

T-12932

T-12932

Name Dickman Farms
 Attn: Mark Dickman
 Address 15829 Mt. Angel Scotts Mills NE
Silverton, OR. 97381

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Butte Creek
 Trib. of Pudding River

Use Irrigation County Clackamas/Marion
 Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# <u>S-40700</u>	Per # <u>S-30318</u>	Cert # <u>35420</u>	PR Date <u>3/29/1965</u>
App# <u>S-60132</u>	Per # <u>S-45031</u>	Cert # <u>54671</u>	PR Date <u>5/13/1980</u>
App# _____	Per # _____	Cert # _____	PR Date _____
App# _____	Per # _____	Cert # _____	PR Date _____
App# _____	Per # _____	Cert # _____	PR Date _____

FEES PAID

Date	Amount	Receipt #
<u>5/25/18</u>	<u>2610.00</u>	<u>126759</u>
<u>7/19/19</u>	<u>70.20</u>	<u>130312</u>
<u>10-14-25</u>	<u>\$1,170.00</u>	<u>146200</u>

Change in POU/ APDDate Filed 5/25/2018Initial notice date 6/5/2018

DPD issued date _____

PD issued date 10/17/2019PD notice date 10/22/2019

Date of FO 12/05/2019 Vol 114 Page 517
 Ext of Time 11/6/2025 Vol 138 page 20-21

C-Date 10/01/2025COBU due date 10/01/2026

COBU Received date _____

Certificate issued _____

FEES REFUNDED

Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Pacific Hydro-Geology, Inc phg@betonline.com ; Attn: Malia R. KupillasCWRE Malia Kupillas #80772

CC's list _____

Clackamas County / Marion County☐ - Oversized map - Location



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

November 6, 2025

Dickman Farms, Inc
C/O Mark Dickman
PO BOX 1220
MOUNT ANGEL, OR 97362

Reference: File T-12932

We have received your application for extension of the time limit to make complete application of water under T-12932. We also have your check in the amount of \$780.00. A copy of receipt number 146200 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. **The time limit to make complete application of water is extended to October 1, 2027.** The order approving the extension was entered November 6, 2025, at Vol:138, Page:20.

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 may be lost.

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 extension final order, whichever occurs first.

If you have any questions, please contact the Ann Reece at 503-979-3214.

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. #16 (via email)
Malia R. Kupillas, Agent
County of Clackamas, Local Government
County of Marion Planning Department, Local Government

Enclosure

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

In the Matter of Application for Extension)	FINAL ORDER APPROVING AN EXTENSION
of Time for Transfer Application T-12932,)	OF TIME FOR A PERMANENT TRANSFER
Clackamas and Marion County)	

Applicant

Dickman Farms Inc.
c/o Cory Dickman
PO Box 1220
Mt. Angel, OR 97362

Authority

Oregon Administrative Rules (OAR) 690-380-5140(2) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time to complete a transfer as authorized by a final order issued under OAR Division 380.

OAR 690-380-6020 (3) establishes that extensions are granted for one year, from October 1 to October 1 of each year. An extension for up to five years may be granted for transfers involving municipal or quasi-municipal use. Extensions may be granted for longer time if the applicant can justify the need for a longer period of time by submission of pertinent evidence.

Findings of Fact

1. On October 14, 2025, the Department received an application for extension of time for Transfer Application T-12932.
2. On December 5, 2019, the Department signed an order, which was mailed on December 6, 2019, approving Transfer Application T-12932 for change in place of use and to add an additional point of diversion. The order was recorded in Special Order Volume 114, Pages 517-521. The order set a transfer completion date of October 1, 2025.
3. Since the approval of the transfer, the applicant has completed construction of the additional point of diversion, installed the required fish screen, and made beneficial full use of the water.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. To fully complete the change, the applicant needs to install meters at all the new and existing points of diversion.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2026. Consistent with OAR 690-380-6020, the Department will extend the transfer completion date to October 1, 2027.

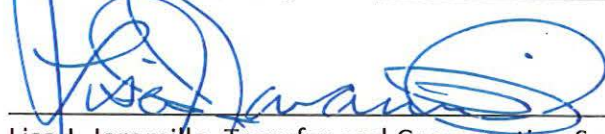
Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-12932.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12932 shall be extended to **October 1, 2027**.

Signed at Salem, Oregon on NOV 06 2025.



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

Mailing date: NOV 07 2025

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **146200**

INVOICE # _____

RECEIVED FROM: Dickman Farms, Inc.

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-12932</u>

CASH: ☐ CHECK: # 29310 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 1,170.00

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 \$ 1,170.00

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **146200**

DATED: 10-14-20 BY: [Signature]

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

Application for Extension of Time *for* Transfer of Water Right

Received
OCT 14 2025
OWRD

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

Transfer Number: T-12932

A summary of review criteria and procedures that are generally applicable to these applications is available at https://www.oregon.gov/owrd/WRDFormsPDF/transfer_extension_criteriareview.pdf

Applicant = Transfer Holder of Record* Dickman Farms Inc			Contact Name Cory Dickman	Phone Number 503-932-5512
Mailing Address (NEW) PO Box 1220				Fax Number
City Mt. Angel	State OR	Zip 97362	Email corey@dickmanfarmsinc.com	
Application Prepared By: Doann Hamilton, Pacific Hydro-Geology Inc.		Title CWRE	Contact Information 503-349-6946 phgdmh@gmail.com	

*The applicant must be the transfer holder of record. If the applicant is not the transfer holder of record, the applicant must request an assignment of interest prior to submitting the transfer extension application. Alternatively, the request for assignment may be submitted simultaneously with the extension application. Separate checks for the fees is helpful. Links to assignment forms: <https://www.oregon.gov/owrd/WRDFormsPDF/assign.pdf>, https://www.oregon.gov/owrd/WRDFormsPDF/Assign_by_proof.pdf
Contact information about assignments is available at <https://www.oregon.gov/owrd/programs/WaterRights/Permits/Assignment/Pages/default.aspx>

To the WATER RESOURCES DIRECTOR OF OREGON:

1. I/WE, THE TRANSFER HOLDER(S) OF RECORD, do hereby make application for an extension of time within which to complete a change in (check all that apply):

- ☒ point(s) of diversion/appropriation
☒ place(s) of use
☐ character of use

under the terms of a final order of the Water Resources Director entered on December 5, 2019 (month/day/year) for Transfer Number T-12932

2. THE FOLLOWING WORK HAS BEEN ACCOMPLISHED toward completion of the change within the time allowed, which expired on October 1, 2025 (month/day/year):

Enter Text: Then new place of use along with the new APOD have been installed with fishscreen and put to use on the full 43.4 acres at the full rate

3. TO FULLY COMPLETE THE CHANGE, it will be necessary to accomplish the following:

Enter Text: Meters are required on both the new and existing POD

4. I/WE ARE REQUESTING THE TIME FOR COMPLETION be extended to October 1, 2026 (year).

Transfer extensions can be authorized for one (1) calendar year from October 1 to October 1 of each year, or up to five (5) years for transfers involving municipal or quasi-municipal uses, unless the applicant can justify the need for a longer period of time by

submission of pertinent evidence. OAR 690-380-6020 (3) and OAR 690-385-7200 (5).

5. I/WE CERTIFY THAT TO THE BEST OF MY/OUR KNOWLEDGE the information contained in this application is true and accurate.

10-1-2025
Date

[Signature]
Signature of Applicant(s), i.e., Transfer Holder(s) of Record

6. IN ORDER FOR AN APPLICATION TO BE COMPLETE, it must be accompanied by the required fee. See the Department's fee schedule at https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf or call (503) 986-0900. \$1,170.00
7. MAIL THE COMPLETED APPLICATION AND FEE (\$1,170.00) TO:

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

Hi Doann,
Can't remember if we shared
our new mailing address...

Dickman Farms, Inc
PO Box 1220
Mt. Angel, OR 97362-1220
Thanks!
Susan

Received
OCT 14 2025
OWRD

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

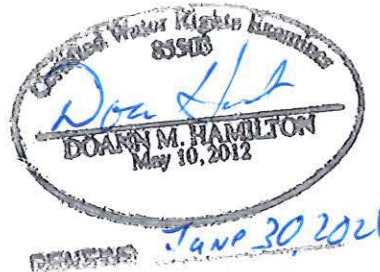
RECEIVED

APR 17 2020

OWRD

To: Oregon Water Resources Department
From: Doann Hamilton, CWRE
CC:
Date: April 15, 2020
Re: T-12932 fish screen compliance letter

Please submit to file T-12932, the ODFW fishscreen compliance letter dated April 8, 2020 for our client Mark Dickman.





Oregon

RECEIVED

17 2020

OWRD

April 8, 2020

Mr. Mark Dickman
Dickman Farms
15829 Mt. Angel Scotts Mill Hwy NE
Silverton, OR 97381



RE: OWRD Permit T-12932

To Whom It May Concern,

This letter is in regards to fish screening requirements set forth in Oregon Water Resources Department Transfer Application T-12932, which approves an additional point of diversion on Butte Creek, tributary to the Pudding River, approximately 3 miles northeast of Mt. Angel, OR.

The water user has provided sufficient evidence of the installation of an adequate fish screen through phone conversations and email. Included in the information provided were photographs and the fish screen specification sheet for a Yardney CW400, which is a self-cleaning fish screen that meets National Marine Fisheries Service criteria up to an estimated 485 gpm, or 1.08 cfs. The photographs showed the screen in good condition with proper backfeed components for the self-cleaning mechanism connected. With the proper care, use, and maintenance of this Yardney CW400, the fish screen requirements for the new point of diversion associated with T-12932 are satisfied.

If you have any questions in regards to this letter, please contact me at 541-296-8026.

Sincerely,

Hilary A. Doulos
Fish Screen and Passage Coordinator



Oregon

Kate Brown, Governor

T12932
Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

December 5, 2019

DICKMAN FARMS
MARK DICKMAN
15829 MT ANGEL SCOTTS MILL HWY NE
SILVERTON, OR 97381

REFERENCE: Transfer Application T-12932

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) 986-0825 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Joel M. Plahn, Watermaster Dist. #16 (via email)
Malia R. Kupillas, Agent
Clackamas County
Marion County

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING AN
T-12932, Clackamas, Marion County	)	ADDITIONAL POINT OF DIVERSION
	)	AND A CHANGE IN PLACE OF USE

Authority

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

Applicant

DICKMAN FARMS
c/o MARK DICKMAN
15829 MT. ANGEL SCOTTS MILLS NE
SILVERTON, OR 97381

Findings of Fact

1. On May 25, 2018, DICKMAN FARMS, c/o MARK DICKMAN filed an application for an additional point of diversion and a change in place of use under Certificates 35420 and 54671. The Department assigned the application number T-12932.
2. Notice of the application for transfer was published on June 5, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 16, 2019, the agent for the applicant submitted a Land Use form which was missing from the original application.
4. On June 21, 2019, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12932 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of June 24, 2019, for the applicant to respond. The applicant requested the completion date be extended to October 1, 2025 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

5. On October 17, 2019, the Department issued a Preliminary Determination proposing to approve Transfer T-12932 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on October 22, 2019, and in the Woodburn Independent newspaper on October 23 and 30, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 35420 in the name of GEORGE E. BOND (perfected under Permit S-30318)
Use: IRRIGATION of 43.4 ACRES
Priority Date: MARCH 29, 1965
Rate: 0.48 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: BUTTE CREEK, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	SE NW	#1 - 2480 FEET SOUTH AND 810 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	25.4
5 S	1 E	WM	31	SE NW	18.0
Total					43.4

7. Transfer Application T-12932 proposes an additional point of diversion approximately 1500 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	SW NW	#2 - 1625 FEET SOUTH AND 1880 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

8. Transfer Application T-12932 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	32.9
5 S	1 E	WM	31	SE NW	10.5
Total					43.4

9. The second right to be transferred is as follows:

Certificate: 54671 in the name of HAROLD KRAEMER (perfected under Permit S-45031)
Use: IRRIGATION of 21.7 ACRES
Priority Date: MAY 13, 1980
Rate: 0.27 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: BUTTE CREEK, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	NE SW	#1 - 2850 FEET SOUTH AND 120 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	8.7
5 S	1 E	WM	31	SE NW	12.1
5 S	1 E	WM	31	NE SW	0.9
Total					21.7

10. Transfer Application T-12932 proposes an additional point of diversion approximately 2375 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	SW NW	#2 - 1625 FEET SOUTH AND 1880 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

11. Transfer Application T-12932 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	0.4
5 S	1 E	WM	31	SE NW	20.7
5 S	1 E	WM	31	NE SW	0.6
Total					21.7

12. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

13. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12932.
15. The proposed changes would not result in enlargement of the rights.
16. The proposed changes would not result in injury to other water rights.
17. All other application requirements are met.

Conclusions of Law

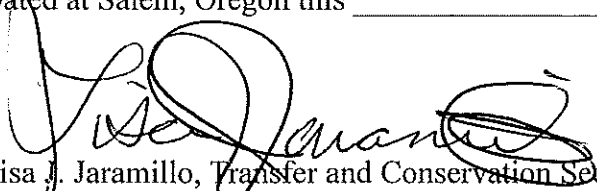
The additional point of diversion and change in place of use proposed in Transfer Application T-12932 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of diversion and changes in place of use proposed in Transfer Application T-12932 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 35420 and 54671 and any related decree.
3. Water right Certificates 35420 and 54671 are cancelled.
4. The quantity of water diverted at the additional point of diversion (#2), together with that diverted at the original point of diversion (#1), shall not exceed the quantity of water lawfully available at the original points of diversion (#1), under Certificate 35420.
5. The quantity of water diverted at the additional point of diversion (#2), together with that diverted at the original point of diversion (#1), shall not exceed the quantity of water lawfully available at the original points of diversion (#1), under Certificate 54671.
6. 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 diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.

- c. The water user shall allow the Watermaster access to the meters or measuring device(s); provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
7. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.
- The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.
8. The former place of use of the transferred rights shall no longer receive water under the rights.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this DEC 05 2019,


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

DEC 06 2019
Mailing date: _____

Water Right Transfer Cover Sheet

Transfer T-12932

Transfer Specialist: MDO *Corey*

Transfer Type: Regular

Applicant Name/Address: DICKMAN FARMS MARK DICKMAN 15829 MT ANGEL SCOTTS MILL HWY NE SILVERTON, OR 97381	Agent Name/Address: MALIA R. KUPILLAS 18487 S VALLEY VISTA RD MULINO, OR 97042-8741
CWRE Name/Number:	Affected Gov'ts Name/Address: County Of Marion planning Department
Commentors: Name/Address:	Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S-40700	S-30318	35420	☐ Yes ☒ No	
☒	☒	S-60132	S-45031	54671	☐ Yes ☒ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: May 25, 2018	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 2610.00	WM District: 16	ODFW District:
Initial Notice: June 5, 2018	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒	GW Review sent:	

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: 5/21/19

☒ ODFW contact sheet sent with DPD, or ☐ N/A

☒ WM measurement contact sheet sent, or ☐ N/A

PD Signed: 10/17/19

PD Weekly Notice: 10/22/19

Newspaper quote requested: 7/7/19

☐ not required

Request for news \$ sent: 7/14/19

News \$ received: 7/19/19

Request to publish sent to newspaper: 10/17/19

Affidavit of publication received: 11/4/19

Woodburn Independent

DPD Review (Optional) Reviewer: <u>TS</u> Date: <u>9-20-19</u> Coordinator: <u>PKS</u> Date: <u>10-9-19</u> Signature Bin Date: _____	DPD already issued by Mary 5/21/19 PD Review (Salem) Reviewer: _____ Date: _____ Coordinator: _____ Date: _____ Signature Bin Date: _____	Final Order Review (Salem) Reviewer: <u>TS</u> Date: <u>10-21-19</u> Coordinator: <u>PKS</u> Date: <u>10-31-19</u> Signature Bin Date: <u>12/4/19</u>
Comments/Special Issues:		

Special Order Volume: Vol 114

Pages 517-521

Final Order Signature Date: 12/08/2019

Notice of FO email'd to processors 12/04/2019

**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 # **130312**

INVOICE # _____

RECEIVED FROM: Dickman Farms, Inc.

APPLICATION	
PERMIT	
TRANSFER	<u>T-12932</u>

BY: _____

CASH: ☐ CHECK: # 7268 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 70.20

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 0207 OTHER: (IDENTIFY) 46117 Newspaper Notice

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

4270 WRD OPERATING ACCT

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

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) _____ \$ _____

0231 HYDRO LICENSE FEE (FWWRD) _____ \$ _____

HYDRO APPLICATION _____ \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **130312** DATED: 7/19/19 BY: CWieltrick

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



6605 SE Lake Road, Portland, OR 97222
PO Box 22109 Portland, OR 97269-2169
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Marion, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of the Woodburn Independent, a newspaper of general circulation, published at Woodburn, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

Ad#: 121054

Owner: Water Resources Department

Description: Notice of Preliminary Determination for Water Right Transfer T-12932

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

10/23/2019, 10/30/2019

Charlotte Allsop

Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this 10/30/2019

Jerrin L. SiPe

NOTARY PUBLIC FOR OREGON

Acct #: 134229

Attn: Stacy Phillips

OREGON DEPARTMENT OF WATER RESOURCES

725 SUMMER ST. NE, SUITE A
SALEM, OR 97301

Notice of Preliminary Determination for Water Right Transfer T-12932

T-12932 filed by Dickman Farms, Attn.: Mark Dickman, 15829 Mt Angel-Scotts Mill Hwy NE, Silverton, OR 97381, proposes an additional point of diversion and change in place of use under Certificates (C) 35420 and 54671. C-35420 allows the use of 0.48 cubic foot per second (cfs) from Butte Creek in Sec. 31, T5S, R1E, WM for irrigation in Sec. 31. C-54671 allows the use of 0.27 cfs from Butte Creek in Sec. 31, T5S, R1E, WM for irrigation in Sec. 31. The applicant proposes an additional point of diversion in Sec. 31, T5S, R1E, WM and to change the place of use to within Sec. 31, T5S, R1E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, October 30, 2019. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

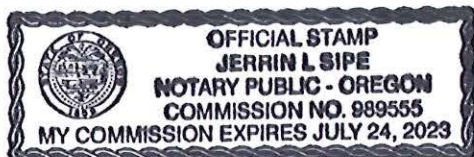
Published Oct. 23 & 30, 2019.

WI121054

RECEIVED

NOV 04 2019

OWRD



FINAL ORDER**Document Preparation**

CW		CW	
☐	Save PD document as new document. XXXXX-ord-approve.doc	☐	Hidden Findings unveiled (control "a", select Font, unmark hidden box)
☐	Update the hidden paragraph following the received notice and amendments findings (regarding issuance of PD)	☐	Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER", Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING"
☐	Unhide and Select the appeals language in the first page footer for the "Final Order" language; unhide Special Order Volume and page	☐	Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph
☐	Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:	☐	Select text below "It is ORDERED" section and turn off Italics. Restart numbering at "1".
☐	Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"	☐	Final Check: All Conclusions of Law have Findings to support them
		☐	Document is "Spell checked"

Remaining Right Certificate

CW		CW	
☐	Assign Certificate Number from Spreadsheet	☐	Update footer to read: T-XXXXX.rr.YYYYYY.ini, where YYYYYY is original certificate number, and ini stands for your initials
☐	Input new certificate number on right side of footer	☐	Print on Certificate paper
		☐	Document is "Spell checked"

COMMENTS



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-12932

Review Due Date: _____

Applicant Name: Dickman Farms

Proposed Changes: ☒ POU ☒ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Joel Plahn

Date of Review: Jun. 12, 2018

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: Butte Creek is regulated ever year. It is not uncommon for both of the rights involved in this transfer to be regulated during the irrigation season.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☐ No ☒ Records not available.
4. In your estimation, after the proposed change would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?
☐ Yes ☒ No If "Yes", explain: _____
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____ ☒ N/A
7. For POD changes and instream transfers, check here ☐ if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____ ☒ N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream: ☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No
9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain: _____

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
11. 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: _____
12. What alternatives may be available for addressing any issues identified above: _____
13. 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 below:
- ☐ 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 3)
 - 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.*
 - 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 3)
 - a. *Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*
 - b. *Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

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

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

Oregon Water Resources Department**Measurement Condition Information for the Applicant***(to be sent with the Draft Preliminary Determination or Final Order)*Transfer #: T-12932

☒ 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: Joel plahnDistrict: 16Address: 725 Summer St NE Suite ACity/State/Zip: Salem OR 97301Phone: 503-986-0889Email: joel.m.plahn@oregon.gov

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

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

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

 Watermaster signature

 District

 Date

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

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

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-12932 Dickman Farms

Date of review: 1/11/19

A. Please check box if you believe there is a potential for injury to an instream water right.

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____ [stream], tributary to _____, because _____.

(Please attach any available supporting information.)

Note: This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ **2. Screen Now**

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ **3. Screen 2 Year**

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **4. Screen Future**

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **5. No Screen Needed**

[Check this box if fish are not currently present, and are not expected in the future.]

Signature

Ben Walczak
Printed Name

(971) 673-6013
Phone

Assistant District Fish Biologist
Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-12932

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Hilary Doulos

Address: 3561 Klindt Drive

City/State/Zip: The Dalles, OR 97058

Phone: (541) 296-8026

- ☒ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Ben Walczak

Address: 17330 SE Evelyn Street

City/State/Zip: Clackamas, OR 97015

Phone: (971) 673-6013

PRELIMINARY DETERMINATION**Public/Newspaper Notice**

CW	N/A		CW	N/A	
☒	☐	Prepare public/newspaper notice using template	☐	☒	Send letter to Applicant/Agent regarding newspaper notice cost
☒		Notice and Letter are "Spellchecked"	☐	☒	Funds received from Applicant/Agent for newspaper notice
☐	☒	Forward Draft Newspaper Notice to Coordinator	☐	☒	Affidavit of Publication Received

Ownership Verification

CW		CW	
☒	The Deed/ROI matches the "from" lands	☒	Compare with current tax lot map
☒	All owners on the Deed/ROI have signed the application	☐	☒ N/A Notarized, signed statement of consent

Document Preparation

CW		CW	
☒	Save DPD document as a new document XXXXX-pd.doc	☒	Hidden Findings unveiled (control "a", select Font, unmark hidden box)
☒	Any substantive changes/amendments as result of DPD ☐ Yes ☒ No If yes, issue revised DPD	☒	Remove "DRAFT" from document title and any extra "carriage" returns
☒	Update the hidden paragraph following the received notice and amendments findings (regarding is authorized to pursue transfer, etc.)	☒	Select the appeals language in the first page footer for the preliminary determination
☒	Protest language is listed following document preparation box	☒	Notice Regarding Service Members is showing
		☒	Document is "Spell checked"

Cover Letter

☒	Cover letter prepared	☒	Email addresses checked for accuracy
		☒	Document is "Spell checked"

Data Center Review

CW		CW	
☐	Prepare Route Slip	☐	☐ Prepare Revised DPD if <i>substantive changes</i> OR
☐	File Returned		☐ Issue Preliminary Determination

COMMENTS

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DRAFT PRELIMINARY DETERMINATION**Document Preparation**

☐	☒ N/A	Additional Supplemental Review Criteria Checklist attached	
CW		CW	
☒	Check tenses (Find and Replace (s), is/are, was/were	☒	Add agent, receiving landowner, if applicable, etc.
☒	Compare authorized PODs/POAs with marked up Certificate	☒	Compare "from" lands with marked up Table 2 of Application and Certificate
☒	Compare Proposed PODs/POAs with Table 1 of Application and Map	☒	Compare Proposed Place of Use with Table 2 of Application and Map

Remaining Right Certificate(s)

☒	Check tenses (Find and Replace (s), is/are, was/were	☒	Table format matches current template
☒	Content format matches original certificate (e.g., rate/duty limitation)	☐	Name and address matches originating certificate Note: Remaining rights can only be issued in the name of the current landowner(s) of the remaining rights <u>IF</u> 1) the Report of Ownership information supplied for the transfer covers all of the remaining right lands (as well as the right being transferred) <u>and</u> 2) the applicant asks for the remaining right to be issued in its name. Otherwise, the name(s) on the remaining right will be the same as the original water right involved in the transfer.
☒	Determination and remaining acres combined match acres under originating certificate?	☒	All water accounted for
		☒	Document is "Spell checked"

Cover Letter

CW	N/A		CW	N/A	
☒	☐	Correct Name and Address including email address	☒	☐	Attach supporting documents to cover letter ☒ Completed Watermaster Contact Sheet ☒ ODFW Contact sheet
☒	☐	Include email addresses for agent and other interested parties (in cc section) of letter	☐	☒	Any special conditions explained
			☒		Document is "Spell checked"

COMMENTS

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Determination and Conclusions of Law (Cont'd)

Based on review of the record, the proposed change(s) would not result in injury to other water rights.

Or, if denial

The proposed change(s) would result in the routing of return flows around at least one diversion of other existing water rights, resulting in injury to those rights. Or

An instream water right, Certificate XXXXX, exists for the reach of the river in which the authorized point of diversion would be moved upstream, and streamflows within the reach are frequently below the levels allocated under the instream water right. Thus, the instream water right would be injured as a result of the proposed change in point of diversion.

The proposed change(s) would not result in injury to other water rights.

Or

The proposed change would result in injury to other water rights.

Or

The proposed change would result in injury to the instream water right. [See consent to injury]

- ☒ The application is complete. Or
☐ The application is incomplete

- ☒ All other application requirements are met. Or
☐ The application is incomplete because ...

Ensure all conditions are carried forward in Order section.

COORD INITIALS

PR Initials

☒ N/A

Denial of Transfer (OAR 690-380-4010(3))

OAR 690-380-4010(3)(a)
Describe the basis for the denial

☐

- ☐ Injury
☐ Enlargement
☐ Deficiencies not rectified

OAR 690-380-4010(3)(b)
Identify conditions or restrictions that, if included in the transfer, would allow approval of the transfer

☐

Examples: consent to injury; amend application to remove well

☐ Yes Approve with conditions

☐ No Must be denied

Additional Conditions and Provisions under Review Criteria (Cont'd)					
CW	N/A		CW	N/A	SAMPLE FINDING
☐	☒	Additional finding for evaluation of comments received and any actions or conditions to address comments	☐	☐	
☐	☒	Add any other special provisions	☐	☒	Additional findings to support determination of additional review criteria listed
☐	☒	Any cancellation/diminishment submitted? ☐ Yes ☒ No	☐	☐	If yes: (See Supplemental Language Document) ☐ Add Authority after 1 st paragraph ☐ Add finding(s) to document cancellation/diminishment
☐	☒	Are the existing water rights issued in the name of a District or Bureau of Reclamation? ☐ Yes ☒ No	☐	☐	If yes, a Finding of Fact and an Order item identifying the name in which the confirming certificate will be issued and who is responsible for COBU. Notes: _____ _____ <i>See Supplemental Language Document for Living Certificates</i>

COORD INITIALS

PR Initials

Determination and Conclusions of Law

FINDINGS	DETERMINATION AND PROPOSED ACTION / CONCLUSIONS OF LAW
Based on review of the evidence submitted, the Department finds the water right(s) has/have been used [within the last five years] or [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s) and the right(s) is/are not subject to forfeiture.	The right(s) has/have been used [within the past five years] or [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s). or Confirming water right Certificate XXXXX was issued within the last five years prior to submission of Transfer Application T-XXXXX.
Based on the information submitted [and Department records], a diversion structure and ditch sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application. or Based on the information submitted [and Department records], a pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application.	The Applicant is ready, willing, and able to use the full quantity of water under the right. There is no evidence in the record to suggest the right is subject to forfeiture.
[As conditioned,] the proposed change(s) would not result in enlargement of the right. <i>Or, if denial</i> The lands currently irrigated under the right would continue to receive water from the same source resulting in enlargement of the right(s).	The proposed change(s) will not enlarge the right. Or The proposed change(s) would result in enlargement of the right.

TRANSFER REVIEW Criteria Cont'd (OAR 690-380-4010)

☒	Injury OAR 690-380-4010(2)(d) The proposed transfer would result in injury ☐ Yes ☒ No Notes: _____ _____ (Must make a positive finding of "No injury").	☒	The proposed transfer would result in another, existing water right not receiving previously available water to which it is legally entitled ☒ Watermaster Review. ☐ Yes ☒ No ☐ Groundwater Review. ☐ Yes ☐ No ☐ N/A ☒ ODFW Review. ☐ Yes ☒ No ☐ N/A If yes, can the injury be mitigated? ☐ Yes ☒ No Conditions: _____ _____ Also See Injurious Transfers (690-380-5030 to 5050)
☒	Other requirements OAR 690-380-4010(2)(e) Any other requirements for water right transfers are met.	☒	Attach supplemental criteria checklist for transfer type marked on page 1 ☐ Character of Use ☐ SW to GW ☐ Instream ☐ Supplemental to Primary ☐ Consent to Injury of Instream Water Right

COORD INITIALS

PR Initials /s/

Additional Findings of Fact

CW	N/A		CW	N/A	SAMPLE FINDING
☒	☐	Add Finding for submission of amended application pages or amended map	☐	☐	On ____, the applicant submitted an amended application page/map clarifying
☐	☒	Add Finding for timely comments received	☐	☐	On (date), timely comments were received from (name), asserting (issues). The Department has considered the comments and finds: (do they assert injury/enlargement or forfeiture?)
☒	☐	Add Watermaster Review	☐	☐	The District ____ Watermaster reviewed the proposed transfer application and concluded the proposed transfer would not result in enlargement of the right or injury to existing water rights. or would result in injury or enlargement of the right unless it was conditioned

COORD INITIALS

PR Initials /s/

Additional Conditions and Provisions under Review Criteria

CW	N/A		CW	N/A	SAMPLE FINDING
☒	☐	Add Watermaster conditions	☐	☐	See Supplemental Language (Measurement devices) or requirements to prevent injury or enlargement
☒	☐	Add ODFW fish screen requirements	☐	☐	See Supplemental Language Fish Screen Requirements
☐	☒	Add ground water conditions	☐	☐	See Groundwater Review / Supplemental Language

Layered and Supplemental Water Rights (OAR 690-380-2240)

CW	N/A		CW	N/A	NOTES
☐	☒	OAR 690-380-2240(2) and (3) Transfer of Layered Water Rights and Certificates of Registration (change in use or pou) <i>See definition of layered in OAR 690-380-0100(4)</i>	☐	☒	Are there other layered water uses subject transfer, permits or certificates of registration which were <u>not</u> included in the application? ☐ Yes ☒ No If yes, provide applicant 30days to: ☐ Submit application for concurrent changes ☐ Submit affidavits for voluntary cancellations ☐ Withdraw the application
☐	☒	OAR 690-380-2240(5) Transfer of Supplemental Irrigation water right separately from associated primary water right. Transfer of supplemental irrigation right may be moved separately from associated primary irrigation right if another primary irrigation right with similar reliability is appurtenant to the lands to which the supplemental right is to be moved.	☐	☒	Does the new primary irrigation water right have similar reliability as the associated primary irrigation water right? ☐ Yes ☐ No Will the supplemental water right be used more than it was when associated with previous primary right? New primary right priority date: _____ Prior primary right priority date: _____ History of regulation? ☐ Yes ☐ No Watermaster Review

COORD INITIALS

☐

PR Initials

☒

TRANSFER REVIEW Criteria (OAR 690-380-4010)

CW		CW	DOCUMENTATION
☒	Validity of the Right; Not Forfeited OAR 690-380-4010(2)(a) The right(s) has been used over the past five years according to the terms and conditions of the right and the right is not subject to forfeiture under ORS 540.610.	☒	☒ Evidence of Use & supporting documentation ☐ Confirming Cert issued within last 5 years ☐ Rebuttal to forfeiture (ORS 540.610(2)) _____
☒	Ready, Willing, and Able OAR 690-380-4010(2)(b) The water user is ready, willing and able to use the full amount of water allowed under the right.	☒	☒ Current delivery system description in Part 5 of Application Notes: _____ Delivery system has the capacity to fully divert and use the rate/duty of the right
☒	Enlargement OAR 690-380-4010(2)(c) The proposed transfer would result in enlargement ☐ Yes ☐ No Notes: _____ (Must make a positive finding of "No enlargement").	☒	No expansion of the right: ☒ No greater rate or duty per acre than currently allowed ☒ Cannot increase acreage under the right ☒ Must prevent the original place of use from receiving water from the same source ☒ Cannot divert more water at the new POD or POA than is legally available to that right at the original point of diversion/appropriation See deficient rate right guidance See micro irrigation guidance

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000) Cont'd

CW	N/A		CW	N/A	
☐	☒	Supp. Form D or Letter of approval from Irrigation or Water Control District	☒	☐	Evidence of Use is submitted with supporting documentation
☒	☐	Are the supplemental water rights included in the Transfer ☐ Yes ☒ No If no, are they cancelling? ☐ Yes ☐ No	☒		Map meets criteria of OAR 690-380-3100
☒		Water Use Subject to Transfer (OAR 690-380-0100(14)) Is the water right(s) proposed for transfer a water use(s) subject to transfer? ☐ Adjudicated or decreed ☒ Certificated ☐ Water use permit with CBU and proof to satisfaction issued ☐ Transfer app for which an order approving change has been issued and proper proof of the completion of the change has been filed	☒		Any application deficiencies that need to be addressed? ☐ Yes ☒ No Notes: _____ _____ _____

PR Initials /s/

Reviewing The "From" and "To" Lands (Use working copy of application and certificates to mark on)

CW		CW	
☒	<u>From</u> : Only the authorized POD's/POA's and POU's involved are listed.	☒	<u>From</u> : Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
☒	<u>From</u> : Marked on certificate the acreage being affected and remaining by ¼ ¼.	☒	<u>From</u> : Marked on certificate the quantity of water being transferred, cancelled, and remaining
☒	<u>From and To</u> : Print Plat Card(s), check and note conflicts (change in pou and use only)	☒	<u>From and To</u> : Compare water right map to Application tabulation (Table 2) to Application map for accuracy

PR Initials /s/

Amended Application Pages And Maps

CW	N/A		CW	N/A	Notes
☐	☒	Amended Application Pages Rec'd _____ Amended Application Map Rec'd _____	☐	☒	☐ Scan new pages ☐ Update WRIS with new pages ☐ Mark replaced pages in red with 'SUPERSEDED' and place in back of file

Regular Transfer Review Checklist

T- 12932

Caseworker: mjo

TYPE OF TRANSFER	
☒	POD, APOD or POA, APOA and/or Place of Use (690-380-2110 and 690-380-2200)
Transfers Requiring Supplemental Review Criteria	
☐	Character of Use (690-380-2300)
☐	Instream, ORS 537.348, (690-380-2200, 690-380-2300 and 690-077-065 thru 075)
☐	Consent to Injury of Instream (CTI) ORS 540.530, (690-380-5050)
☐	Surface Water to Ground Water (SW to GW), ORS 540.531, (690-380-2130)
☐	Supplemental Use to Primary Use (S to P), ORS 540.524, (690-380-2320)
If transfer type not listed above, see separate checklists	

FILE PREPARATION	
CW	
☒	File Assigned (Computer Entry)
☒	Make Copies and Place in Working File: ☒ Application ☒ Map
☒	Verify all Certificates/Permits are shown in WRIS to be non-cancelled ☒ Print Certificates and Place in Working File
☒	Add Working file to T-file
☒	Check Public Comments https://apps.wrd.state.or.us/apps/wr/wr_public_comment_mgmt/default.aspx
CW	
☒	All Stakeholders accurately listed in WRIS with email addresses if available ☐ Irrigation District ☐ BOR ☐ Tribes Is this a Living Certificate? ☐ Yes ☒ No If Certificate in name of District or BOR, attach Additional Living Certificate Processing checklist
☒	Double check all water rights/permits are included in WRIS under Transfer #
☒	Copy and Place in Working File: ☒ Watermaster Review ☐ Groundwater Review ☒ ODFW Review
☒	Public Comments Received? ☐ Yes ☒ No If yes, print comments and place in file ☐ Timely ☐ Untimely Notes:

PR Initials

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BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000)					
CW	N/A		CW	N/A	
☒		Appropriately signed	☒	☐	Check Area of Interest – Print if needed, include in WRIS stakeholder as interested party
☒		All required Attachments Received	☐	☒	Ditch Co., Irr. Dist and/or BOR sent copies
☒		Appropriate Fees Paid	☐	☒	Overpayment of Fees, Refund Request w/FO
☒	☐	Local Government [County] noticed Copy of Acknowledgment Letter	☒	☐	OWRD Land Use Form matches Tax Lots, is signed by proper official and is APPROVED N/A = Must meet all 4 criteria for exemption (OAR 690-380-3000(19))



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 17, 2019

DICKMAN FARMS
ATTN: MARK DICKMAN
15829 MT. ANGEL SCOTTS MILLS NE
SILVERTON, OR 97381

SUBJECT: Water Right Transfer Application T-12932

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12932. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: T-12932
Joel M. Plahn, District 16 Watermaster (*via e-mail*)
Malia R. Kupillas, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12932, Clackamas, Marion County	)	PROPOSING APPROVAL OF AN
	)	ADDITIONAL POINT OF DIVERSION
	)	AND A CHANGE IN PLACE OF USE

Authority

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

Applicant

DICKMAN FARMS
c/o MARK DICKMAN
15829 MT. ANGEL SCOTTS MILLS NE
SILVERTON, OR 97381

Findings of Fact

1. On May 25, 2018, DICKMAN FARMS, c/o MARK DICKMAN filed an application for an additional point of diversion and a change in place of use under Certificates 35420 and 54671. The Department assigned the application number T-12932.
2. Notice of the application for transfer was published on June 5, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 16, 2019, the agent for the applicant submitted a Land Use form which was missing from the original application.
4. On June 21, 2019, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12932 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of June 24, 2019, for the applicant to respond. The applicant requested the completion date be extended to October 1, 2025 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

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

Certificate: 35420 in the name of GEORGE E. BOND (perfected under Permit S-30318)
Use: IRRIGATION of 43.4 ACRES
Priority Date: MARCH 29, 1965
Rate: 0.48 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: BUTTE CREEK, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	SE NW	#1 - 2480 FEET SOUTH AND 810 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	25.4
5 S	1 E	WM	31	SE NW	18.0
Total					43.4

6. Transfer Application T-12932 proposes an additional point of diversion approximately 1500 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	SW NW	#2 - 1625 FEET SOUTH AND 1880 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

7. Transfer Application T-12932 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	32.9
5 S	1 E	WM	31	SE NW	10.5
Total					43.4

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

Certificate: 54671 in the name of HAROLD KRAEMER (perfected under Permit S-45031)
Use: IRRIGATION of 21.7 ACRES
Priority Date: MAY 13, 1980
Rate: 0.27 CUBIC FOOT PER SECOND

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

Source: BUTTE CREEK, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	NE SW	#1 - 2850 FEET SOUTH AND 120 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	8.7
5 S	1 E	WM	31	SE NW	12.1
5 S	1 E	WM	31	NE SW	0.9
Total					21.7

9. Transfer Application T-12932 proposes an additional point of diversion approximately 2375 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	31	SW NW	#2 - 1625 FEET SOUTH AND 1880 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 31

10. Transfer Application T-12932 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	31	NE NW	0.4
5 S	1 E	WM	31	SE NW	20.7
5 S	1 E	WM	31	NE SW	0.6
Total					21.7

11. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

12. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12932.
14. The proposed changes would not result in enlargement of the rights.
15. The proposed changes would not result in injury to other water rights.
16. All other application requirements are met.

Determination and Proposed Action

The additional point of diversion and change in place of use proposed in Transfer Application T-12932 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-12932 is approved, the final order will include the following:

1. *The additional point of diversion and changes in place of use proposed in Transfer Application T-12932 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 35420 and 54671 and any related decree.*
3. *Water right Certificates 35420 and 54671 are cancelled.*
4. *The quantity of water diverted at the additional point of diversion (#2), together with that diverted at the original point of diversion (#1), shall not exceed the quantity of water lawfully available at the original points of diversion (#1), under Certificate 35420.*
5. *The quantity of water diverted at the additional point of diversion (#2), together with that diverted at the original point of diversion (#1), shall not exceed the quantity of water lawfully available at the original points of diversion (#1), under Certificate 54671.*
6. *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 diversion (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring device(s); provided however, where the meters or measuring devices are located*

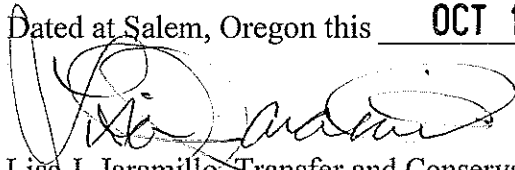
within a private structure, the Watermaster shall request access upon reasonable notice.

7. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

8. *The former place of use of the transferred rights shall no longer receive water under the rights.*
9. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
10. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this **OCT 17 2019**,



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Marcy Osborn. Transfer Application T-12932 is now assigned to Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

**Notice of Preliminary Determination for
Water Right Transfer T-12932**

T-12932 filed by Dickman Farms, Attn.: Mark Dickman, 15829 Mt Angel-Scotts Mill Hwy NE, Silverton, OR 97381, proposes an additional point of diversion and change in place of use under Certificates 35420 and 54671. Certificate 35420 allows the use of 0.48 cubic foot per second (cfs) from Butte Creek in Sec. 31, T5S, R1E, WM for irrigation in Sec. 31. Certificate 54671 allows the use of 0.27 cfs from Butte Creek in Sec. 31, T5S, R1E, WM for irrigation in Sec. 31. The applicant proposes an additional point of diversion in Sec. 31, T5S, R1E, WM and to change the place of use within Sec. 31, T5S, R1E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

ORIGINALS

Transfer Application

Transfer Map

Evidence of Use Affidavit

Documentation of Use

Land Use Information Form

Report of Ownership

Miscellaneous

Superseded Pages

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 # 126759

INVOICE # _____

RECEIVED FROM:

Dickman Farms, Inc.

BY:

APPLICATION

PERMIT

TRANSFER

F 12932

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐☒

6302

TOTAL REC'D

\$ 2610.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$ 2610.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE

\$

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 126759

DATED: 5/25/18

BY: C. Wheelwright

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



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

Application for Permanent Water Right Transfer

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. If you have questions, call Customer Service at (503) 986-0801.
- ☒ 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 35420 & 54671**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

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

(For Staff Use Only)

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

- | | |
|--|---|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503-986-0_____

Date: ____/____/____

MAY 25 2018

Part 2 of 5 – Transfer Application Map Checklist

OWRD

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°).

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
2	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b) If only one change, this will be 0</u> Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » » » » 	2	930.00
3	Number of water rights included in transfer <u>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b) If only one water right this will be 0</u> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » » » » 	3	520.00
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☒ No: enter 0 » ☐ Yes: enter \$410 » 	4	
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.75 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.25 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____(5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » 	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ 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	2,610

*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, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).

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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)

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	\$840.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » »	2	NA
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 Dickman Farms Attn: Mark Dickman			PHONE NO. 503-845-6472	ADDITIONAL CONTACT NO.
ADDRESS 15829 Mt Angel Scotts Mills NE				FAX NO.
CITY Silverton	STATE OR	ZIP 97381	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Pacific Hydro-Geology Inc. (Malia R. Kupillas)			PHONE NO. 503.632.5016	ADDITIONAL CONTACT NO.
ADDRESS 18487 S. Valley Vista Rd.				FAX NO.
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phg@bctonline.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
Add an additional point of diversion to Certificate 35420 and 54671 which is located downstream of the authorized points of diversion and consolidate acreage for easier regulation.

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

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

Check One Box

- ☒ By signing this application, I 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.

I understand that 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: _____.

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


Applicant signature

Mark Dickman
Print Name (and Title if applicable)

05-24-2018
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☐ Yes ☒ No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:
<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

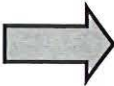
Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Clackamas County	ADDRESS 150 Beavercreek RD	
CITY Oregon City	STATE OR	ZIP 97045

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Revised 7/27/2017

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 # 35420

Description of Water Delivery System

System capacity: 0.48 cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

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

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)
#1	☒ Authorized ☐ Proposed		5	S	1	E	31	SE	NW		2480' S & 810' W from N 1/4 SEC 31
#2	☐ Authorized ☒ Proposed		5	S	1	E	31	SW	NW		1625' S & 1880' W from N 1/4 Corner Sec 31
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 35420
 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.

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
													POD	5	S	1	E	31	NE	NW			32.9		POD #1, #2	1965
													POD	5	S	1	E	31	SE	NW			10.5		POD #1, #2	1965
TOTAL ACRES:														TOTAL ACRES:								43.4				

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

Additional remarks:_____.

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 # 54671

Description of Water Delivery System

System capacity: 0.27 cubic feet per second (cfs) **OR**
 gallons per minute (gpm)

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

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)
#1	☒ Authorized ☐ Proposed		5	S	1	E	31	NE	SW		2850' S & 120' W from N 1/4 Sec 31
#2	☐ Authorized ☒ Proposed		5	S	1	E	31	SW	NW		1625' S & 1880' W from N 1/4 Corner Sec 31
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 54671

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.

Additional remarks:_____.

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				
										POD	5	S	1	E 31 NE NW			0.4		POD #1, #2	1980				
										POD	5	S	1	E 31 SE NW			20.7		POD #1, #2	1980				
										POD	5	S	1	E 31 NE SW			0.6		POD #1, #2	1980				
TOTAL ACRES:											TOTAL ACRES:						21.7							

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: None.



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

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

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

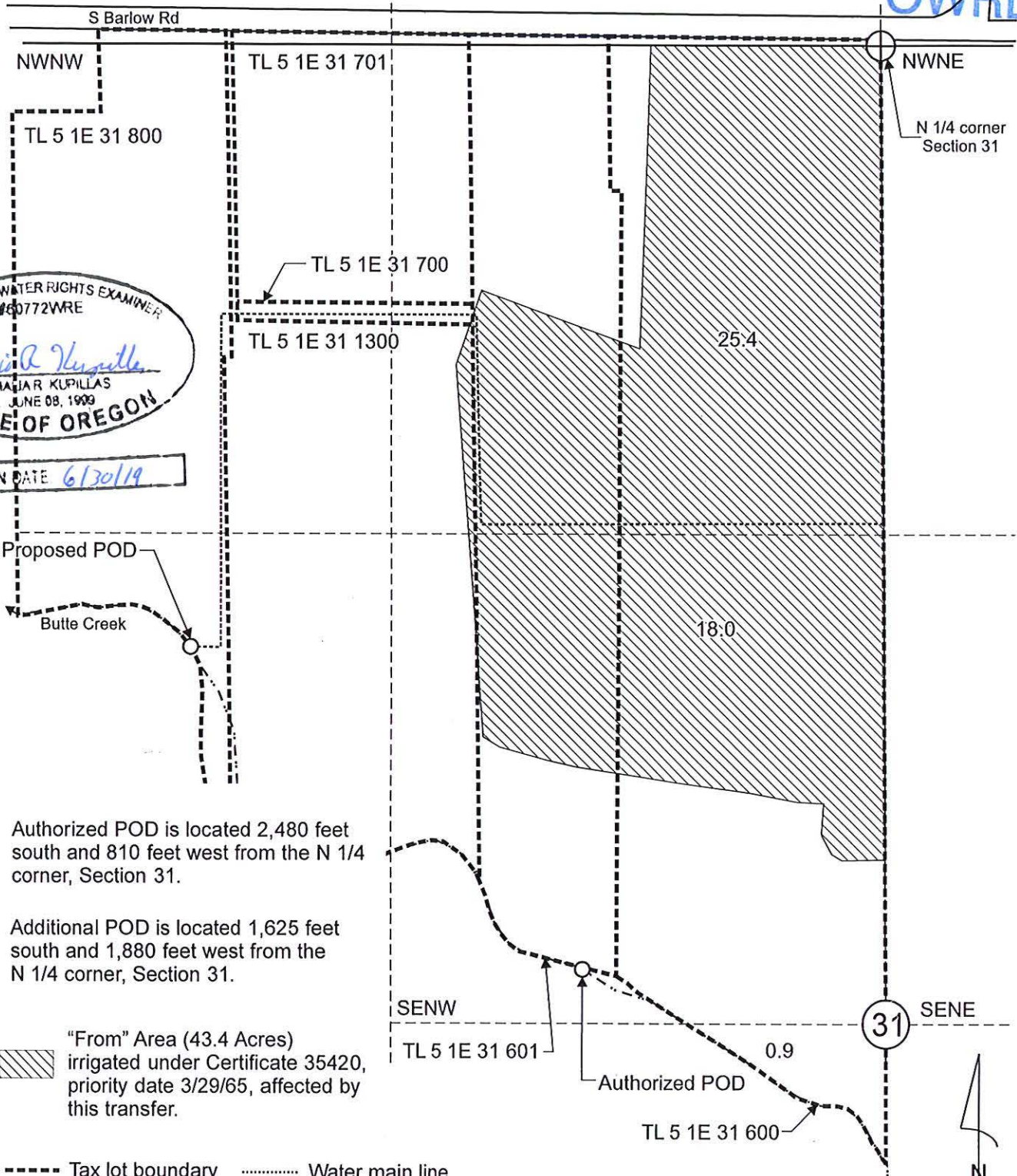
Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department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

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

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T.5S. R.1E. Section 31, W.M.



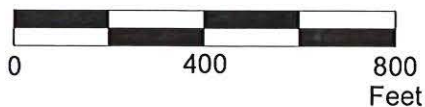
Authorized POD is located 2,480 feet south and 810 feet west from the N 1/4 corner, Section 31.

Additional POD is located 1,625 feet south and 1,880 feet west from the N 1/4 corner, Section 31.

 "From" Area (43.4 Acres) irrigated under Certificate 35420, priority date 3/29/65, affected by this transfer.

 Tax lot boundary
  Water main line

Scale: 1" = 400'



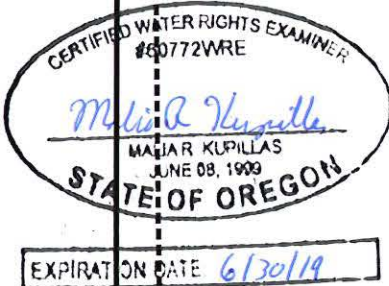
This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

"From" Transfer Application Map
Certificate 35420 (Priority Date 3/29/65)

Pacific Hydro-Geology Inc.

05/2018

Dickman
T.5S. R.1E. Section 31, W.M.

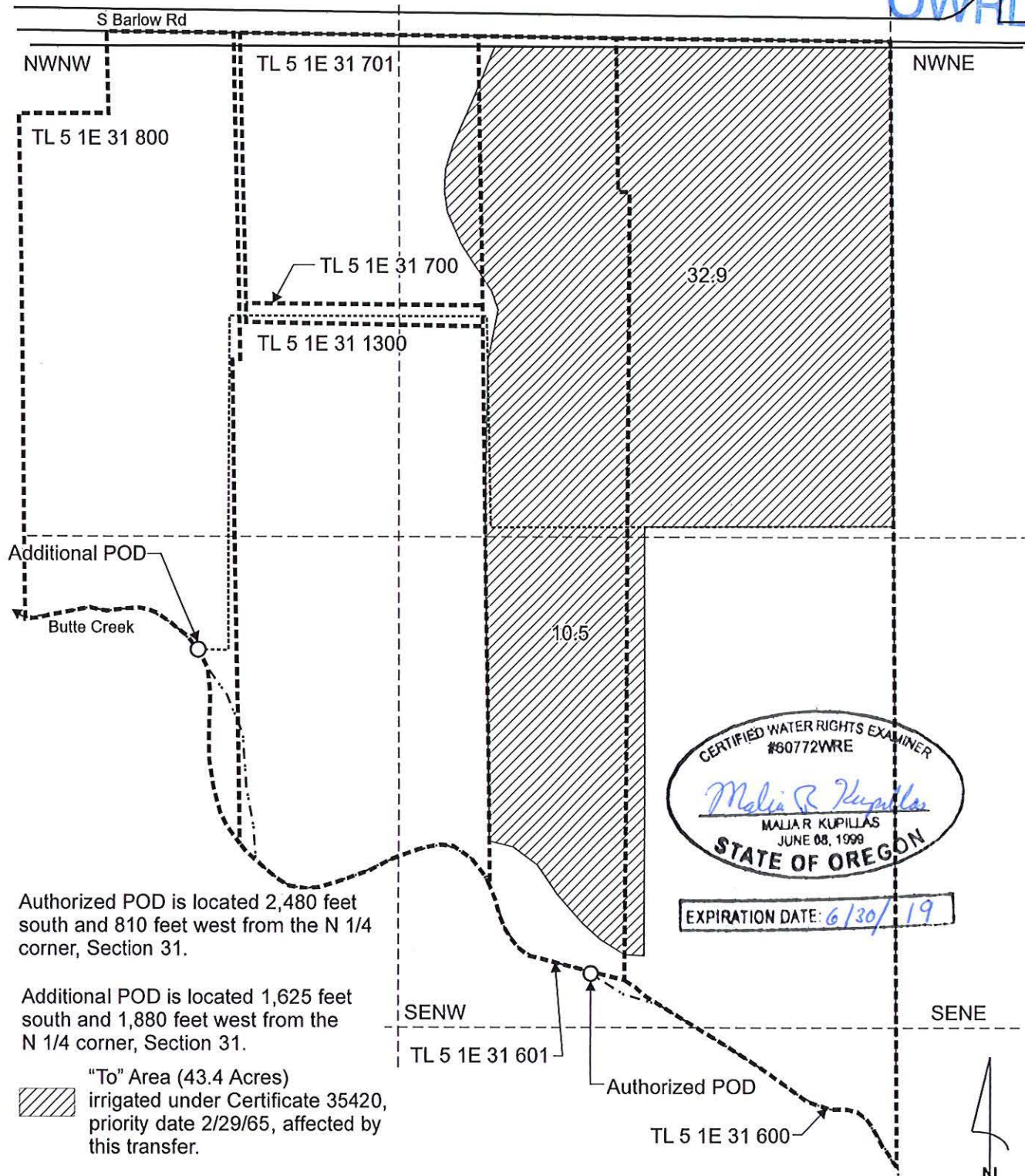


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T.5S. R.1E. Section 31, W.M.

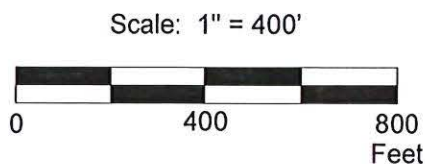


EXPIRATION DATE: 6/30/19

Authorized POD is located 2,480 feet south and 810 feet west from the N 1/4 corner, Section 31.

Additional POD is located 1,625 feet south and 1,880 feet west from the N 1/4 corner, Section 31.

"To" Area (43.4 Acres)
irrigated under Certificate 35420,
priority date 2/29/65, affected by
this transfer.



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

"To" Transfer Application Map
Certificate 35420

Pacific Hydro-Geology Inc.

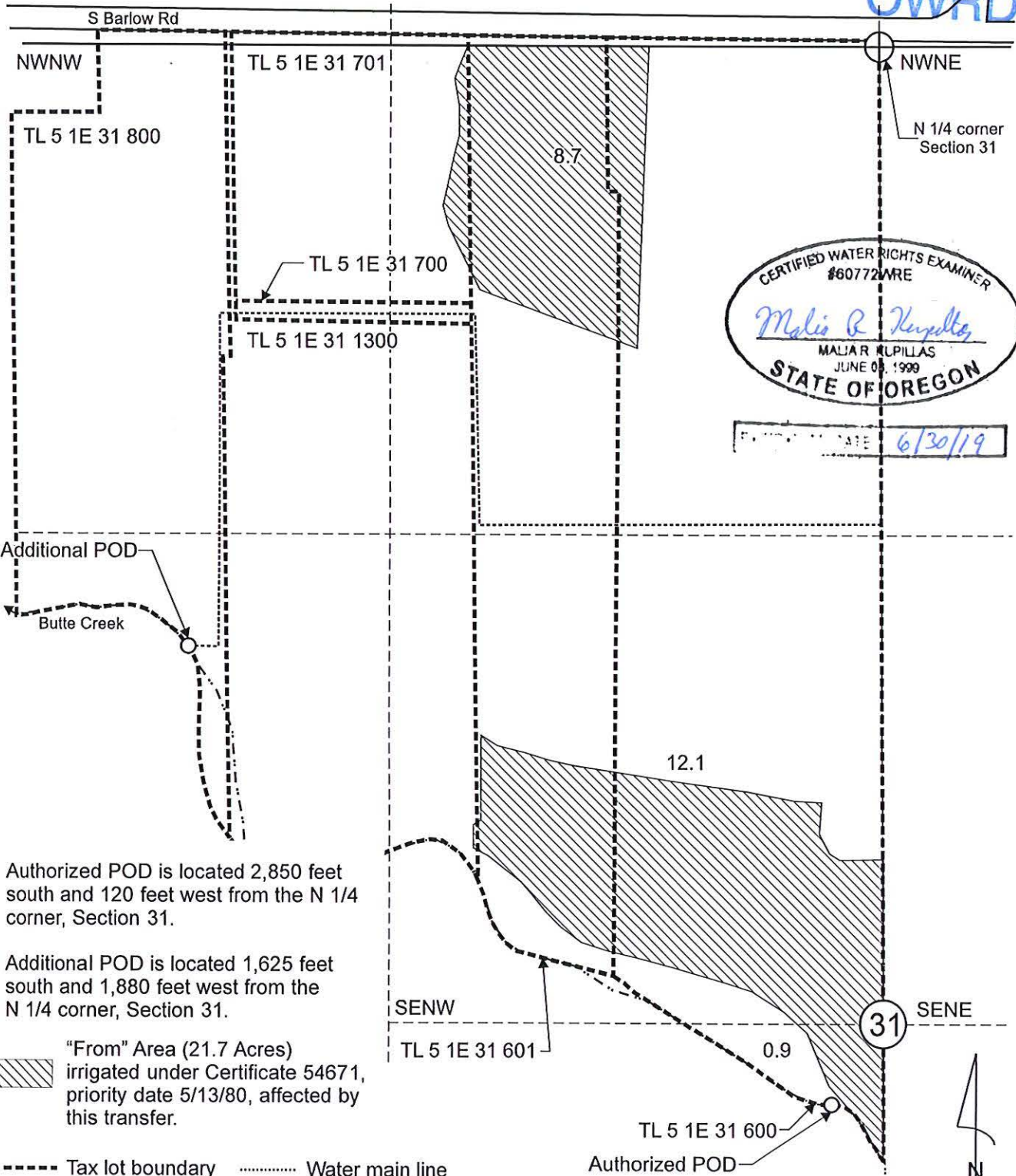
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T.5S. R.1E. Section 31, W.M.

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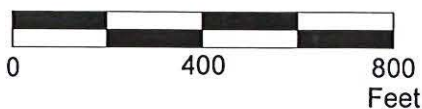
Authorized POD is located 2,850 feet south and 120 feet west from the N 1/4 corner, Section 31.

Additional POD is located 1,625 feet south and 1,880 feet west from the N 1/4 corner, Section 31.

“From” Area (21.7 Acres)
irrigated under Certificate 54671,
priority date 5/13/80, affected by
this transfer.

----- Tax lot boundary Water main line

Scale: 1" = 400'



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

“From” Transfer Application Map
Certificate 54671

Pacific Hydro-Geology Inc.

05/2018

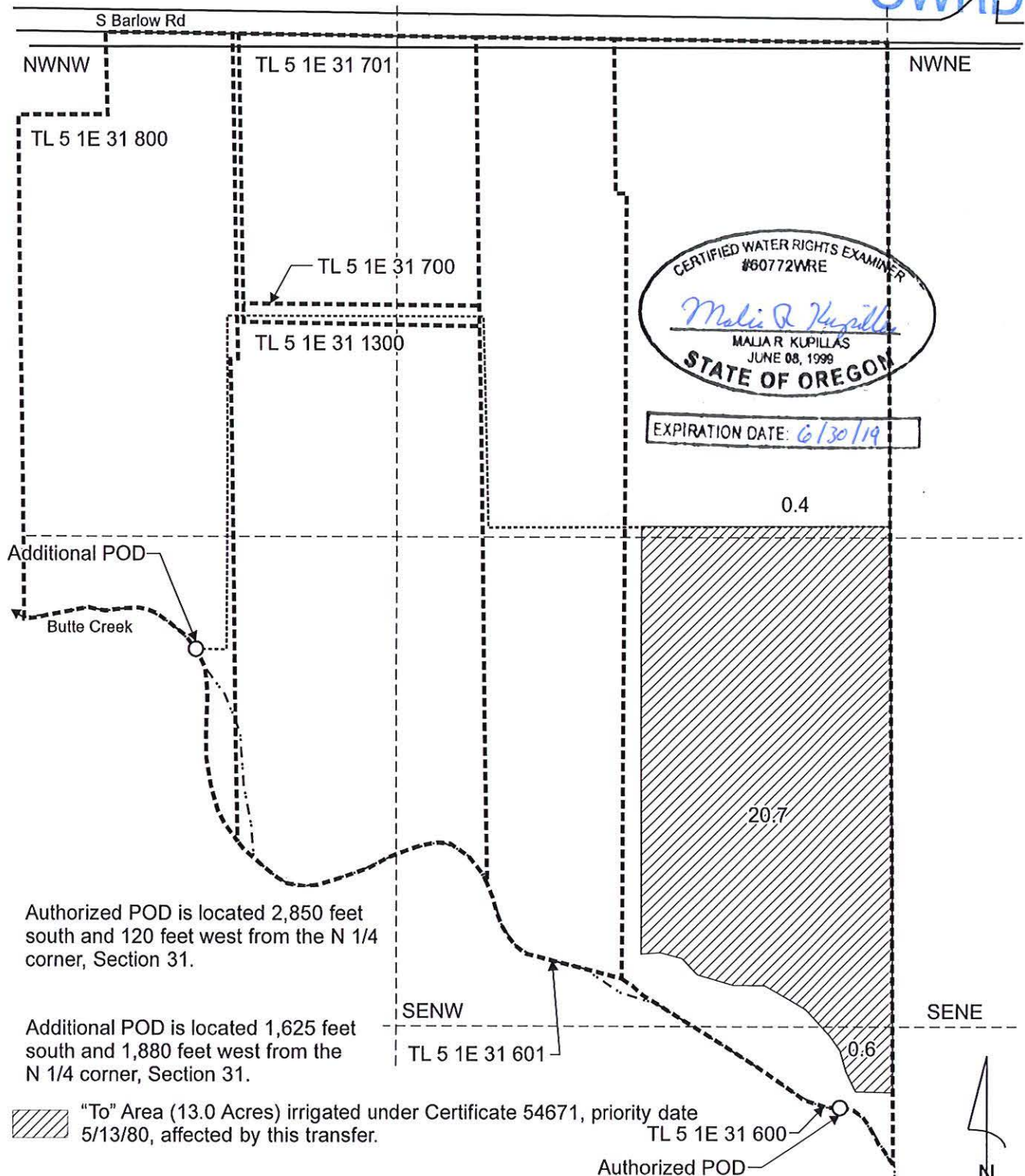
Dickman
T.5S. R.1E. Section 31, W.M.

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MAY 25 2013

T.5S. R.1E. Section 31, W.M.

OWRD

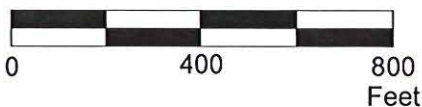


Authorized POD is located 2,850 feet south and 120 feet west from the N 1/4 corner, Section 31.

Additional POD is located 1,625 feet south and 1,880 feet west from the N 1/4 corner, Section 31.

"To" Area (13.0 Acres) irrigated under Certificate 54671, priority date 5/13/80, affected by this transfer.

Scale: 1" = 400'



This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.

"To" Transfer Application Map
Certificate 54671

Pacific Hydro-Geology Inc.

Dickman
T.5S. R.1E. Section 31, W.M.

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Clackamas)

I Gayle Tweed in my/our capacity as Trustee,
mailing address 39900 S. Barlow Rd. Woodburn, OR 97071,
telephone number (503) 634-2216, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 35420 & 54671
described in a Transfer Application (T-____) submitted by Dickman Farms - Mark Dickman,
(transfer number, if known)
on the property in tax lot number(s) 600 and 601, Section 31, Township 5
South, Range 1 East, W.M., located at S Barlow RD Woodburn OR 97071.
(site address)

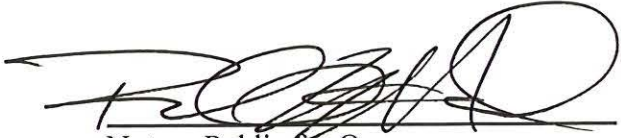

Signature of Affiant

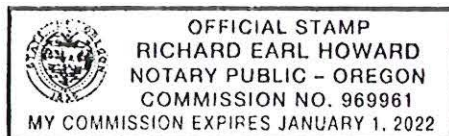
5/14/18
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 14TH day of MAY, 2018.


Notary Public for Oregon



My commission expires 1/1/2022

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MAY 25 2018

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Application for Water Right Transfer Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Multnomah)

I Tamara Wulf in my/our capacity as Trustee,
mailing address 600 SE Marion #405 Portland, OR 97202,
telephone number (503) 234-3922, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 35420 & 54671
described in a Transfer Application (T-_____) submitted by Dickman Farms - Mark Dickman,
(transfer number, if known)
on the property in tax lot number(s) 600 and 601, Section 31, Township 5
South, Range 1 East, W.M., located at S Barlow RD Woodburn OR 97071.
(site address)

Tamara Wulf
Signature of Affiant

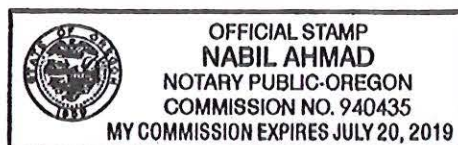
5/15/18
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 15 day of MAY, 2018.
BY: TAMARA TWEED WULF

[Signature]
?



Notary Public for Oregon

My commission expires JULY 20, 2019.

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MAY 25 2018

OWRD

Land Use Information Form



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

Applicant(s): Dickman Farms, Attn: Mark Dickman

Mailing Address: 15829 Mt Angel Scotts Mills NE

City: Silverton

State: OR

Zip Code: 97381

Daytime Phone: _____

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be			Proposed Land Use
<u>5 S</u>	<u>1E</u>	<u>31</u>	_____	<u>600</u>	_____	☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
<u>5 S</u>	<u>1E</u>	<u>31</u>	_____	<u>601</u>	_____	☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
<u>5 S</u>	<u>1E</u>	<u>31</u>	_____	<u>700</u>	_____	☐ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
<u>5 S</u>	<u>1E</u>	<u>31</u>	_____	<u>701</u>	_____	☐ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>
<u>5 S</u>	<u>1E</u>	<u>31</u>	_____	<u>800</u>	_____	☒ Diverted	☒ Conveyed	☐ Used	<u>Irrigation</u>
<u>5 S</u>	<u>1E</u>	<u>31</u>	_____	<u>1300</u>	_____	☐ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>

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

Clackamas County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: _____ ☐ 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:

This Land Use Information Form is to accompany a water right transfer application that proposes to change the place of use and add a point of diversion for two existing water rights (Certificates 35420 and 54671).

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**OWRD**

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): SDO Section 401.04

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

None.

Name: Anthony Riederer Title: Sr. Planner

Signature: [Signature] Phone: 503 742 4500 Date: 5/15/19

Government Entity: Clackamas County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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)
County of CLACKAMAS) ss

I, MARK DICKMAN, in my capacity as LEASE,

mailing address 15829 MT ANGEL SCOTTS MILL NE SILVERTON OR 97381

telephone number (503)845-6472, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 35420 & 54671; **OR**

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

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

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for
non-use would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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CWRD

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.



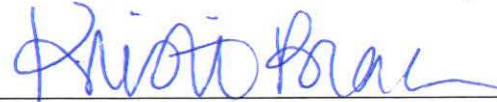
Signature of Affiant

5-9-2018

Date

Signed and sworn to (or affirmed) before me this 9th day of May, 2018.





Notary Public for Oregon

My Commission Expires: September 16 2018

Supporting Documents	Examples
☐ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	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
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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MAY 25 2018

OWRD



(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Portland General Electric

Service Address:
DICKMAN FARMS INC
34860 S BARLOW RD
WOODBURN, OR 97071

Account #

Previous Amount Due	257.31
Payments/Adjustments	257.31 ^{CR}
Balance Forward	0.00
Current Charges	356.19

Cycle: 1401
Feeder Line Code: MT2

AMOUNT DUE \$ 356.19
Due date for current bill 10/08/14

This month's charges (turn over for details)

Meter # AB10057021, Schedule 49

Energy Charges (2804 kWh)

347.88

Adjustments

3.18^{CR}

344.70

Taxes and Fees

11.49

Current Charges

356.19

Your energy use

Meter # AB10057021

Schedule 49

Service Period

Meter Reading

09/19/14

47118

08/20/14

44314

30 days of service

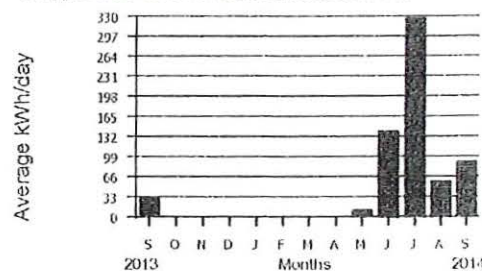
2804 kWh

Thank you for your payment. It's a privilege to provide your electric service.

Point of Delivery Identification (PODID) number for meter number
AB10057021 is 446486216.

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Sep 2014	68	93.4	11.49
Sep 2013	67	33.5	4.38

*Temperature source: Aurora Municipal Airport



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MAY 25 2018

OWRD



(503)228-6322 or 1-800-542-8818
PortlandGeneral.com

Account # [REDACTED]

Service Address:
DICKMAN FARMS INC
34860 S BARLOW RD
WOODBURN, OR 97071

Previous Amount Due	1,731.07
Payments/Adjustments	1,731.07 ^{CR}
Balance Forward	0.00
Current Charges	1,002.13

Cycle: 1401
Feeder Line Code: MT2

AMOUNT DUE \$ 1,002.13
Due date for current bill 10/04/17

This month's charges (turn over for details)

Meter # AB10057021, Schedule 49

Energy Charges (7254 kWh)	1,018.10
Adjustments	47.52 ^{CR}
	<u>970.58</u>

Taxes and Fees	<u>31.55</u>
----------------	--------------

Current Charges 1,002.13

Your energy use

Meter # AB10057021

Schedule 49

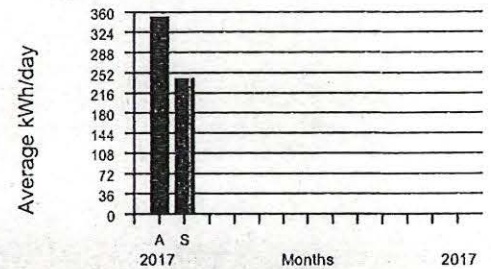
Service Period	Meter Reading
09/15/17	86747
08/16/17	79493
30 days of service	7254 kWh

Thank you for your payment. It's a privilege to provide your electric service.

Point of Delivery Identification (PODID) number for meter number
AB10057021 is 446486216.

Period Ending	Avg Daily Temperature*	Avg kWh Per Day	Avg Cost Per Day
Sep 2017	72	241.8	32.35
Sep 2016	67	N/A	N/A

*Temperature source: Aurora Municipal Airport



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MAY 25 2018

OWRD

STATE OF OREGON

COUNTY OF

CLACKAMAS

CERTIFICATE OF WATER RIGHT

This is to certify, That HAROLD KRAEMER

of 13318 Dornic Road, Mt. Angel, State of OR 97362, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Butte Creek

a tributary of Pudding River for the purpose of
irrigation of 21.7 acres

under Permit No. 45031 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from
May 13, 1980

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

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of
diversion is located in the NE 1/4 SW 1/4, Section 31, T5S, R1E, WM; 2850
feet South and 120 feet West from the N 1/4 corner Section 31.

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

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

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

8.7 acres NE 1/4 NW 1/4
12.1 acres SE 1/4 NW 1/4
0.9 acres NE 1/4 SW 1/4
Section 31
Township 5 South, Range 1 East, WM

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use
herein described and is subject to minimum flows established by the Water Resources Commission with an
effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. July 16, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54671

31360/SB
60132

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **GEORGE E. BOND**

of Route 2, Box 194, Woodburn, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Butte Creek

a tributary of Pudding River for the purpose of irrigation of 43.4 acres

under Permit No. 30318 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 29, 1965

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.48 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, T. 5 S., R. 1 E., W. M. Diversion point located 2480 feet South and 810 feet West from NE $\frac{1}{4}$ Corner, Section 31.

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

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

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

25.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
18.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 31
T. 5 S., R. 1 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date, October 31, 1968

CHRIS L. WHEELER State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35420

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MAY 25 2018

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Oregon
Kate Brown, Governor

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

May 29, 2018

DICKMAN FARMS
MARK DICKMAN
15829 MT ANGEL SCOTTS MILL HWY NE
SILVERTON, OR 97381

Reference: Application T-12932

On May 25, 2018, we received your water right Transfer application. The application was accompanied by \$2610.00. Our receipt number 126759 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

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 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) 986-0807.

Cc: Watermaster Dist. #16 (*via email*)
Malia R. Kupillas, Agent/CWRE
Counties of Marion and Clackamas

Enclosure



Oregon Water Resources Department

Transfer Fee Calculation for Permanent (Non-District) Transfer

[Main](#)

[Help](#)

[Return](#)

[Contact Us](#)

Today's Date: Friday, May 25, 2018

Fee Calculation

Base Fee (includes one type of change to one water right for up to 1 cfs)

\$1,160.00

Fill in information below-- Check each box that applies.

Types of Change Proposed:

- ☒ Place of Use
- ☒ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD
- ☐ Character of Use

\$930.00

Enter total number of water rights included in transfer. 2

\$520.00

☐ Check this box if you propose to add or change a well, or change from a surface water POD to a well.

☐ Check this box if you propose to change the place of use or character of use for a NON-irrigation right.

☒ Check this box if you propose to change the place of use or character of use for an irrigation right.

Enter the following for the primary certificates on the land included in the transfer.

(If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
35420	43.4	43.4	0.48		0.48
54671	21.7	21.7	.27		0.27

Total Transfer CFS(rounded up to the next whole cfs): 1.00

Subtotal:

\$2,610.00

Check each box that applies.

- ☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.
- ☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Transfer Fee:

\$2,610.00

[Return to Edit](#)

[Clear](#)

Regular Permanent Water Right Transfer Application Checklist

Checked by Sarah

Date 5-25-18

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

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

☒ 2. Are fees included and correct? Fee paid: 2610
If not, the correct fee would be: _____, so the amount missing is: _____

► If a Government Action POD change (see: Page 5): NO CHARGE

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE *or* (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

N/A 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Certs & acres involved:

Changes: POD/POU

cfs involved: _____

Source: _____