this conveyance is: Love, affection and other value given.

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 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, 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 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

EXECUTED this 21st day of NOVEMBER, 2014 .

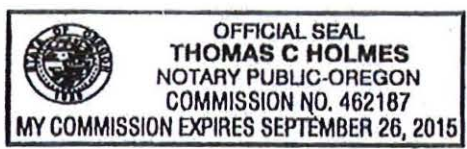
GRANTOR:

Barbara Brazelton

STATE OF OREGON/ County of WALTON) ss.

This instrument was acknowledged before me, a notary public in and for said County and State, this 21st day of NOVEMBER, 2014, by the within named Barbara Brazelton as her free and voluntary act and deed.


NOTARY PUBLIC FOR OREGON



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NOV 15 2023

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EXHIBIT A
Legal Description
39938 McKenzie Highway, Walterville Oregon
Tax Lot No.: 17-01-22-44-00800

LEGAL DESCRIPTION: Real property in the County of Lane, State of Oregon, described as follows:

BEGINNING AT A POINT REFERENCED BY A 5/8 INCH IRON ROD SET ON THE SOUTH MARGIN OF THE EUGENE WATER AND ELECTRIC BOARD (E.W.E.B.) POWER CANAL, SAID POINT BEING NORTH 00° 30' 00" EAST 210.38 FEET FROM A 2½ INCH IRON PIPE SET IN COUNTY SURVEY FILE NO. 16545 TO MARK THE SOUTHEAST CORNER OF THE JOHN LATTA DONATION LAND CLAIM NO. 42 IN TOWNSHIP 17 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN; THENCE ALONG THE SOUTH MARGIN OF SAID E.W.E.B. POWER CANAL THE FOLLOWING COURSES AND DISTANCES: SOUTH 00° 20' 59" EAST 10.14 FEET, SOUTH 70° 00' 53" WEST 149.03 FEET AND SOUTH 43° 53' 55" WEST 209.93 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SOUTH MARGIN OF SAID E.W.E.B. POWER CANAL SOUTH 81° 37' 07" WEST 808.74 FEET AND NORTH 78° 12' 44" WEST 310.61 FEET; THENCE LEAVING SAID SOUTH MARGIN AND RUNNING SOUTH 1° 03' 30" WEST 646.16 FEET; THENCE SOUTH 88° 56' 30" EAST 175.43 FEET; THENCE NORTH 1° 03' 30" EAST 52.00 FEET; THENCE SOUTH 88° 56' 30" EAST 174.53 FEET; THENCE SOUTH 1° 03' 30" WEST 52.60 FEET; THENCE EAST 998.43 FEET; THENCE SOUTH 43° 30' 00" EAST 894.31 FEET TO A POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE UPSTREAM ALONG THE RIGHT BANK OF THE MCKENZIE RIVER THE FOLLOWING COURSES AND DISTANCES: NORTH 51° 15' 35" EAST 182.33 FEET, NORTH 54° 12' 19" EAST 118.68 FEET AND NORTH 59° 00' 22" EAST 139.41 FEET; THENCE LEAVING SAID RIGHT BANK AND RUNNING NORTH 34° 56' 18" WEST 1144.26 FEET; THENCE WEST 604.70 FEET; THENCE NORTH 106.80 FEET TO THE TRUE POINT OF BEGINNING, ALL IN LANE COUNTY, OREGON.

ALSO: BEGINNING AT A POINT REFERENCED BY A 5/8 INCH IRON ROD SET ON THE SOUTH MARGIN OF THE EUGENE WATER AND ELECTRIC BOARD (E.W.E.B.) POWER CANAL, SAID POINT BEING NORTH 00° 30' 00" EAST 210.38 FEET FROM A 2½ INCH IRON PIPE SET IN COUNTY SURVEY FILE NO. 16545 TO MARK THE SOUTHEAST CORNER OF THE JOHN LATTA DONATION LAND CLAIM NO. 42 IN TOWNSHIP 17 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN; THENCE ALONG THE SOUTH MARGIN OF SAID E.W.E.B. POWER CANAL, THE FOLLOWING COURSES AND DISTANCES: SOUTH 00° 20' 59" EAST 10.14 FEET, SOUTH 70° 00' 53" WEST 149.03 FEET; SOUTH 43° 53' 55" WEST 209.93 FEET, AND SOUTH 81° 31' 07" WEST 763.30 FEET; THENCE LEAVING SAID SOUTH MARGIN AND RUNNING SOUTH 1° 03' 30" WEST 827.76 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED FROM MCNUTT TO LYNN RECORDED OCTOBER 22, 1996, RECEPTION NO. 96-71219, OFFICIAL RECORDS OF LANE COUNTY, OREGON; THENCE ALONG THE NORTH LINE OF SAID TRACT EAST 660.77 FEET; THENCE SOUTH 49° 28' 59" EAST 934.44 FEET TO A POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE UPSTREAM ALONG THE RIGHT BANK OF THE MCKENZIE RIVER THE FOLLOWING THREE (3) COURSES AND DISTANCES: NORTH 38° 33' 34" EAST 76.57 FEET; NORTH 52° 13' 54" EAST 68.63 FEET; AND NORTH 54° 27' 10" EAST 50.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING THE RIGHT BANK OF THE MCKENZIE RIVER BEARING NORTH 49° 00' 00" WEST 918.96 FEET; THENCE WEST 1167.93 FEET; THENCE NORTH 1° 03' 30" EAST 111.64 FEET; THENCE SOUTH 88° 56' 30" EAST 175.43 FEET; THENCE NORTH 1° 03' 30" EAST 52.00 FEET; THENCE SOUTH 88° 56' 30" EAST 174.53 FEET; THENCE SOUTH 1° 03' 30" WEST 52.60 FEET; THENCE EAST 998.43 FEET; THENCE SOUTH 48° 30' 00" EAST 894.31 FEET TO A POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE DOWNSTREAM ALONG THE RIGHT BANK OF THE MCKENZIE RIVER SOUTH 53° 44' 54" WEST 96.58 FEET,

AND SOUTH 54° 27' 10" WEST 99.33 FEET TO THE TRUE POINT OF BEGINNING, ALL IN LANE COUNTY, OREGON.

BEARINGS USED HEREON ARE BASED ON C.S.F. NO. 16545 ON FILE IN THE OFFICE OF THE LANE COUNTY SURVEYOR. (THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.)

RECEIVED
NOV 15 2023
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STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. IRA MCNUTT
ROUTE 2, BOX 350
SPRINGFIELD, OREGON 97477

confirms the right to use the waters of the MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 14.6 ACRES.

This right was perfected under Permit 18782. The date of priority is JUNE 15, 1949. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW¼ NW¼, AS PROJECTED WITHIN JAMES W. STORMENT DLC 40,
SECTION 26, T 17 S, R 1 W, W.M..

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2¼ acre-feet for each acre irrigated during the irrigation season of each year.

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

A description of the place of use to which this right is appurtenant is as follows:

LOT 3 (SW¼ SW¼) 6.1 ACRES
SE¼ SW¼ 2.4 ACRES
SECTION 23

LOT 2 (NE¼ NW¼) 2.9 ACRES
LOT 3 (NW¼ NW¼) 3.2 ACRES
SECTION 26

TOWNSHIP 17 SOUTH, RANGE 1 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 28872, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 31 1998 , approving Transfer Application 7484.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources

Director, affixed AUG 31 1998.

/s/ Thomas Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75779.

T-7484.PKS

14351 -

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JIRA MCNUTT
351 1/2 EAST BROADWAY
EUGENE, OR 97401

confirms the right to use the waters of MCKENZIE RIVER, tributary to WILLAMETTE RIVER, for IRRIGATION of 68.7 ACRES.

This right was perfected under Permit S-14388. The date of priority is JULY 25, 1940. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.86 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

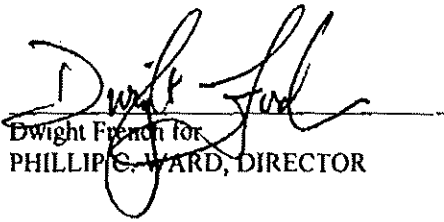
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	NE SE	42	0.6
17 S	1 W	WM	22	SE SE	40	8.8
17 S	1 W	WM	22	SE SE	42	8.0
17 S	1 W	WM	23	NW SW	42	2.0
17 S	1 W	WM	23	SW SW	42	4.6
17 S	1 W	WM	23	SW SW	40	17.6
17 S	1 W	WM	26	NW NW	40	15.1
17 S	1 W	WM	27	NE NE	40	12.0

This certificate describes that portion of the water right confirmed by Certificate 75778, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 04 2011, approving Transfer Application T-10908 and together with Certificate 86848 supersedes Certificate 75778.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed MAR 04 2011.


Dwight French for
PHILLIP C. WARD, DIRECTOR

OREGON



WATER RESOURCES
DEPARTMENT

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NOV 15 2023

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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: David + Barbara Brazelton
39938 McKenzie Hwy Springfield OR, 97478

Transaction Type: Transfer

Fees Received: \$ 3700⁰⁰

Cash Check; Check No. 1566

Name(s) on Check: David + Barbara Brazelton

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

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

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

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

Sincerely,
OWRD Customer Service Staff

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

Instructions for OWRD staff:

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

14351 -

November 14, 2023
Project No. 10194.001



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

Via UPS Ground

**Application for a Permanent Transfer
Portions of Water Right Certificates 75779 and 86849
Lane County, Oregon**

To Whom It May Concern,

Skookum Water Associates Inc. is filing this Application for a Permanent Water Right Transfer on behalf of David and Barbara Brazelton. As indicated in the application form, Shonee Langford of Schwabe, Williamson & Wyatt is the Brazelton's designated agent.

The application requests a surface-water to groundwater transfer for the portions of Certificates 75779 and 86849 that are located on the Brazelton's property. The intent of the transfer is to replace the McKenzie River point of diversion (POD) for the two rights with up to four wells sited on the Brazelton's property. This change is requested because the POD is located on a neighboring property.

The Brazelton's will abandon use of the authorized McKenzie River POD for the portion of the rights that are appurtenant to their property, assuming the transfer is approved. In addition, a total of 2.6 acres of water rights on the Brazelton's property will be voluntarily canceled due to non-use for more than 5 years.

The enclosed application package consists of the following documents:

- An Application for Permanent Water Right Transfer signed on November 14, 2023 by David and Barbara Brazelton;
- November 8, 2023 From and To Maps (Figures 1 and 2) prepared by Skookum Water Associates Inc. (color copies of the map are included);
- Check Number 1566 issued by David and Barbara Brazelton for \$3,200 to pay the transfer application fee;
- A Land Use Information form signed on July 10, 2023 by Luis Soria of the Lane County Planning Department;
- A notarized Evidence of Use Form signed by David Brazelton on November 14, 2023 with supporting Evidence of Use documents; and
- Notarized Affidavits of Voluntary Cancellation of a Water Right Certificate for portions of Certificates 75779 and 86849 signed by David and Barbara Brazelton on November 14, 2023 and supporting information, including maps and a deed.

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Thank you for your assistance.

Sincerely,

SKOOKUM WATER ASSOCIATES INC.



Steven R. Bruce, RG, CWRE
Principal Hydrogeologist

Enclosures

cc. David Brazelton (via email)
Shonee Langford; Schwabe Williamson & Wyatt (via email)

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Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

VOLUNTARY CANCELLATION is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statue (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

VOLUNTARY DIMINUTION is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

Describe in your own words what you want to accomplish with this affidavit: We are voluntarily canceling 1.4 acres of the place of use authorized by Certificate 86849 as part of a water-right transfer. The lands to be canceled are under a driveway and a building that have been in place for more than 5 years and a permitted reservoir (Application R-88763, Permit R-15428).

Certificate of Water Right Information:

Certificate Number: 86849

Issued for use within the State of Oregon, County of Lane.

Issued in the name of: J. Ira McNutt.

Date of priority: July 25, 1940

Rate or Volume on entire certificate: 0.86 cfs (cubic foot per second *or* gallons per minute *or* acre-feet).

Source(s) of water on certificate: McKenzie River.

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 68.7, supplemental IR NA.

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Statements of Oath:

We (or authorized agent), David and Barbara Brazelton,
residing at 39938 McKenzie Highway Springfield, OR 97478,
with a mailing address of (if different) See Above,

and a telephone number of (541) 954-5283, being **first duly sworn depose and say:**

1. I/We are the legal owners of property appurtenant to all *or* a portion (**check one box**) of the water right described above. My/Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [*must include at a*

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)].

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here: T17S, R1W Sec 22 SESE (DLC 40) and Sec 23 SWSW (DLC 40), all within Tax Lot 800.

2. We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # _____.

voluntary cancellation of and have abandoned any and all interest in a PORTION of water right Certificate # **86849**.

voluntary diminution of the ENTIRE water right Certificate # _____.

voluntary diminution of a PORTION of water right Certificate # _____.

3. The appurtenant water right is or is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: _____.

a. The water right, or portion thereof, being cancelled or diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

Signature of district manager Printed Name
Date _____

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NOV 15 2023

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4. Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.

We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

A place of use, or use.

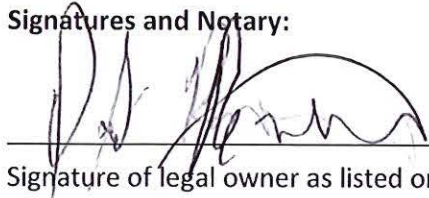
- For the use of (specify irrigation, domestic, etc.) Irrigation
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled 1.4
- In the amount of 0.018 cubic foot per second
- From the water source (s) McKenzie River
- At the following location(s) (attach a larger table if needed):

ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
17	S	1	W	WM	22	40	--	SE SE	1.0	800
17	S	1	W	WM	23	40	--	SW SW	0.4	800

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

- Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled) **SEE TRANSFER MAP**
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled. **SEE TRANSFER MAP**

Signatures and Notary:



Signature of legal owner as listed on deed, or authorized agent

Printed Name David Brazelton

Date Nov 14 2023

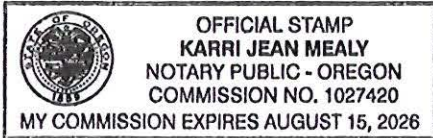


Signature of legal co-owner as listed on deed (if applicable)

Printed Name Barbara Brazelton

Date November 14, 2023

Subscribed and Sworn to Before Me this 14 day of NOV, 2023.





Signature of Notary Public for Oregon

My Commission Expires 15 Aug 2026

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REQUIRED ATTACHMENTS (LEGIBLE COPIES):

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
 - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
 - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.

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Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

ATTACHMENT FOR Affidavit for the VOLUNTARY CANCELLATION of a Portion of a Water Right Certificate

The following is the name and address of the neighboring property owner with lands appurtenant to portions of Water-Right Certificate 86849 not legally owned by the person(s) signing the affidavit:

- Mike and Cathy Stickel P.O. Box 58 Walthville, OR 97489
- Brian and Amber Jackson 39920 McKenzie Highway Springfield, OR 97478

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Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

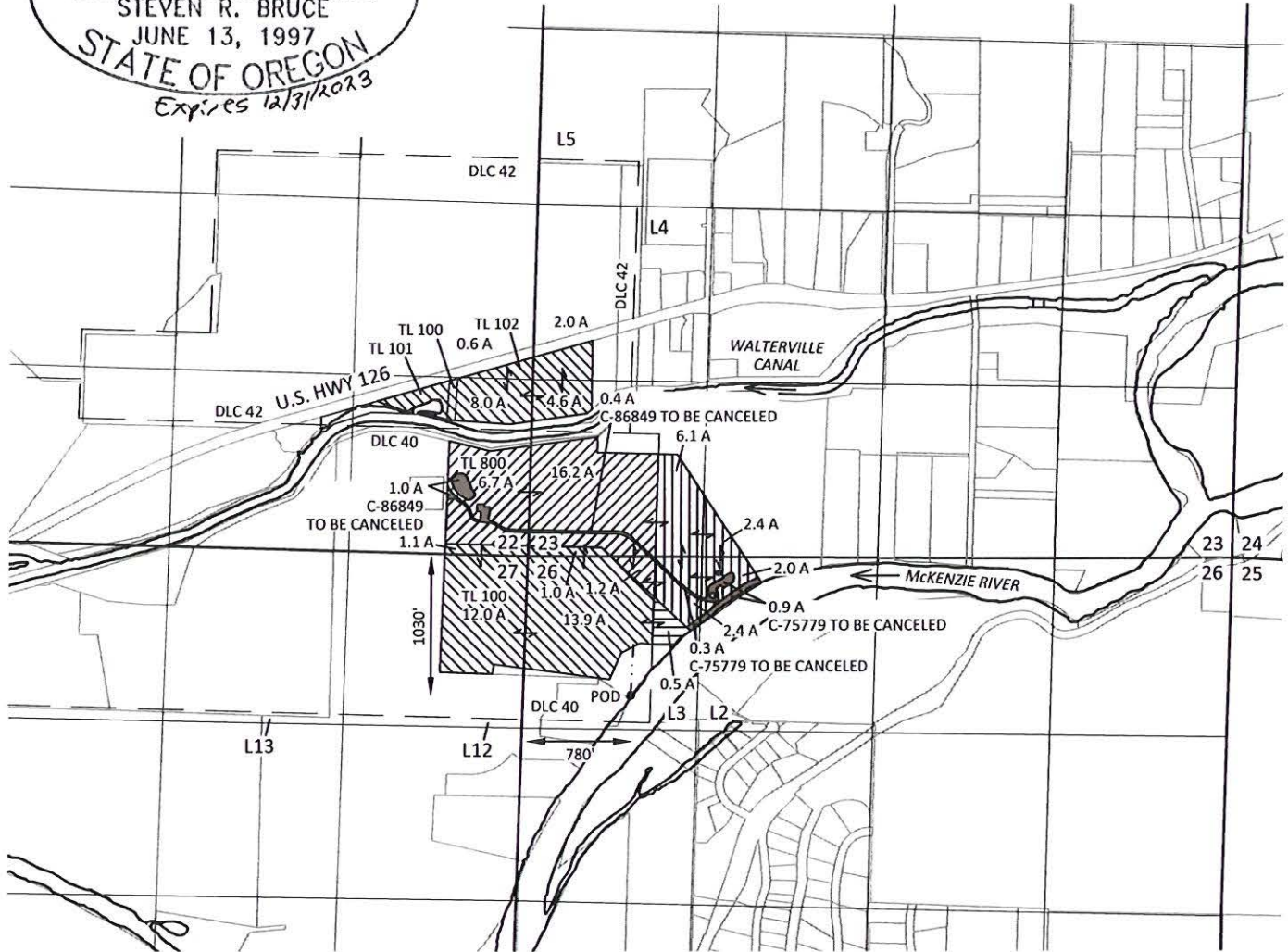
SW/GW TRANSFER APPLICATION MAP
FROM LANDS

Certificates 75779 & 86849
David & Barbara Brazelton

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EXPLANATION

FROM LANDS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
24.1 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
12.9 ACRES

• POINT OF DIVERSION (POD)

--- 6" PIPELINE

REMAINING RIGHTS

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
43.2 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
0.5 ACRES

RIGHTS TO BE CANCELED

CERTIFICATE 86849 - IRRIGATION
PRIORITY: 7/25/1940
1.4 ACRES

CERTIFICATE 75779 - IRRIGATION
PRIORITY: 6/15/1949
1.2 ACRES

KPFF 2200002.17

SKOOKUM
WATER ASSOCIATES INC

1626 VICTORIAN WAY
EUGENE, OR 97401
(503) 319-8926



SCALE



1 INCH = 1320 FEET

November 8, 2023

This map is not intended to provide legal dimensions or locations of property ownership lines

Figure 1

Sections 22, 23 & 26, T17S, R1W, W.M., Lane County, Oregon

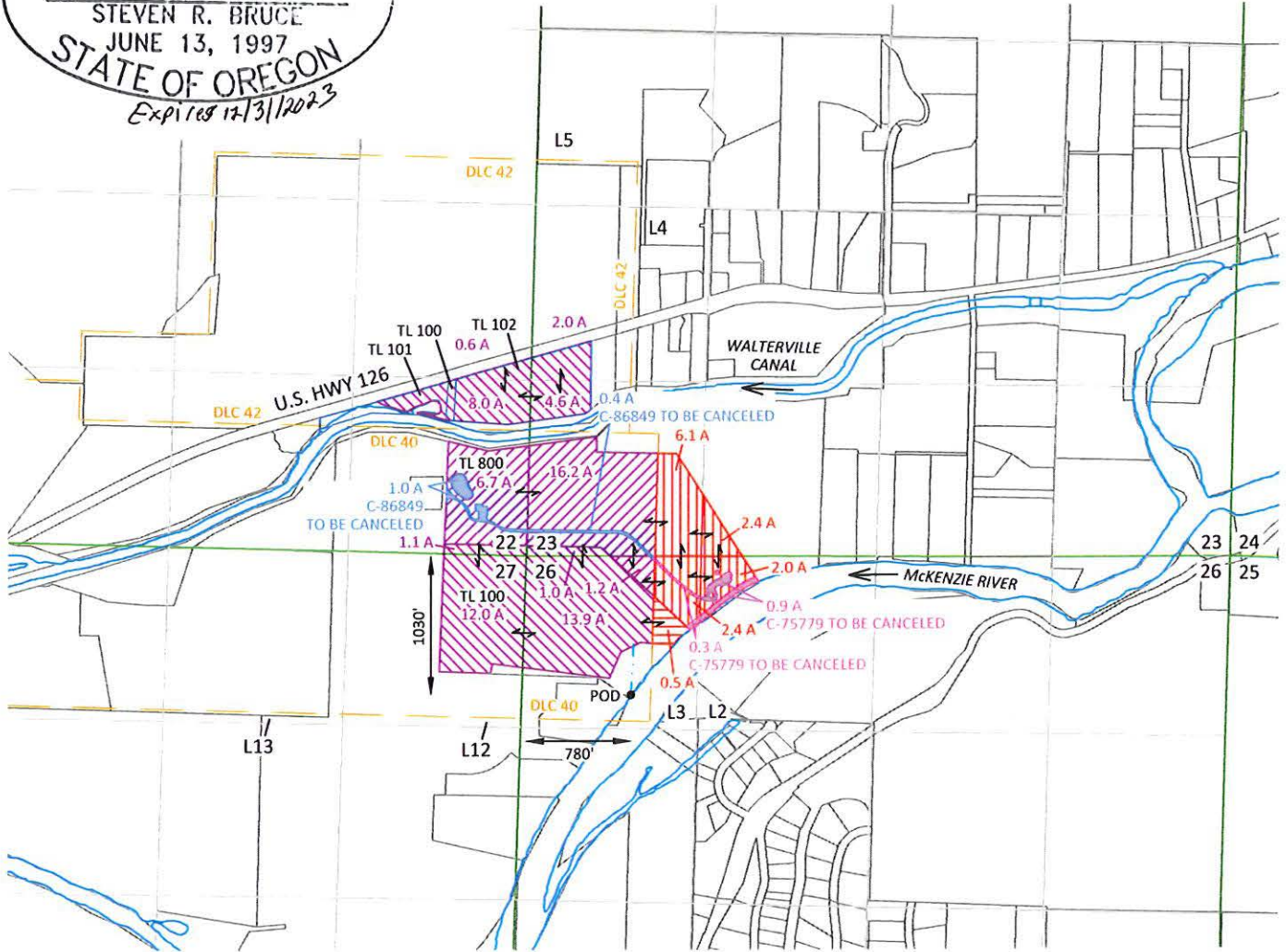
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SCALE



1 INCH = 1320 FEET

November 8, 2023

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dimensions or locations of property
ownership lines

Figure 1

COPY

After Recording Return to:
Barbara Brazelton
P.O. Box 156
Walterville, OR 97489

Until Further Notice, Send Tax Statements to:
Barbara Brazelton
P.O. Box 156
Walterville, OR 97489

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Tax Lot No.: 17-01-22-44-00800

BARGAIN & SALE DEED

Barbara Brazelton, Grantor, conveys to David Brazelton, Grantee, an undivided 50% interest in the real property commonly known as 39938 McKenzie Highway in the County of Lane and State of Oregon and legally described as:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

The true and actual consideration paid for this conveyance is: Love, affection and other value given.

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 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, 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 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

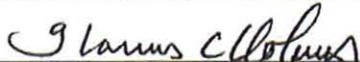
EXECUTED this 21st day of NOVEMBER, 2014

GRANTOR:


Barbara Brazelton

STATE OF OREGON/ County of MULTNOMAH) ss.

This instrument was acknowledged before me, a notary public in and for said County and State, this 21st day of NOVEMBER, 2014, by the within named Barbara Brazelton as her free and voluntary act and deed.


NOTARY PUBLIC FOR OREGON

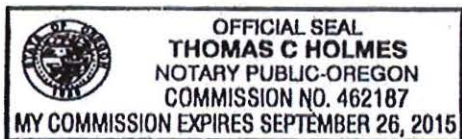


EXHIBIT A
Legal Description
39938 McKenzie Highway, Walterville Oregon
Tax Lot No.: 17-01-22-44-00800

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LEGAL DESCRIPTION: Real property in the County of Lane, State of Oregon, described as follows:

BEGINNING AT A POINT REFERENCED BY A 5/8 INCH IRON ROD SET ON THE SOUTH MARGIN OF THE EUGENE WATER AND ELECTRIC BOARD (E.W.E.B.) POWER CANAL, SAID POINT BEING NORTH 00° 30' 00" EAST 210.38 FEET FROM A 2½ INCH IRON PIPE SET IN COUNTY SURVEY FILE NO. 16545 TO MARK THE SOUTHEAST CORNER OF THE JOHN LATTA DONATION LAND CLAIM NO. 42 IN TOWNSHIP 17 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN; THENCE ALONG THE SOUTH MARGIN OF SAID E.W.E.B. POWER CANAL THE FOLLOWING COURSES AND DISTANCES: SOUTH 00° 20' 59" EAST 10.14 FEET, SOUTH 70° 00' 53" WEST 149.03 FEET AND SOUTH 43° 53' 55" WEST 209.93 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SOUTH MARGIN OF SAID E.W.E.B. POWER CANAL SOUTH 81° 37' 07" WEST 808.74 FEET AND NORTH 78° 12' 44" WEST 310.61 FEET; THENCE LEAVING SAID SOUTH MARGIN AND RUNNING SOUTH 1° 03' 30" WEST 646.16 FEET; THENCE SOUTH 88° 56' 30" EAST 175.43 FEET; THENCE NORTH 1° 03' 30" EAST 52.00 FEET; THENCE SOUTH 88° 56' 30" EAST 174.53 FEET; THENCE SOUTH 1° 03' 30" WEST 52.60 FEET; THENCE EAST 998.43 FEET; THENCE SOUTH 43° 30' 00" EAST 894.31 FEET TO A POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE UPSTREAM ALONG THE RIGHT BANK OF THE MCKENZIE RIVER THE FOLLOWING COURSES AND DISTANCES: NORTH 51° 15' 35" EAST 182.33 FEET, NORTH 54° 12' 19" EAST 118.68 FEET AND NORTH 59° 00' 22" EAST 139.41 FEET; THENCE LEAVING SAID RIGHT BANK AND RUNNING NORTH 34° 56' 18" WEST 1144.26 FEET; THENCE WEST 604.70 FEET; THENCE NORTH 106.80 FEET TO THE TRUE POINT OF BEGINNING, ALL IN LANE COUNTY, OREGON.

ALSO: BEGINNING AT A POINT REFERENCED BY A 5/8 INCH IRON ROD SET ON THE SOUTH MARGIN OF THE EUGENE WATER AND ELECTRIC BOARD (E.W.E.B.) POWER CANAL, SAID POINT BEING NORTH 00° 30' 00" EAST 210.38 FEET FROM A 2½ INCH IRON PIPE SET IN COUNTY SURVEY FILE NO. 16545 TO MARK THE SOUTHEAST CORNER OF THE JOHN LATTA DONATION LAND CLAIM NO. 42 IN TOWNSHIP 17 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN; THENCE ALONG THE SOUTH MARGIN OF SAID E.W.E.B. POWER CANAL, THE FOLLOWING COURSES AND DISTANCES: SOUTH 00° 20' 59" EAST 10.14 FEET, SOUTH 70° 00' 53" WEST 149.03 FEET; SOUTH 43° 53' 55" WEST 209.93 FEET, AND SOUTH 81° 31' 07" WEST 763.30 FEET; THENCE LEAVING SAID SOUTH MARGIN AND RUNNING SOUTH 1° 03' 30" WEST 827.76 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED FROM MCNUTT TO LYNN RECORDED OCTOBER 22, 1996, RECEPTION NO. 96-71219, OFFICIAL RECORDS OF LANE COUNTY, OREGON; THENCE ALONG THE NORTH LINE OF SAID TRACT EAST 660.77 FEET; THENCE SOUTH 49° 28' 59" EAST 934.44 FEET TO A POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE UPSTREAM ALONG THE RIGHT BANK OF THE MCKENZIE RIVER THE FOLLOWING THREE (3) COURSES AND DISTANCES: NORTH 38° 33' 34" EAST 76.57 FEET; NORTH 52° 13' 54" EAST 68.63 FEET; AND NORTH 54° 27' 10" EAST 50.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING THE RIGHT BANK OF THE MCKENZIE RIVER BEARING NORTH 49° 00' 00" WEST 918.96 FEET; THENCE WEST 1167.93 FEET; THENCE NORTH 1° 03' 30" EAST 111.64 FEET; THENCE SOUTH 88° 56' 30" EAST 175.43 FEET; THENCE NORTH 1° 03' 30" EAST 52.00 FEET; THENCE SOUTH 88° 56' 30" EAST 174.53 FEET; THENCE SOUTH 1° 03' 30" WEST 52.60 FEET; THENCE EAST 998.43 FEET; THENCE SOUTH 48° 30' 00" EAST 894.31 FEET TO A POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE DOWNSTREAM ALONG THE RIGHT BANK OF THE MCKENZIE RIVER SOUTH 53° 44' 54" WEST 96.58 FEET,

AND SOUTH 54° 27' 10" WEST 99.33 FEET TO THE TRUE POINT OF BEGINNING, ALL IN
LANE COUNTY, OREGON.

BEARINGS USED HEREON ARE BASED ON C.S.F. NO. 16545 ON FILE IN THE OFFICE OF THE
LANE COUNTY SURVEYOR. (THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY
01, 2008.)

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Permanent Transfer Application Intake Checklist

Transfer # T-14351

Reviewer Nick Date 11/15/2023	Type of Change(s) Proposed: <input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action <input type="checkbox"/> Sup to Primary <input checked="" type="checkbox"/> SW to GW
Calculated Fee \$3680 Use fee calculator on back of this form	Fee Received \$3200
Certificate(s): 75779, 86849	Check <u>all</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Notes: Short \$480 for POD to POA	

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

Map Requirements: OAR 690-380-3100				
4.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Has the map been completed and signed by a CWRE?	
5.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Map Waiver? The map waiver must be issued by the Department
Notes:				

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

<input checked="" type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.

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

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

Today's Date: Wednesday, November 15, 2023	Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)	\$1,360.00
Fill in information below-- Check each box that applies.	
Types of Change Proposed:	
<input type="checkbox"/> Place of Use	
<input type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD	
<input type="checkbox"/> Character of Use	\$0.00
Enter total number of water rights included in transfer. <input style="width: 50px;" type="text" value="2"/>	\$610.00
<input type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.	\$480.00
Enter total number of groundwater wells (POAs) included in transfer. <input style="width: 50px;" type="text" value="4"/>	\$1,230.00
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.	
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for an irrigation right.	
Total Transfer CFS(rounded up to the next whole cfs):	<input style="width: 100px;" type="text"/>
Subtotal:	\$3,680.00
Check each box that applies.	
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	<input style="width: 100px;" type="text"/>
Transfer Fee:	\$3,680.00
<input type="button" value="Return to Edit"/> <input type="button" value="Clear"/>	