

T-12232

T-12232

Regular

Name KARA HARTSON PILCHER 122 REV TRUST
GREGORY EUGENE PILCHER 122 REV TRUST
 Address 100 BOX 1680
SILVERTON OR 97381

DESCRIPTION OF WATER RIGHT(S)

Name of Stream UNNAMED STREAMTrib. of DRIFT CREEKUse FISH CULTURECounty MARION

Quantity of water (CFS)

No. of Acres

Name of ditch

App # R 31651Per # R 2051Cert # 31501

PR Date

App # S 31652Per # RS-25025Cert # 31503PR Date 6/21/1957

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

FEES PAID		
Date	Amount	Receipt #
1/4/16	\$3,050.00	118486
4-3-23	\$780.00	140426
2-17-26	\$1170.00	146890

FEES REFUNDED		
Date	Amount	Receipt#

Change in USE; POW/USE/PODDate Filed JAN 04 2016Initial notice date JAN 12 2016DPD issued date 1-5-17PD issued date 2-8-17PD notice date 2-14-17Date of FO 4-11-17 Vol 104 Page 426Ext 7/19/2023 128 718Ext 3/6/2026 138 527-528C-Date 10/1/2025COBU due date 10/1/2026

COBU Received date

Certificate issued

Assignments:

Irrigation District

Agent GSI WATER SOLUTIONS - TED RESSLER

CWRE

CC's list

☐ - Oversized map - Location

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 # 140426

INVOICE # _____

RECEIVED FROM:

Greg Pitcher
Rene H Pitcher

BY:

APPLICATION

PERMIT

TRANSFER

T-12232

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

9775

☐

TOTAL REC'D

\$780.00

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

\$780.00

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: 140426

DATED: *4/3/23*

BY: *[Signature]*

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

March 6, 2026

Gregory Eugene Pilcher Revocable Living Trust
Kara Hartson Pilcher Revocable Living Trust
PO BOX 1680
Silverton, OR 97381
Reference: File T-12232 Extension of Time

On 2/17/2026, the Department received your application requesting an extension of time to make complete application of water under T-12232.

The application indicates reasonable diligence toward completion of the proposed project. **The time limit to make complete application of water has been extended to October 1, 2027.** The order approving the extension was entered on 3/6/2026.

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 Extension Specialist, Stacy Phillips at 503-979-9948 or at stacy.h.phillips@water.oregon.gov.

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. #16 (via email)
Theodore Ressler, Agent
Marion County 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-12232,	)	OF TIME FOR A PERMANENT TRANSFER
Marion County	)	

Applicant

KARA HARTSON PILCHER REVOCABLE LIVING TRUST
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

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. 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 February 17, 2026, the Department received an application for extension of time for Transfer Application T-12232.
2. On April 11, 2017, the Department signed an order, which was mailed on April 13, 2017, approving Transfer Application T-12232 to change the character of use, place of use, and to change a point of diversion and add an additional point of diversion. The order was recorded in Special Order Volume 104, Pages 426-430. The order set a transfer completion date of October 1, 2022.
3. On July 19, 2023, the Department signed an order, which was mailed on July 20, 2023, approving an extension of time. The order was recorded in Special Order Volume 128, Pages 718-719. The order extended the transfer completion date to October 1, 2025.

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. Since the approval of the transfer, the applicant has completed the changes in character of use on the approved certificates. Screened portable irrigation pumps are being used to temporarily divert water at the proposed points of diversion, and a portion of the proposed place of use has been irrigated.
5. To fully complete the change, the applicant needs to install an approved fish screen prior to diverting water, provide OWRD a written statement from ODFW that the installed screen meets the state's criteria, and make full beneficial use of the water.
6. 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.

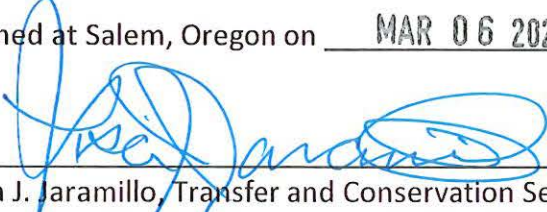
Conclusions of Law

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-12232.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12232 shall be extended to **October 1, 2027**.

Signed at Salem, Oregon on MAR 06 2026.



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

Mailing date: MAR 09 2026

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 # 146890

INVOICE # _____

RECEIVED FROM:

BY:

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐☒

194

☐

APPLICATION

PERMIT

TRANSFER

7-12232

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

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0408 MISC REVENUE: (IDENTIFY)

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TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$ 1,170.00

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

0202

\$

0203 GROUND WATER

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0218 WELL DRILL CONSTRUCTOR

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0219

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LANDOWNER'S PERMIT

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0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

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0210 MONITORING WELLS

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CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 146890

DATED: 2-17-26 BY: m-mills

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

Application for Extension of Time for Transfer of Water Right



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

Transfer Number: T-12232

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* Kara Hartson Pilcher Revocable Living Trust Or Gregory Eugene Pilcher Revocable Living Trust			Contact Name Greg Pilcher	Phone Number 503-860-1174
Mailing Address PO Box 1680				Fax Number
City SILVERTON	State OR	Zip 97381	Email GPILCHER2016@GMAIL.COM	
Application Prepared By: Theodore Ressler Summit Water Resources, LLC		Title Hydrogeologist and Water Resources Consultant	Contact Information tressler@summitwr.com 503-967-7050 x204	

*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](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 (certificate 31503)
- ☒ place(s) of use (certificate 31503)
- ☒ character of use (certificates 31501 and 31503)

under the terms of a final order of the Water Resources Director entered on 4/11/2017
(month/day/year) for Transfer Number T-12232

Received
FEB 17 2026
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2. THE FOLLOWING WORK HAS BEEN ACCOMPLISHED toward completion of the change within the time allowed, which expired on 10/1/2025 (month/day/year):

Enter Text: The change in character of use for former Certificate 31501 has been completed: water has been stored for the new use (multi-purpose use) in the associated reservoir. The change in point of diversion and change in place of use for former Certificate 31503 have been initiated, but have not been completed.

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

Enter Text: To complete the transfer and document beneficial use, the transfer holder needs to complete the installation of a new (replacement) fish screen, obtain ODFW approval of the new fish screen installation, and then document beneficial use of water. This work is anticipated to be completed before the end of the 2026 irrigation season.

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.

2/10/26
Date

Kara Hartman Pilcher Rev. Living Trust

GREG PILCHER TRUSTEE
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.
7. **MAIL THE COMPLETED APPLICATION AND FEE TO:**

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

Received
FEB 17 2026
OWRD



February 11, 2026

Ms. Stacy Philips
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: Extension of Time Application for Transfer T-12232

Ms. Philips:

On behalf of the water right holder, please find enclosed an extension of time application for Transfer T-12232 (involving former certificates 31501 and 31503). Please also find enclosed a check in the amount of \$1,170 for payment of the required fee for extension of time application.

Please copy the following parties on correspondence relating to this extension of time application:

- Greg Pilcher, representative of permit holder, gpilcher2016@gmail.com
- Ted Ressler, agent for the application, tressler@summitwr.com

If you have any questions regarding the enclosed extension of time application, please call me at 503-967-7050 x204.

Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC.

Enclosures:

Extension of Time Application for Transfer T-12232
Check in the amount of \$1,170

CC: Greg Pilcher

Received
FEB 17 2026
OWRD

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-12232, Marion County	)	CHANGES IN POINT OF DIVERSION,
	)	PLACE OF USE, AND CHARACTER
	)	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

KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Received
FEB 17 2026
OWRD

Findings of Fact

1. On January 4, 2016, KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST filed an application to change the point of diversion, the place of use and the character of use under Certificate 31503 and to change the character of use under Certificate 31501. The Department assigned the application number T-12232.
2. Notice of the application for transfer was published on January 12, 2016, pursuant to OAR 690-380-4000. One comment was filed in response to the notice.
3. On January 5, 2017, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12232 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of February 4, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. The comment was filed by Brian Posewitz, of Water Watch of Oregon on February 11, 2016. The comment focused on the change in non-consumptive use to a consumptive use.
5. The Department has reviewed the application with regards to injury and enlargement and will condition the transfer to prevent injury and enlargement.
6. On February 8, 2017, the Department issued a Preliminary Determination proposing to approve Transfer T-12232 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 February 14, 2017, and in the Silverton Appeal Tribune newspaper on February 22, 2017 and March 1, 2017 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
7. The first right to be transferred is as follows:

Certificate: 31501 in the name of ELMER LORENCE (perfected under Permit R-2051)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: UNNAMED STREAM, tributary of DRIFT CREEK, appropriated under Application R-31652, Permit R-25025

Reservoir Location:

STORAGE FOR FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

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8. Certificate 31501 does not describe the location of the point of diversion, however information is available from the Certified Water Right Examiner and applicant indicating that the center of the dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

9. Transfer Application T-12232 proposes to change the character of use to multi-purpose.
10. The second right to be transferred is as follows:

Certificate: 31503 in the name of ELMER LORENCE (perfected under Permit S-25025)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: RESERVOIR constructed under Application R-31651, Permit R-2051, a tributary of UNNAMED STREAM (DRIFT CREEK)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE

Authorized Place of Use:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

11. The Certified Water Right Examiner and applicant have provided better information describing the authorized point of diversion (center of dam) as follow:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

12. Transfer Application T-12232 proposes to move the authorized point of diversion approximately 124 and 749 feet easterly from the center of the dam to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1060 FEET NORTH AND 270 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23
7 S	1 W	WM	24	SW NW	830 FEET NORTH AND 350 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 23

13. Transfer Application T-12232 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
7 S	1 W	WM	24	SW NW	7.7
7 S	1 W	WM	24	NW NW	0.88
Total					10.48

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	24	SW NW	5.0

14. Transfer Application T-12232 proposes to change the character of use to primary irrigation and supplemental irrigation.
15. Within the SW NW, Section 24, T 7 S, R 1 W, WM, there is a Primary Water Right Certificate 8883 that is layered with 5.0 acres of Certificate 31503. The 5.0 acres of Certificate 31503 will be supplemental to primary water right Certificate 8883.
16. The use of water for irrigation shall be consistent with the permits being issued in the area, including a per-acre diversion rate, annual duty of water and season of use.

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FEB 17 2026

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17. The irrigation season is limited to March 1 through October 31 of each year, and the diversion of water at the new place of use for irrigation is limited to one-eightieth of one cubic foot per second (cfs) per acre and 2.5 acre-feet per acre during the irrigation season.
18. The total annual acre feet per acre allowed is 38.7 acre feet ($2.5 \times 15.48 = 38.7$) during the irrigation season of March 1 through October 31.
19. Transfer application T-12232 requests that the 38.7 acre feet for the fish culture be converted to irrigation use. However, because the water flows in and out at the same rate, the quantity of water to be transferred would be limited to the amount of evaporation loss (consumptive use) from the reservoir. The reservoir has an area of 10.0 acre or 435,600 square feet. Based on the best available information, the annual evaporation rate for this location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: $38 \text{ inches per year} \div 12 \text{ inches/foot} \times 435,600 \text{ square feet} \div 43,560 \text{ square feet per acre}$).
20. 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)]

21. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
22. The full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12232.
23. The proposed changes, as conditioned, would not result in enlargement of the rights.
24. The proposed changes, as conditioned, would not result in injury to other water rights.

Conclusions of Law

The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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 31501 and 31503 and any related decree.

3. The use of water for irrigation use under the right described by Certificate 31503 shall not exceed a rate of diversion of one-eightieth of one cubic foot per second per acre and a maximum total quantity of 31.7 acre feet of water diverted during the irrigation season of March 1 through October 31 of each year.
4. Water right Certificates 31501 and 31503 are cancelled.
5. The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
6. 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.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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.
9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 11 day of April, 2017.


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

Received
FEB 17 2026
OWRD

Mailing date: APR 13 2017



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July 19, 2023

GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
KARA HARTSON PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Reference: File T-12232

We have received your application for extension of the time limit to make complete application of water under T-12232. We also have your check in the amount of \$780.00. A copy of receipt number 140426 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, 2025.** The order approving the extension was entered July 19, 2023, at Vol:128, Page:718.

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,

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

cc: Gregory J. Wacker, Watermaster Dist. #16 (via email)
Theodore Ressler, Agent

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-12232,)	OF TIME FOR A PERMANENT TRANSFER
Marion County)	

Applicant

KARA HARTSON PILCHER REVOCABLE LIVING TRUST
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

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. 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 April 3, 2023, the Department received an application for extension of time for Transfer Application T-12232.
2. On April 11, 2017, the Department signed an order, which was mailed on April 13, 2017, approving Transfer Application T-12232 to change the character of use, place of use, and to change a point of diversion and add an additional point of diversion. The order was recorded in Special Order Volume 104, Pages 426-430. The order set a transfer completion date of October 1, 2022.
3. Since the approval of the transfer, the applicant has completed the changes in character of use on the approved certificates. A screened portable irrigation pumps are being used to

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.

temporarily divert water at the proposed points of diversion and a portion of the proposed place of use has been irrigated.

4. To fully complete the changes, the applicant needs to complete the changes for the additional (new) points of diversion by installing a powerline to the pump site, installing a permanent pump station, and installing an approved fish screen prior to diverting water, provide OWRD a written statement from ODFW that the installed screen meets the state's criteria, and irrigate the entire authorized place of use.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2025. Consistent with OAR 690-380-6020(3), the applicant provided sufficient justification in the extension application to grant an extension for more than one year. The Department will extend the transfer completion date to October 1, 2025.

Conclusions of Law

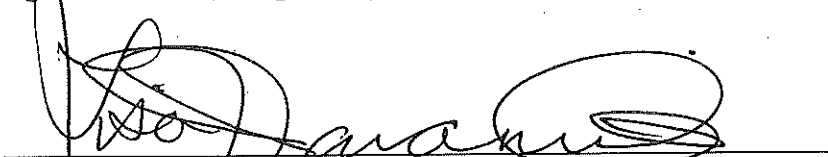
Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-12232.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-12232 shall be extended to **October 1, 2025**.

JUL 19 2023

Signed at Salem, Oregon on _____.



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

Mailing date: **JUL 20 2023**



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900

Application for Extension of Time for
Transfer of Water Right

RECEIVED
APR 03 2023
OWRD
SALEM, OREGON

Transfer Number: T- 12232

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* Kara Hartson Pilcher Revocable Living Trust Or Gregory Eugene Pilcher Revocable Living Trust		Contact Name Greg Pilcher		Phone No. 503-860-1174	
Address PO Box 1680				Fax No.	
City SILVERTON		State OR	Zip 97381	E-Mail <i>Kara.pilcher@msr.com</i> GPILCHER@WEEKSROSES.COM	
Report Prepared By Theodore Ressler Summit Water Resources, LLC		Title Hydrogeologist and Water Resources Consultant		Contact Information tressler@summitwr.com 503-967-7050 x204	

*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 (certificate 31503)
- ☒ place(s) of use (certificate 31503)
- ☒ character of use (certificates 31501 and 31503)

under the terms of a final order of the Water Resources Director entered on 4/11/2017 (month/day/year) for Transfer Number T-12232.

2. THE FOLLOWING WORK HAS BEEN ACCOMPLISHED toward completion of the change within the time allowed, which expired on 10/1/2022 (month/day/year):

The change in character of use for former Certificate 31501 has been completed: water has been stored for the new use (multi-purpose use) in the associated reservoir. The change in character of use for former Certificate 31503 has been completed: stored water has been applied for the new use (irrigation). The change in point of diversion and change in place of use for former Certificate 31503 have been initiated, but have not been completed – specifically, a portable irrigation pump is being used to divert water at the new points of diversion and has been used to irrigate a portion of the new place of use.

Completion of the changes requested T-12232 were delayed by the ice storm in 2021, which resulted in damage to the farm. The restoration of the farm took precedence and delayed the completion of the transfer.

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

Complete the change in point of diversion and change in place of use for Certificate 31503. This will involve 1) construction of the permanent pump station (new point of diversion) and 2) irrigation of the entire new place of use. Specific activities that will be required to complete these changes include running hardline power to the pump site, installation of the pump controller for the permanent pump, installation of the floating base and permanent pump in the reservoir, and irrigation of the entire new place of use.

Installation of the permanent pump system is planned for completion during the summer of 2023 and irrigation of the new place of use is planned for completion before the end of the 2024 irrigation season (ending 10/31/2024). An extension of the transfer to 10/1/2025 is being requested to provide flexibility of an additional year to complete application of water to beneficial use in the event that unforeseen issues arise that delay the anticipated project schedule.

4. I/WE ARE REQUESTING THE TIME FOR COMPLETION be extended to October 1, 2025 (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.

3-31-23
Date

Kara H. Pitcher
TRUSTEE *Kara Harrison Pitcher Revocable Living Trust*
Signature of Applicant(s), i.e., Transfer Holder(s) of Record

3-29-23
Date

Gregory Eugene Pitcher TRUSTEE
Gregory Eugene Pitcher Revocable Living Trust
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.

7. MAIL THE COMPLETED APPLICATION AND FEE TO:

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

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OWRD
SALEM, OREGON

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-12232, Marion County	)	CHANGES IN POINT OF DIVERSION,
	)	PLACE OF USE, AND CHARACTER
	)	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

KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

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Findings of Fact

1. On January 4, 2016, KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST filed an application to change the point of diversion, the place of use and the character of use under Certificate 31503 and to change the character of use under Certificate 31501. The Department assigned the application number T-12232.
2. Notice of the application for transfer was published on January 12, 2016, pursuant to OAR 690-380-4000. One comment was filed in response to the notice.
3. On January 5, 2017, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12232 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of February 4, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. The comment was filed by Brian Posewitz, of Water Watch of Oregon on February 11, 2016. The comment focused on the change in non-consumptive use to a consumptive use.
5. The Department has reviewed the application with regards to injury and enlargement and will condition the transfer to prevent injury and enlargement.
6. On February 8, 2017, the Department issued a Preliminary Determination proposing to approve Transfer T-12232 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 February 14, 2017, and in the Silverton Appeal Tribune newspaper on February 22, 2017 and March 1, 2017 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
7. The first right to be transferred is as follows:

Certificate: 31501 in the name of ELMER LORENCE (perfected under Permit R-2051)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: UNNAMED STREAM, tributary of DRIFT CREEK, appropriated under Application R-31652, Permit R-25025

Reservoir Location:

STORAGE FOR FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

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 SALEM, OREGON

8. Certificate 31501 does not describe the location of the point of diversion, however information is available from the Certified Water Right Examiner and applicant indicating that the center of the dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

9. Transfer Application T-12232 proposes to change the character of use to multi-purpose.
10. The second right to be transferred is as follows:

Certificate: 31503 in the name of ELMER LORENCE (perfected under Permit S-25025)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: RESERVOIR constructed under Application R-31651, Permit R-2051, a tributary of UNNAMED STREAM (DRIFT CREEK)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE

Authorized Place of Use:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

11. The Certified Water Right Examiner and applicant have provided better information describing the authorized point of diversion (center of dam) as follow:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

12. Transfer Application T-12232 proposes to move the authorized point of diversion approximately 124 and 749 feet easterly from the center of the dam to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1060 FEET NORTH AND 270 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23
7 S	1 W	WM	24	SW NW	830 FEET NORTH AND 350 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 23

13. Transfer Application T-12232 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
7 S	1 W	WM	24	SW NW	7.7
7 S	1 W	WM	24	NW NW	0.88
Total					10.48

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	24	SW NW	5.0

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14. Transfer Application T-12232 proposes to change the character of use to primary irrigation and supplemental irrigation.
15. Within the SW NW, Section 24, T 7 S, R 1 W, WM, there is a Primary Water Right Certificate 8883 that is layered with 5.0 acres of Certificate 31503. The 5.0 acres of Certificate 31503 will be supplemental to primary water right Certificate 8883.
16. The use of water for irrigation shall be consistent with the permits being issued in the area, including a per-acre diversion rate, annual duty of water and season of use.

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17. The irrigation season is limited to March 1 through October 31 of each year, and the diversion of water at the new place of use for irrigation is limited to one-eightieth of one cubic foot per second (cfs) per acre and 2.5 acre-feet per acre during the irrigation season.
18. The total annual acre feet per acre allowed is 38.7 acre feet ($2.5 \times 15.48 = 38.7$) during the irrigation season of March 1 through October 31.
19. Transfer application T-12232 requests that the 38.7 acre feet for the fish culture be converted to irrigation use. However, because the water flows in and out at the same rate, the quantity of water to be transferred would be limited to the amount of evaporation loss (consumptive use) from the reservoir. The reservoir has an area of 10.0 acre or 435,600 square feet. Based on the best available information, the annual evaporation rate for this location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: $38 \text{ inches per year} \div 12 \text{ inches/foot} \times 435,600 \text{ square feet} \div 43,560 \text{ square feet per acre}$).
20. 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)]

21. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
22. The full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12232.
23. The proposed changes, as conditioned, would not result in enlargement of the rights.
24. The proposed changes, as conditioned, would not result in injury to other water rights.

Conclusions of Law

The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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 31501 and 31503 and any related decree.

3. The use of water for irrigation use under the right described by Certificate 31503 shall not exceed a rate of diversion of one-eightieth of one cubic foot per second per acre and a maximum total quantity of 31.7 acre feet of water diverted during the irrigation season of March 1 through October 31 of each year.
4. Water right Certificates 31501 and 31503 are cancelled.
5. The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
6. 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.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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.
9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 11 day of April, 2017.


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

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SALEM, OREGON

Mailing date: APR 13 2017



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SALEM, OREGON

March 24, 2023

Ms. Ann Reece
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: Extension of Time Application for Transfer T-12232

Ms. Reece:

On behalf of the water right holder, please find enclosed an extension of time application for Transfer T-12232 (involving former certificates 31501 and 31503). Please also find enclosed a check in the amount of \$780 for payment of the required fee for extension of time application.

Please copy the following parties on correspondence relating to this extension of time application:

- Greg Pilcher, representative of permit holder, gpilcher@weeksroses.com
- Ted Ressler, agent for the application, tressler@summitwr.com

If you have any questions regarding the enclosed extension of time application, please call me at 503-967-7050 x204.

Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC.

Enclosures:

Extension of Time Application for Transfer T-12232
Check in the amount of \$780

CC: Greg Pilcher

PHILLIPS Stacy H * WRD

From: FAUCERA Danette L * ODFW
Sent: Wednesday, June 14, 2023 10:21 AM
To: PHILLIPS Stacy H * WRD
Cc: REECE Ann L * WRD; NORDHOLM Katherine E * ODFW
Subject: RE: Request for ODFW Comments for Transfer Extension (T-12232)

Categories: Extensions

Good morning Stacy,

Lorence Reservoir – Fish screening is required at the new PODs. Per the transfer, ODFW must inspect and approve fish screens prior to taking water at this location. The application indicated that a portable irrigation pump is being used to divert water, but it is unclear if this is for one of the new PODs. If so, this pump should be screened as well. The water user should not divert water at the new PODs until ODFW has certified their fish screens. As long as the new PODs are not currently being utilized for this transfer, ODFW has no concern with the extension.

Danette

****note new phone number****

Danette Faucera
Water Policy Coordinator
Oregon Department of Fish and Wildlife
Cell: ****971-280-3773****
4034 Fairview Industrial Drive SE
Salem, OR 97302

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

From: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Sent: Tuesday, June 13, 2023 8:01 AM
To: FAUCERA Danette L * ODFW <Danette.L.FAUCERA@odfw.oregon.gov>
Cc: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Subject: RE: Request for ODFW Comments for Transfer Extension (T-12232)
Importance: High

Good Morning Danette,

I have not heard back on these extension requests and if anything has changed with the need of fish screens or bypass. I understand you are busy; we would like to get these completed and finalized soon but need the input of ODFW. Please let us know soon.

Thanks,

[Stacy H. Phillips](#)

Natural Resource Specialist 2, Permit Amendment Caseworker

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 503-979-9948



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

From: PHILLIPS Stacy H * WRD

Sent: Thursday, May 04, 2023 2:16 PM

To: FAUCERA Danette L * ODFW <Danette.L.FAUCERA@odfw.oregon.gov>

Subject: Request for ODFW Comments for Transfer Extension (T-12232)

Importance: High

Hello Danette,

Could you please look over the attached documents for Transfer T-12232 and determine if anything has changed regarding the needed fish screen or Bypass? The Applicant is requesting an Extension of Time and we would like to check with you if there are any red flags with us moving forward with it. Please let me know by the end of next week if possible.

Thanks,

[Stacy H. Phillips](#)

Natural Resource Specialist 2, Permit Amendment Caseworker

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 503-979-9948



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PHILLIPS Stacy H * WRD

From: WACKER Gregory J * WRD
Sent: Tuesday, April 11, 2023 7:41 AM
To: PHILLIPS Stacy H * WRD
Cc: REECE Ann L * WRD
Subject: RE: Request for WM Comments for Transfer Extension (T-12232)

Good morning Stacy,

This transfer extension seems reasonable to me. I inspected Lorence Lake dam a few weeks back and talked with Greg Pilcher about this transfer.

Thanks,

[Greg Wacker](#)

Watermaster, District 16
Oregon Water Resources Department
725 Summer St NE Ste A Salem, OR 97301 | 971-719-6262



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From: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Sent: Friday, April 07, 2023 2:56 PM
To: WACKER Gregory J * WRD <Gregory.J.WACKER@water.oregon.gov>
Cc: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Subject: Request for WM Comments for Transfer Extension (T-12232)
Importance: High

Hello Greg,

Please look over the attached documents for me regarding an extension for this transfer.

Thanks,

[Stacy H. Phillips](#)

Natural Resource Specialist 2, Permit Amendment Caseworker
725 Summer Street NE, Suite A, Salem, OR 97301
Office: 503-986-0898 | Work Cell: 503-979-9948



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Checklist for Transfer Extension Requests

If a transfer applicant needs more time to complete changes approved in a Transfer Final Order, a request for more time may be made by submitting a one page application form as shown below. See OAR 690-380-6020 (regular transfers) or OAR 690-385-7200 (district transfers)



Transfer 12232

APPLICATION FOR EXTENSION OF TIME FOR TRANSFER OF WATER RIGHT

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

To the WATER RESOURCES DIRECTOR OF OREGON:

I/We, _____
(Name of Applicant)

- ☒ Has a final order approving the transfer application been issued (NOT a permit amendment)?
- ☒ Have appropriate extension fees been submitted?
- ☒ Is the Transfer Extension request filled out?
- ☒ Is the Transfer Extension request signed by the transfer applicant of record (if not an assignment is needed)?
- ☒ Pull file.

After receipting, route the file and extension request to district support staff for entering into WRIS.



Oregon

Kate Brown, 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.wrd.state.or.us

April 12, 2017

KARA HARTSON PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

REFERENCE: Transfer Application T-12232

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, Sarah Henderson, by telephone at (503) 986-0890 or by e-mail at Sarah.A.Henderson@oregon.gov.

Sincerely,

Marissa Andrews
Water Right Services Support

cc: Joel M. Plahn, Watermaster Dist. #16 (via email)
Ted Ressler, Agent
Landowners (other or receiving)

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-12232, Marion County	)	CHANGES IN POINT OF DIVERSION,
	)	PLACE OF USE, AND CHARACTER
	)	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

KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Findings of Fact

1. On January 4, 2016, KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST filed an application to change the point of diversion, the place of use and the character of use under Certificate 31503 and to change the character of use under Certificate 31501. The Department assigned the application number T-12232.
2. Notice of the application for transfer was published on January 12, 2016, pursuant to OAR 690-380-4000. One comment was filed in response to the notice.
3. On January 5, 2017, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12232 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of February 4, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. The comment was filed by Brian Posewitz, of Water Watch of Oregon on February 11, 2016. The comment focused on the change in non-consumptive use to a consumptive use.
5. The Department has reviewed the application with regards to injury and enlargement and will condition the transfer to prevent injury and enlargement.
6. On February 8, 2017, the Department issued a Preliminary Determination proposing to approve Transfer T-12232 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 February 14, 2017, and in the Silverton Appeal Tribune newspaper on February 22, 2017 and March 1, 2017 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
7. The first right to be transferred is as follows:

Certificate: 31501 in the name of ELMER LORENCE (perfected under Permit R-2051)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: UNNAMED STREAM, tributary of DRIFT CREEK, appropriated under Application R-31652, Permit R-25025

Reservoir Location:

STORAGE FOR FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

8. Certificate 31501 does not describe the location of the point of diversion, however information is available from the Certified Water Right Examiner and applicant indicating that the center of the dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

9. Transfer Application T-12232 proposes to change the character of use to multi-purpose.
10. The second right to be transferred is as follows:

Certificate: 31503 in the name of ELMER LORENCE (perfected under Permit S-25025)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: RESERVOIR constructed under Application R-31651, Permit R-2051, a tributary of UNNAMED STREAM (DRIFT CREEK)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE

Authorized Place of Use:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

11. The Certified Water Right Examiner and applicant have provided better information describing the authorized point of diversion (center of dam) as follow:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

12. Transfer Application T-12232 proposes to move the authorized point of diversion approximately 124 and 749 feet easterly from the center of the dam to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1060 FEET NORTH AND 270 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23
7 S	1 W	WM	24	SW NW	830 FEET NORTH AND 350 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 23

13. Transfer Application T-12232 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
7 S	1 W	WM	24	SW NW	7.7
7 S	1 W	WM	24	NW NW	0.88
Total					10.48

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	24	SW NW	5.0

14. Transfer Application T-12232 proposes to change the character of use to primary irrigation and supplemental irrigation.
15. Within the SW NW, Section 24, T 7 S, R 1 W, WM, there is a Primary Water Right Certificate 8883 that is layered with 5.0 acres of Certificate 31503. The 5.0 acres of Certificate 31503 will be supplemental to primary water right Certificate 8883.
16. The use of water for irrigation shall be consistent with the permits being issued in the area, including a per-acre diversion rate, annual duty of water and season of use.

17. The irrigation season is limited to March 1 through October 31 of each year, and the diversion of water at the new place of use for irrigation is limited to one-eightieth of one cubic foot per second (cfs) per acre and 2.5 acre-feet per acre during the irrigation season.
18. The total annual acre feet per acre allowed is 38.7 acre feet ($2.5 \times 15.48 = 38.7$) during the irrigation season of March 1 through October 31.
19. Transfer application T-12232 requests that the 38.7 acre feet for the fish culture be converted to irrigation use. However, because the water flows in and out at the same rate, the quantity of water to be transferred would be limited to the amount of evaporation loss (consumptive use) from the reservoir. The reservoir has an area of 10.0 acre or 435,600 square feet. Based on the best available information, the annual evaporation rate for this location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: $38 \text{ inches per year} \div 12 \text{ inches/foot} \times 435,600 \text{ square feet} \div 43,560 \text{ square feet per acre}$).
20. 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)]

21. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
22. The full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12232.
23. The proposed changes, as conditioned, would not result in enlargement of the rights.
24. The proposed changes, as conditioned, would not result in injury to other water rights.

Conclusions of Law

The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

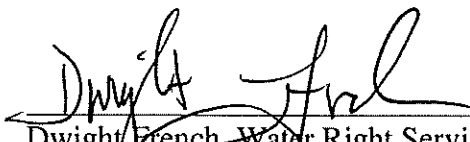
Now, therefore, it is ORDERED:

1. The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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 31501 and 31503 and any related decree.

3. The use of water for irrigation use under the right described by Certificate 31503 shall not exceed a rate of diversion of one-eightieth of one cubic foot per second per acre and a maximum total quantity of 31.7 acre feet of water diverted during the irrigation season of March 1 through October 31 of each year.
4. Water right Certificates 31501 and 31503 are cancelled.
5. The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
6. 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.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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.
9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 11 day of April, 2017.


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

Mailing date: APR 13 2017

Water Right Transfer Cover Sheet

Transfer T-12232

Transfer Specialist: Sarah

Transfer Type: Regular

Applicant Name/Address: KARA HARTSON PILCHER REVOCABLE LIVING TRUST PO BOX 1680 SILVERTON, OR 97381	Agent Name/Address: TED RESSLER 55 SW YAMHILL ST SUITE 300 PORTLAND, OR 97204	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Marion County Planning Department
Commentors: Name/Address: <u>CC:FO -> Brian Posewitz, Water Watch</u>	<u>213 SW Ash St Ste 208</u> <u>Portland OR 97204</u>	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-31652	S-25025	31503	☐ Yes ☒ No	
☐	☐	R-31651	R-2051	31501	☐ Yes ☒ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: January 4, 2016	Proposed Action(s): point of diversion; place of use; use	
Fees Pd: 3050.00	WM District: 16	ODFW District: 1/11/2016
Initial Notice: 1/12/2016	WM Review sent: 1/11/2016	ODFW Review sent: -
Acknowledgement Letter Sent ☒	GW Review sent: <u>N/A</u>	

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: 1-5-17

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

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

PD Signed: 2-8-17

PD Weekly Notice: 2-14-17

Needed Newspaper quote requested: Silverton Appeal Tribune

☐ not required

Request for news \$ sent: 1/25/17

News \$ received: 1/31/17

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>PKS</u>	Reviewer: <u>Joan</u>	Reviewer: <u>Joan</u>
Date: <u>1-4-17</u>	Date: <u>1/26/17</u>	Date: <u>3/9/17</u>
Coordinator: <u>↓</u>	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol 104 Pages 426 Final Order Signature Date: 4-11-17

Notice of FO email'd to processors _____

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 # 122526

INVOICE # _____

RECEIVED FROM: Greg Pilcher;
BY: Kara Pilcher

APPLICATION	
PERMIT	
TRANSFER	T-12232

CASH: ☐ CHECK: # 8980 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 350.28

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	<u>40117</u>	\$
<u>0207</u>	OTHER:	(IDENTIFY) <u>Newspaper Notice</u>	\$ 350.28
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	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
OTHER (IDENTIFY) _____		

EXAM FEE
\$
EXAM FEE
\$

0202
0204
0219
0220

RECORD FEE

\$
\$

LICENSE FEE

\$
\$

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: 122526

DATED: 1/31/17

BY: [Signature]

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



Statesman Journal

A GANNETT COMPANY

AFFIDAVIT OF PUBLICATION

RECEIVED BY OWRD

State of Oregon

County of Marion, ss.:

I, Kayla Bowen
being first duly sworn, depose and say that I am the principal clerk of the SAL-Silverton Appeal, a newspaper of general circulation as defined by Sections 193.010 to 193.110, Oregon revised Statutes; printed and Published at Salem in the aforesaid county and state; that the Public Notice for OREGON DEPT OF WATER RESOURCES - Legal Notices (SAL-899345 Ad #0001878956) a printed copy of which is hereby annexed, was published in the entire issue of said newspaper for 2 successive and consecutive times in the following issues -

02/22/17, 03/01/17

Subscribed and sworn to me this

7th day of March, 2017

Lisa Michelle Nash

Notary Public for Oregon

PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-12232

T-12232 filed by Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust, PO Box 1680, Silverton, OR 97381, proposes a change in character of use under Certificate 31501 and a change in point of diversion, place of use and character of use under Certificate 31503. Certificate 31501 allows the storage of 38.7 acre feet from an unnamed stream in Sec. 23, T7S, R1W, WM for storage for fish culture in Sects. 23 and 24. The applicant proposes to change the character of use to multi-purpose storage. Certificate 31503 allows the use of 38.7 acre feet from the reservoir in Sects. 23 and 24, T7S, R1W, WM for fish culture in Sects. 23 and 24. The applicant proposes to move the point of diversion within Sects. 23 and 24, T7S, R1W, WM, to change the place of use within Sects. 23 and 24, T7S, R1W, WM, and to change the character of use to irrigation. 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, 03/01/2017. Call (503) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

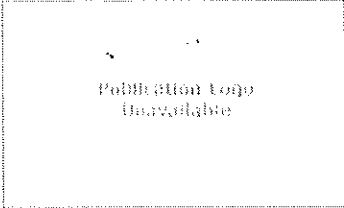
Silverton Appeal February 22, and March 1, 2017

APR 06 2017

SALEM, OR



Appeal Tribune (Silverton)



Publication Name:
Appeal Tribune (Silverton)

Publication URL:
www.silvertonappeal.com

Publication City and State:
Silverton, OR

Publication County:
Marion

Notice Popular Keyword Category:

Notice Keywords:
12232

Notice Authentication Number:
201703021620570061267
2675536362

Notice URL:

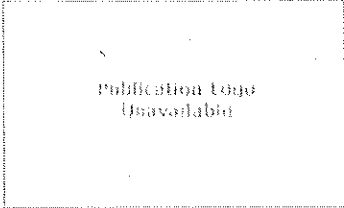
Notice Publish Date:
Wednesday, February 22, 2017

Notice Content

PUBLIC NOTICE Notice of Preliminary Determination for Water Right Transfer T-12232 T-12232 filed by Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust, PO Box 1680, Silverton, OR 97381, proposes a change in character of use under Certificate 31501 and a change in point of diversion, place of use and character of use under Certificate 31503. Certificate 31501 allows the storage of 38.7 acre feet from an unnamed stream in Sec. 23, T7S, R1W, WM for storage for fish culture in Sects. 23 and 24. The applicant proposes to change the character of use to multi-purpose storage. Certificate 31503 allows the use of 38.7 acre feet from the reservoir in Sects. 23 and 24, T7S, R1W, WM for fish culture in Sects. 23 and 24. The applicant proposes to move the point of diversion within Sects. 23 and 24, T7S, R1W, WM, to change the place of use within Sects. 23 and 24, T7S, R1W, WM, and to change the character of use to irrigation. 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, 03/01/2017. Call (503) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Silverton Appeal February 22, and March 1, 2017

[Back](#)

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Notice Popular Keyword Category:

Notice Keywords:
12232

Notice Authentication Number:
201703021620115345126
2675536362

Notice URL:

Notice File: Notice Publish Date:
 [0001878956-01.pdf](#) Wednesday, March 01, 2017

Notice Content

PLEASE NOTE: The following text was electronically converted from the PDF document above, and may not be 100% accurate. Because of this, please view the PDF for the most accurate information.

PUBLIC NOTICE Notice of Preliminary Determination for Water Right Transfer T-12232 T-12232 filed by Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust, PO Box 1680, Silverton, OR 97381, proposes a change in character of use under Certificate 31501 and a change in point of diversion, place of use and character of use under Certificate 31503. Certificate 31501 allows the storage of 38.7 acre feet from an unnamed stream in Sec. 23, T7S, R1W, WM for storage for fish culture in Sects. 23 and 24. The applicant proposes to change the character of use to multi-purpose storage. Certificate 31503 allows the use of 38.7 acre feet from the reservoir in Sects. 23 and 24, T7S, R1W, WM for fish culture in Sects. 23 and 24. The applicant proposes to move the point of diversion within Sects. 23 and 24, T7S, R1W, WM, to chan

Web display limited to 1,000 characters. Please view the PDF for the complete Public Notice.

[Back](#)



Oregon
Kate Brown, Governor

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

February 8, 2017

KARA HARTSON PILCHER REVOCABLE LIVING TRUST or
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

SUBJECT: Water Right Transfer Application T-12232

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12232. 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 Silverton Appeal Tribune 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 503-986-0890 or Sarah.A.Henderson@oregon.gov if I may be of assistance.

Sincerely,

Sarah Henderson
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12232
Joel M. Plahn, District 16 Watermaster (*via e-mail*)
Ted Ressler, Agent and CWRE for the applicant (*via e-mail*)
Brian Posewitz, Water Watch of Oregon, Commenter (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12232, Marion County	)	PROPOSING APPROVAL OF
	)	CHANGES IN POINT OF DIVERSION,
	)	PLACE OF USE, AND CHARACTER
	)	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

KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Findings of Fact

1. On January 4, 2016, KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST filed an application to change the point of diversion, the place of use and the character of use under Certificate 31503 and to change the character of use under Certificate 31501. The Department assigned the application number T-12232.
2. Notice of the application for transfer was published on January 12, 2016, pursuant to OAR 690-380-4000. One comment was filed in response to the notice.
3. On January 5, 2017, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12232 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of February 4, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The comment was filed by Brian Posewitz, of Water Watch of Oregon on February 11, 2016. The comment focused on the change in non-consumptive use to a consumptive use.

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 Department has reviewed the application with regards to injury and enlargement and will condition the transfer to prevent injury and enlargement.

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

Certificate: 31501 in the name of ELMER LORENCE (perfected under Permit R-2051)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: UNNAMED STREAM, tributary of DRIFT CREEK, appropriated under Application R-31652, Permit R-25025

Reservoir Location:

STORAGE FOR FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

7. Certificate 31501 does not describe the location of the point of diversion, however information is available from the Certified Water Right Examiner and applicant indicating that the center of the dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

8. Transfer Application T-12232 proposes to change the character of use to multi-purpose.

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

Certificate: 31503 in the name of ELMER LORENCE (perfected under Permit S-25025)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: RESERVOIR constructed under Application R-31651, Permit R-2051, a tributary of UNNAMED STREAM (DRIFT CREEK)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE

Authorized Place of Use:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

10. The Certified Water Right Examiner and applicant have provided better information describing the authorized point of diversion (center of dam) as follow:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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12. Transfer Application T-12232 also proposes to change the place of use of the right to:

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Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
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Total					10.48

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location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: 38 inches per year ÷ 12 inches/foot × 435,600 square feet ÷ 43,560 square feet per acre).

19. 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)]

20. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
21. The full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12232.
22. The proposed changes, as conditioned, would not result in enlargement of the rights.
23. The proposed changes, as conditioned, would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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-12232 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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 31501 and 31503 and any related decree.*
3. *The use of water for irrigation use under the right described by Certificate 31503 shall not exceed a rate of diversion of one-eightieth of one cubic foot per second per acre and a maximum total quantity of 31.7 acre feet of water diverted during the irrigation season of March 1 through October 31 of each year.*
4. *Water right Certificates 31501 and 31503 are cancelled.*
5. *The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*

6. *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.

7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2022. 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.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 8 day of February, 2017.


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

This Preliminary Determination was prepared by Sarah Henderson. If you have questions about the information in this document, you may reach me at 503-986-0890 or Sarah.A.Henderson@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-12232**

T-12232 filed by Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust, PO Box 1680, Silverton, OR 97381, proposes a change in character of use under Certificate 31501 and a change in point of diversion, place of use and character of use under Certificate 31503. Certificate 31501 allows the storage of 38.7 acre feet from an unnamed stream in Sec. 23, T7S, R1W, WM for storage for fish culture in Sects. 23 and 24. The applicant proposes to change the character of use to multi-purpose storage. Certificate 31503 allows the use of 38.7 acre feet from the reservoir in Sects. 23 and 24, T7S, R1W, WM for fish culture in Sects. 23 and 24. The applicant proposes to move the point of diversion within Sects. 23 and 24, T7S, R1W, WM, to change the place of use within Sects. 23 and 24, T7S, R1W, WM, and to change the character of use to irrigation. 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) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Review Checklist

T-12232

Caseworker:

Sarah

PR Initials

Joan

File Prep

CW		CW	
☒	File Assigned (computer entry)	☒	Print Tax Lot Map(s)/Ownership info if available on the web
☒	Make Copies App, Map, GW review, (WM Review, ODFW to send to applicant later) Affidavits if applicable	☒	Print: Certs, WR maps, (Tabulations, Sp Or, Air Photos or other helpful info to aid in processing)
☒	Bundle Originals with cover sheet	☒	Check Area of Interest – print if needed <i>N/A</i>
☒	Check for any public comments submitted electronically. <i>1 comment</i> Print any comments received.	☒	Any irrigation districts that need notice based on Area of Interest Check. ☐ Yes ☒ No Note: <i>none</i>

APPLICATION/MAP REVIEW

PR	CW		PR	CW	
☒	☒	Appropriately signed <i>yes</i>	☐	☒	Ditch Company, Irr. Dist. and/or BOR sent copies
☒	☒	Checked WRIS contact address/e-mail for accuracy	☐	☒	Appropriate Fees Paid
☒	☒	Revisit application checklist & Supporting Docs	☐	☒	Overpayment of Fees, Refund Request with FO
☒	☒	Any deficiencies that need to be addressed? ☐ Yes ☒ No Notes:	☐	☒	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

DETERMINING THE "FROM" AND "TO" LANDS

PR	CW		PR	CW	
☒	☒	Only the authorized POD's/POA's and POU's to be transferred are listed.	☐	☒	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
☒	☒	Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.	☐	☒	Marked on certificate the quantity of water being transferred, cancelled, and remaining <i>all</i>
☒	☒	Compare Water Right map to App Map for Accuracy	☐	☒	Check and notate on Plat Card for Conflicts (To and From Lands) <i>N/A</i> if no change in POU or Use

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW					
☒	☒	ODFW	☒	Fish Screens	☐	Other: <i>Screen now</i>
☐	☐	Ground water				
☒	☒	Watermaster	☐	Headgate	☐	Prior to diverting <i>none</i>
			☐	Measuring Devices	☐	Prior to diverting <i>none</i>
☒	☒	Injury	☐	Yes ☒ No	☐	Enlargement ☐ Yes ☒ No
☒	☒	Conditions to Avoid Enlargement/Injury				<i>Limit to IR season 1/80 + 2.5</i>

DPD	PD	FO	COV	DPD/PD/ FINAL ORDER/COVER LETTER				
PR	CW	PR	CW	PR	CW	PR	CW	
	☐		☐		☐		☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
☐	☒	☒	☒	☐	☐	☐	☐	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
☐	☒	☒	☒	☐	☐	☐	☐	Correct address? Add Agent, Receiving Landowner if applicable etc...
☐	☒	☒	☒	☐	☐	☐	☐	Compare "from lands" with marked up Certificate
☐	☒	☒	☒	☐	☐	☐	☐	Compare Authorized POD(s)/POA(s) with marked up Certificate
☐	<i>note</i>	☐	☒	☐	☐	☐	☐	Add Watermaster conditions (send copy of review to applicant if applicable)
☐	<i>note</i>	☐	☒	☐	☐	☐	☐	Add Ground water conditions
☐	☒	☒	☒	☐	☐	☐	☐	ODFW recommendations (send copy of review to applicant if applicable)
☐	☒	☒	☒	☐	☐	☐	☐	Hidden findings unveiled?
☐	<i>note</i>	☐	☒	☐	☐	☐	☐	Add any cancellation language or special situations
☐	☒	☐	☒	☐	☐	☐	☐	Attach supporting documents to cover letter if applicable

OWNERSHIP VERIFICATION					
PR	CW		PR	CW	
☒	☒	The deed/ROI matches the "from" lands.	☒	☒	Notarized, signed statement of consent (if applicable)
☒	☒	All owners on the deed/ROI have signed the application.	☒	☒	Compare with current tax lot map.
PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER			
☐	☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
☒	☒	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
☒	☒	Format matches current template			
☒	☒	Content matches PD info?			
☒	☒	Spell checked?			
☒	☒	Correct address?			
☒	☒	Cost Estimate for Newspaper if applicable send email to support staff ☒ 2 weeks ☐ three weeks			
☐	☐	Send Letter to Applicant/Agent regarding newspaper notice cost			
☐	☐	Have funds been received from Applicant/Agent for newspaper costs?			
PR	CW	N/A REMAINING RIGHT CERTIFICATE			
☐	☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
☐	☐	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
☐	☐	Table Format matches current template			
☐	☐	Content format matches original certificate			
☐	☐	Spell checked?			
☐	☐	Name and address matches originating certificate?			
CW	CASEWORKER WRAP UP				
☐	Organize Working Docs For Peer Review (Remove Duplicates)				
☐	Update Computer entry (add postal confirmation receipt number and date file was mailed)				
☐	Put file contents on Salem Exchange Folder				
☐	Print e-mail and correspondence put it in order of the findings of PD (if applicable)				
☐	Has Affidavit of Publication been received? ☐ N/A ☐ Yes--Date for FO: _____ ☐ No—have Codi call newspaper				

COMMENTS:

[illegible]

HENDERSON Sarah A * WRD

From: Ted Ressler <tressler@gsiws.com>
Sent: Friday, January 13, 2017 9:35 AM
To: HENDERSON Sarah A * WRD
Subject: Re: T-12232 Draft Preliminary Determination

The applicant would like 5 years to complete the transfer (10/1/2022). Please advise if there is an issue.

Thanks for reviewing our comments on the DPD the fast responses.

Have a great weekend.

Ted

On Jan 13, 2017, at 6:18 AM, Ted Ressler <tressler@gsiws.com> wrote:

Sarah

One other thing. I'm checking with the applicant about the time needed to complete the transfer. I suspect they will need more than the 1 year mentioned in the DPD (I suspect 5 years at the minimum will be needed). I will get back to you as soon as I receive confirmation from the applicant.

Thanks
Ted

On Jan 12, 2017, at 8:11 AM, HENDERSON Sarah A * WRD <Sarah.A.Henderson@oregon.gov> wrote:

Hi again,

My apologies, I must first get a quote from the Silverton Appeal Tribune and request the fee for the newspaper publication, then the Preliminary Determination will be signed.

Talk again soon.

Sarah

From: HENDERSON Sarah A * WRD
Sent: Thursday, January 12, 2017 8:03 AM
To: Ted Ressler
Cc: 'gpilcher@iselinursery.com'
Subject: RE: T-12232 Draft Preliminary Determination

Good Morning,

Ted thank you for your findings. All changes below will be done , I also believe you are right about not needing an affidavit for diminishment. Breaking it out by use is perfect.

As soon as I make the changes and check out the ownership, the Preliminary Determination will be signed.

Have a most excellent day. If you would still like to call, I am here all day. And again thank you.

Sarah

Sarah Henderson | Transfer Specialist, Transfer and Conservation Division
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503.986.0890 | Fax: 503.986.0901
Email: sarah.a.henderson@oregon.gov | Web: <http://www.wrd.state.or.us>

From: Ted Ressler [<mailto:tressler@gsiws.com>]
Sent: Wednesday, January 11, 2017 5:26 PM
To: HENDERSON Sarah A * WRD
Cc: 'gpilcher@iselinursery.com'
Subject: RE: T-12232 Draft Preliminary Determination

Hi Sarah

I've reviewed the draft preliminary determination and discussed it with the applicant. We have a few comments/clarifications. I thought it would be helpful to share these by email before calling to discuss – let me know a good time to call.

1. Proposed character of use and partial diminishment (Findings of Fact #11 and #12). Since a purpose of the transfer application is to propose a new use for the stored water under certificate 31503, an affidavit for diminishment does not seem applicable. Can we just simply specify the new use to be primary irrigation on 11.48 acres and supplemental irrigation on 5.0 acres? The transfer map differentiates the acres of supplemental irrigation from the acres of primary irrigation. Accordingly, Findings of Fact #11 and #12 could be revised to:

<image001.png>

2. Findings of Fact #17. There is a minor typo in the last sentence of this finding. The typo does NOT affect the 31.7 acre-foot volume calculation.

<image002.png>

Other than the comments/clarifications presented above, the draft preliminary determination accurately reflects the changes proposed by the transfer application and the applicant accepts the Department's findings regarding the consumptive use of Certificate 31503 under Findings of Fact #17.

The report of landownership for the land associated with the transfer is attached.

Thank you

Ted

From: HENDERSON Sarah A * WRD [<mailto:Sarah.A.Henderson@oregon.gov>]
Sent: Thursday, January 5, 2017 8:12 AM
To: Ted Ressler <tressler@gsiws.com>
Cc: PLAHN Joel M * WRD <Joel.M.Plahn@oregon.gov>; brian@waterwatch.org
Subject: T-12232 Draft Preliminary Determination

Good Morning,

Attached is the Draft Preliminary Determination, Cover Letter, Affidavit for Partial Diminishment, and ODFW conditions for the T-12232 water right transfer.

Please read these documents carefully and notice the deadline date of February 4, 2017 for the submittal of the required documents needed in the letter.

Hard copy is in the mail to KARA HARTSON PILCHER REVOCABLE LIVING TRUST or GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST.

If you have any questions regarding these documents, please let me know.

Thank you and have a wonderful day.

Sarah

Sarah Henderson | Transfer Specialist, Transfer and Conservation Division
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503.986.0890 | Fax: 503.986.0901
Email: sarah.a.henderson@oregon.gov | Web: <http://www.wrd.state.or.us>

HENDERSON Sarah A * WRD

From: Ted Ressler <tressler@gsiws.com>
Sent: Wednesday, January 11, 2017 5:26 PM
To: HENDERSON Sarah A * WRD
Cc: 'gpilcher@iselinursery.com'
Subject: RE: T-12232 Draft Preliminary Determination
Attachments: List Pack - 14710 Anna Ln NE.PDF

Hi Sarah

I've reviewed the draft preliminary determination and discussed it with the applicant. We have a few comments/clarifications. I thought it would be helpful to share these by email before calling to discuss – let me know a good time to call.

1. Proposed character of use and partial diminishment (Findings of Fact #11 and #12). Since a purpose of the transfer application is to propose a new use for the stored water under certificate 31503, an affidavit for diminishment does not seem applicable. Can we just simply specify the new use to be primary irrigation on 11.48 acres and supplemental irrigation on 5.0 acres? The transfer map differentiates the acres of supplemental irrigation from the acres of primary irrigation. Accordingly, Findings of Fact #11 and #12 could be revised to:

11. Transfer Application T-12232 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
7 S	1 W	WM	24	SW NW	12.7
7 S	1 W	WM	24	NW NW	0.88
Total					15.48

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7S	1W	WM	24	SWNW	5.0

7.7

11.48

primary irrigation and supplemental irrigation

12. Transfer Application T-12232 proposes to change the character of use to irrigation.

2. Findings of Fact #17. There is a minor typo in the last sentence of this finding. The typo does NOT affect the 31.7 acre-foot volume calculation.

17. Transfer application T-12232 requests that the 38.7 acre feet for the fish culture be converted to irrigation use. However, because the water flows in and out at the same rate, the quantity of water to be transferred would be limited to the amount of evaporation loss (consumptive use) from the reservoir. The reservoir has an area of 10.0 acre or 435,600 square feet. Based on the best available information, the annual evaporation rate for this location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: 32 inches per year ÷ 12 inches/foot × 435,600 square feet ÷ 43,560 square feet per acre). 38

Other than the comments/clarifications presented above, the draft preliminary determination accurately reflects the changes proposed by the transfer application and the applicant accepts the Department's findings regarding the consumptive use of Certificate 31503 under Findings of Fact #17.

The report of landownership for the land associated with the transfer is attached.

Thank you

Ted

From: HENDERSON Sarah A * WRD [<mailto:Sarah.A.Henderson@oregon.gov>]
Sent: Thursday, January 5, 2017 8:12 AM
To: Ted Ressler <tressler@gsiws.com>
Cc: PLAHN Joel M * WRD <Joel.M.Plahn@oregon.gov>; brian@waterwatch.org
Subject: T-12232 Draft Preliminary Determination

Good Morning,

Attached is the Draft Preliminary Determination, Cover Letter, Affidavit for Partial Diminishment, and ODFW conditions for the T-12232 water right transfer.

Please read these documents carefully and notice the deadline date of February 4, 2017 for the submittal of the required documents needed in the letter.

Hard copy is in the mail to KARA HARTSON PILCHER REVOCABLE LIVING TRUST or GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST.

If you have any questions regarding these documents, please let me know.

Thank you and have a wonderful day.

Sarah

Sarah Henderson | Transfer Specialist, Transfer and Conservation Division
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503.986.0890 | Fax: 503.986.0901
Email: sarah.a.henderson@oregon.gov | Web: <http://www.wrd.state.or.us>

HENDERSON Sarah A * WRD

From: ANDREWS Marissa L * WRD
Sent: Wednesday, January 25, 2017 2:09 PM
To: STARNES Patrick K * WRD
Cc: HENDERSON Sarah A * WRD
Subject: RE: Newspaper Estimate for Transfer Application T-12232

The applicant will need to pay a total of \$350.28 ☺

Marissa Andrews | Water Rights and Transfers Support

Oregon Water Resources Department

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

My Desk: 503.986.0807 | General Help: 503.986.0900

From: STARNES Patrick K * WRD
Sent: Friday, January 20, 2017 8:22 AM
To: ANDREWS Marissa L * WRD
Cc: HENDERSON Sarah A * WRD
Subject: Newspaper Estimate for Transfer Application T-12232

Hi Marissa –

Sarah will need a quote for the attached Transfer Application notice to run in the Silverton Appeal Tribune. Run time is two weeks.

Thanks!

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: patrick.k.starnes@oregon.gov

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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January 25, 2017

KARA HARTSON PILCHER REVOCABLE LIVING TRUST or
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

SUBJECT: Water Right Transfer Application T-12232

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

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$350.28 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write "for T-12232- NOTICE" on the front of your check, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than February 24, 2017.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Silverton Appeal tribune newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by February 24, 2017, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0890 or Sarah.A.Henderson@oregon.gov if I may be of assistance.

✂-----

Attached is a check for \$350.28 (PCA #46117) for Newspaper Notice for Transfer T-12232

- made out to Oregon Water Resources Department (or WRD)
- "for T-12232-NOTICE" written on front of check

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



Oregon

Kate Brown, Governor

Sent + emailed 1-5-17

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January 5, 2017

KARA HARTSON PILCHER REVOCABLE LIVING TRUST or
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Reference: Water Right Transfer Application T-12232

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12232. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. An affidavit for a partial diminution for the associated 5.0 acres that will be supplemental to the primary water right Certificate 8883 will need to be submitted. Enclosed is a copy of that affidavit. *not needed*
3. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date reflected by the ownership information
 - ii) List of owners at that time
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
4. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions to your water right...

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen.** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

To prevent enlargement this transfer will be limited to the irrigation season and the amount of evaporation loss from the reservoir, which is March 1 through October 31 and 31.7 acre feet.

Please note the proposed date by which all conditions must be met: October 1, 2018. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because of a change in character of use, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

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

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application; and

If we do not receive the items listed above by February 4, 2017, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0890 or Sarah.A.Henderson@oregon.gov if I may be of assistance.

Sincerely,



Sarah Henderson
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12232
Joel M. Plahn, District 16 Watermaster (*via e-mail*)
Ted Ressler, Agent and CWRE for the applicant (*via e-mail*)
Brian Posewitz, Water Watch of Oregon, Commenter (*via e-mail*)

encs

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

In the Matter of Transfer Application
T-12232, Marion County

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D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF
CHANGES IN POINT OF DIVERSION,
PLACE OF USE, AND CHARACTER
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

KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Findings of Fact

1. On January 4, 2016, KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST filed an application to change the point of diversion, the place of use and the character of use under Certificate 31503 and to change the character of use under Certificate 31501. The Department assigned the application number T-12232.
2. Notice of the application for transfer was published on January 12, 2016, pursuant to OAR 690-380-4000. One comment was filed in response to the notice.
3. The comment was filed by Brian Posewitz, of Water Watch of Oregon on February 11, 2016. The comment focused on the change in non-consumptive use to a consumptive use.
4. The Department has reviewed the application with regards to injury and enlargement and will condition the transfer to prevent injury and enlargement.
5. The first right to be transferred is as follows:

Certificate: 31501 in the name of ELMER LORENCE (perfected under Permit R-2051)

Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: UNNAMED STREAM, tributary of DRIFT CREEK, appropriated under Application R-31652, Permit R-25025

Reservoir Location:

STORAGE FOR FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

6. Certificate 31501 does not describe the location of the point of diversion, however information is available from the Certified Water Right Examiner and applicant indicating that the center of the dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

7. Transfer Application T-12232 proposes to change the character of use to multi-purpose.

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

Certificate: 31503 in the name of ELMER LORENCE (perfected under Permit S-25025)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: RESERVOIR constructed under Application R-31651, Permit R-2051, a tributary of UNNAMED STREAM (DRIFT CREEK)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE

Authorized Place of Use:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

9. The Certified Water Right Examiner and applicant have provided better information describing the authorized point of diversion (center of dam) as follow:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

10. Transfer Application T-12232 proposes to move the authorized point of diversion approximately 124 and 749 feet easterly from the center of the dam to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1060 FEET NORTH AND 270 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23
7 S	1 W	WM	24	SW NW	830 FEET NORTH AND 350 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 23

11. Transfer Application T-12232 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
7 S	1 W	WM	24	SW NW	12.7
7 S	1 W	WM	24	NW NW	0.88
Total					15.48

12. Transfer Application T-12232 proposes to change the character of use to irrigation.
13. Within the SW1/4 NW1/4, Section 24, T 7 S, R 1 W, WM, there is a Primary Water Right Certificate 8883 that is layered with 5.0 acres of Certificate 31503. The 5.0 acres of Certificate 31503 will be supplemental to primary water right Certificate 8883.
14. The use of water for irrigation shall be consistent with the permits being issued in the area, including a per-acre diversion rate, annual duty of water and season of use.
15. The irrigation season is limited to March 1 through October 31 of each year, and the diversion of water at the new place of use for irrigation is limited to one-eightieth of one cubic foot per second (cfs) per acre and 2.5 acre-feet per acre during the irrigation season.
16. The total annual acre feet per acre allowed is 38.7 acre feet ($2.5 \times 15.48 = 38.7$) during the irrigation season of March 1 through October 31.
17. Transfer application T-12232 requests that the 38.7 acre feet for the fish culture be converted to irrigation use. However, because the water flows in and out at the same rate, the quantity of water to be transferred would be limited to the amount of evaporation loss (consumptive use) from the reservoir. The reservoir has an area of 10.0 acre or 435,600 square feet. Based on the best available information, the annual evaporation rate for this location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: $32 \text{ inches per year} \div 12 \text{ inches/foot} \times 435,600 \text{ square feet} \div 43,560 \text{ square feet per acre}$).
18. 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)]

19. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
20. The full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12232.
21. The proposed changes, as conditioned, would not result in enlargement of the rights.
22. The proposed changes, as conditioned, would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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-12232 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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 31501 and 31503 and any related decree.*
3. *The use of water for irrigation use under the right described by Certificate 31503 shall not exceed a rate of diversion of one-eightieth of one cubic foot per second per acre and a maximum total quantity of 31.7 acre feet of water diverted during the irrigation season of March 1 through October 31 of each year.*
4. *Water right Certificates 31501 and 31503 are cancelled.*
5. *The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*
6. *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.

7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. 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.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2017.

D R A F T

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

This draft Preliminary Determination was prepared by Sarah Henderson. If you have questions about the information in this document, you may reach me at 503-986-0890 or Sarah.A.Henderson@oregon.gov.

State of Oregon)
) ss
County of)

July 2009

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from _____ (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from _____ (source) for primary irrigation of these lands.

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

Date

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

Date

Subscribed and Sworn to Before Me this _____ day of _____, 200 _____.

Notary Public for Oregon

My Commission Expires _____

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

Send w/ DPD + FO

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

Transfer #: T-12232

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: Peter Baki

Address: 4034 Fairview Industrial Dr. SE

City/State/Zip: Salem, OR 97302

Phone: (503) 947-6217

- ☒ 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 St

City/State/Zip: Clackamas, OR 97015

Phone: (971) 673-6013

**Notice of Preliminary Determination for
Water Right Transfer T-12232**

T-12232 filed by Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust, PO Box 1680, Silverton, OR 97381, proposes a change in character of use under Certificate 31501 and a change in point of diversion, place of use and character of use under Certificate 31503. Certificate 31501 allows the storage of 38.7 acre feet from an unnamed stream in Sec. 23, T7S, R1W, WM for storage for fish culture in Sects. 23 and 24. The applicant proposes to change the character of use to multi-purpose storage. Certificate 31503 allows the use of 38.7 acre feet from the reservoir in Sects. 23 and 24, T7S, R1W, WM for fish culture in Sects. 23 and 24. The applicant proposes to move the point of diversion within Sects. 23 and 24, T7S, R1W, WM, to change the place of use within Sects. 23 and 24, T7S, R1W, WM, and to change the character of use to irrigation. 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) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



Transfer: T 12232

Name First, Mi, Last	Brian		Posewitz	Received Date	2/11/2016	Time	4:47 PM
Company							
Name Other							
Street	213 SW Ash St.						
	Ste. 208						
City	Portland	State	Oregon	Zip	97204		
Home Phone		Cell Phone					
Company Phone	5032954039	Fax Phone					
Email Address	brian@waterwatch.org						

Comments The applicant essentially proposes to change the use of stored water from fish life, which presumably is largely a non-consumptive use, to irrigation, which presumably is a consumptive use. The application therefore should be reviewed carefully for potential injury and enlargement. OWRD also should verify that the rights have not been forfeited by a five-year period of non-use.

DAM NAME: Lorence Res
 APPL. NO: R-31651
 DAM FILE: L-19
 MAP FILE: L-19

CHECKED BY: A.M.P.
 DATE: 8/26/57
 REVIEWED: _____

CONCURRENCE OF APPLICATION AND PLANS

ITEM	APPLICATION	PLANS	CORRECTIONS MADE		REMARKS
			APPL.	PLANS	
Location	SE 1/4, N.E. 1/4, Sec 23, 7S, 1W.	SE 1/4, N.E. 1/4, Sec 23, 7S, 1W. 1/4.			O.K.
Max Dam Height	30'	23.8			
Top Length	265	250'			O.K.
Bottom Length	35	35			O.K.
Crest Width	14	13 $2H+3 = 2(4.8)+3 = 12.6$			O.K.
Front and Rear Slopes	3:1 2:1	3:1 2:1			O.K.
Height of Dam above W. S. when full	6'	7.3			
Wasteway	@ No. End.	@ N End - b=50 2=0.6 Princ Spill - 36" C.M.P.			O.K.
Surface Area	15	10 ✓		435600 sq ft	
Capacity	50	38.7 ✓			
Mean Depth	22	3.87 ✓ 3.7			
Max Depth	25	14.5			

MONTHLY AVERAGE PAN EVAPORATION (INCHES)

	PERIOD OF RECORD	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
ASTOR EXPERIMENT STN	1948-1973	0.56	0.96	1.47	2.21	3.75	3.95	4.65	4.10	2.95	1.65	0.87	0.70	27.82
BEND 7 NE	1991-2005	0.00	0.00	0.00	4.25	6.14	6.69	8.66	7.91	5.42	0.00	0.00	0.00	39.07
CORVALLIS STATE UNIV	1889-2005	0.00	0.00	1.79	2.96	4.59	5.86	7.70	7.07	5.06	2.33	0.96	0.00	38.32
COTTAGE GROVE DAM	1943-2005	0.00	1.27	2.16	3.07	4.56	5.60	7.75	6.70	4.47	2.06	0.82	0.00	38.46
DETROIT DAM	1954-2005	0.19	1.16	1.69	2.51	4.38	5.90	7.68	6.64	4.24	2.05	0.88	0.46	37.78
DORENA DAM	1948-2005	0.00	1.01	1.94	2.95	4.98	6.11	8.19	7.15	4.66	2.01	0.00	0.00	39.00
FERN RIDGE DAM	1943-2005	0.39	0.79	1.92	3.17	5.03	6.21	8.12	7.09	4.76	2.21	0.67	0.34	40.70
HERMISTON 2 S	1928-1997	0.00	0.00	3.44	5.43	7.91	9.67	11.32	9.66	6.32	3.97	0.00	0.00	57.72
HOOD RIVER EXP STN	1928-2005	0.00	0.00	0.00	0.00	6.45	6.80	8.81	7.04	3.32	3.09	0.00	0.00	35.51
KLAMATH FALLS AGR STN	1949-2004	0.70	1.31	2.81	4.73	7.21	8.79	10.24	9.41	6.30	4.37	0.00	0.67	56.54
LOOKOUT POINT DAM	1955-2005	0.00	1.76	2.29	3.10	4.67	5.77	7.69	6.89	4.45	1.96	1.01	0.00	39.59
MADRAS 1 NNW	1952-2005	0.00	0.00	0.00	4.72	7.12	8.66	10.23	9.17	6.21	3.16	1.70	0.00	50.97
MALHEUR BRANCH EXP STN	1943-2005	0.00	0.00	0.00	5.68	7.71	8.94	11.06	9.57	6.17	3.14	0.72	0.00	52.99
VOLTAGE 2 NW	1959-2005	0.00	0.00	0.00	4.37	6.22	7.67	9.58	8.52	5.86	3.19	0.00	0.00	45.41
MEDFORD EXP STN	1937-2003	0.53	1.02	2.26	3.56	5.29	6.54	8.24	6.78	4.05	1.81	0.76	0.44	41.28
MORO	1928-2005	0.00	0.00	2.96	5.11	7.74	9.60	12.34	11.18	7.15	3.56	0.00	0.00	59.64
N WILLAMETTE EXP STN	1963-2005	0.63	1.18	2.29	3.31	5.15	6.01	7.40	6.78	4.68	2.39	1.05	0.57	41.44
ODELL LAKE LAND PAN	1948-1980	0.00	0.00	0.00	0.00	3.17	4.13	5.54	3.81	1.90	0.67	0.00	0.00	19.22
ODELL LAKE WATER PAN	1945-1959	0.00	0.00	0.00	0.00	1.87	2.71	3.97	4.01	3.44	2.02	0.00	0.00	18.02
PELTON DAM	1958-2005	0.00	0.00	0.00	4.48	6.77	8.26	9.98	8.12	5.22	2.49	0.00	0.00	45.32
PENDLETON BR EXP STN	1956-2005	0.00	0.00	3.41	5.09	6.93	8.81	11.78	10.85	7.02	3.80	0.00	0.00	57.69
SUMMER LAKE 1 S	1957-2005	0.00	0.00	0.00	5.19	7.28	8.71	10.88	9.79	6.48	3.48	1.90	0.00	53.71
UNION EXP STN	1928-2005	0.00	0.00	0.00	3.16	4.80	6.03	7.49	6.80	4.32	2.74	0.00	0.00	35.34
WARM SPRINGS RESERVOIR	1931-1974	0.00	0.00	0.00	4.85	7.21	8.66	11.73	10.19	6.77	3.49	0.00	0.00	52.90
WICKIUP DAM	1941-2005	0.00	0.00	0.00	2.99	5.14	6.46	7.99	6.84	4.68	2.46	0.00	0.00	36.56
WINCHESTER	1950-2005	0.00	0.00	0.00	2.25	3.79	5.51	6.93	6.38	4.51	1.33	0.00	0.00	30.70
WINCHESTER 3 W F STN	1981-1989	0.91	0.96	2.06	3.62	5.04	6.62	8.48	8.19	4.94	2.46	1.17	0.87	45.32

Western Regional Climate Center

$$10_{ac} \times 43560 = 435600 \text{ sq ft}$$

$$38 \text{ in per yr} \div 12 \text{ in/ft} \times 435600 \div 43560 = 31.7_{ac} \text{ ft}$$

Evaporation Stations

Standard daily pan evaporation is measured using the four-foot diameter Class A evaporation pan. The pan water level reading is adjusted when precipitation is measure to obtain the actual evaporation. Most Class A pans are installed above ground, allowing effects such as radiation on the side walls and heat exchnages with the pan material. These effects tend to increase the evaporation totals. The amounts can then be adjusted by multiplying the totals b 0.70 or 0.80 to more closely estimate the evaporation from naturally existing urfaces such as a shallow lake, wet soil or other moist natural surfaces.

Many stations do not measure pan evaportation during winter months. A "0.00" total indicates no measuement is taken.

Stations marked with an asterisk (*) have estimated totals computed from meteorological measurements using a form of the Penman equation.

2. ESTIMATES OF WATER REQUIREMENTS

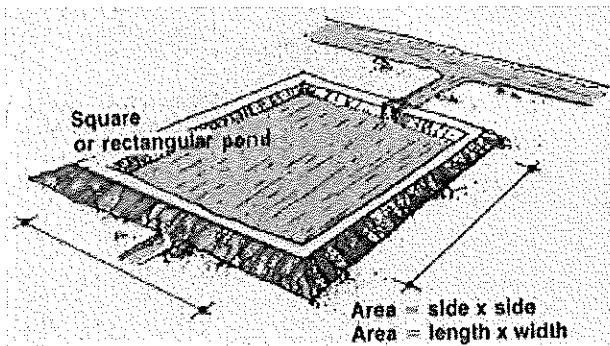
2.0 Water to fill the pond

To determine how much water your pond will hold when it is full you need to calculate:

- The surface area of the pond;
- The average water depth in the pond;
- The volume of water in the pond when full.

How to calculate the surface area of the pond

If the pond has a square shape, multiply two sides (in metres, or m) or, if it has a rectangular shape, multiply the length (in m) by the width (in m) to find the surface area (in square metres or m²).



Examples

$$\begin{aligned}10 \text{ m} \times 10 \text{ m} &= 100 \text{ m}^2 \\15 \text{ m} \times 10 \text{ m} &= 150 \text{ m}^2 \\75 \text{ m} \times 25 \text{ m} &= 1875 \text{ m}^2\end{aligned}$$

If the pond has an irregular shape but the sides are generally straight, you can find the surface area by dividing the pond into smaller areas that can be more easily calculated, and add these to find the total surface area.

Prepare a plan of the surface area of the pond, as accurately as possible, on a sheet of paper. Now divide the plan into squares, rectangles, right (or 90°) triangles.

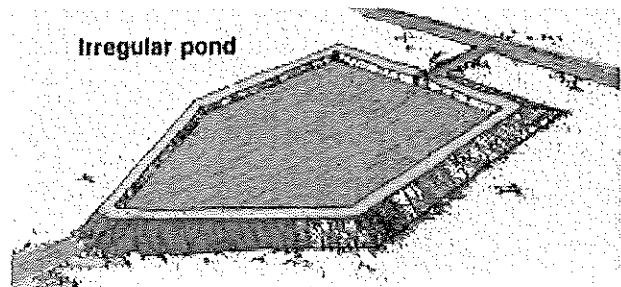
Note: when dividing the surface of a large irregular pond, it may help to trace an xy axis the length of the plan. You can use this axis as reference line along

If you have a large pond you may want to convert the surface area from square metres to ares or hectares (ha).

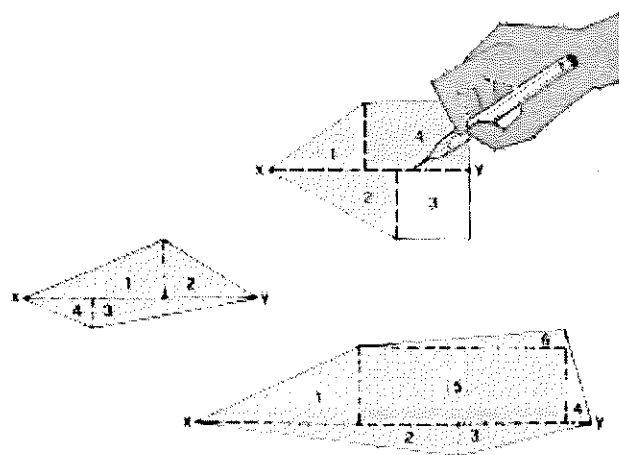
$$100 \text{ m}^2 = 1 \text{ are}, 10000 \text{ m}^2 = 100 \text{ ares} = 1 \text{ hectare (ha)}$$

Examples

$$\begin{aligned}150 \text{ m}^2 &= 1.50 \text{ ares} \\780 \text{ m}^2 &= 7.80 \text{ ares} \\2\,758 \text{ m}^2 &= 27.58 \text{ ares} \\15\,350 \text{ m}^2 &= 153.50 \text{ ares} = 1.5350 \text{ ha}\end{aligned}$$



which you can construct squares, rectangles or triangles.

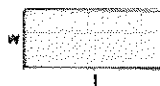


Calculate the area of each square, rectangle or triangle using accurate length, width, base and height measurements (in m).

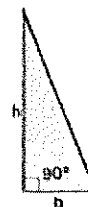
- To find the area of a square, multiply two sides;
- To find the area of a rectangle, multiply the length by the width;
- To find the area of a right (or 90°) triangle, multiply the base by the height and divide by 2



$$\text{Area} = \text{side} \times \text{side}$$



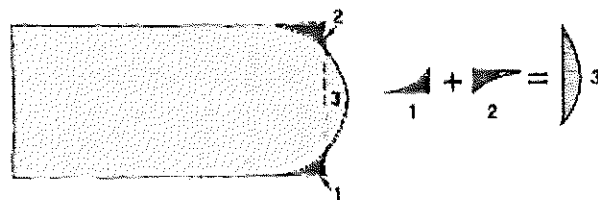
$$\text{Area} = \text{length} \times \text{width}$$



$$\text{Area} = \frac{\text{base} \times \text{height}}{2}$$

After you have calculated all of the smaller areas, add them to find the total surface area.

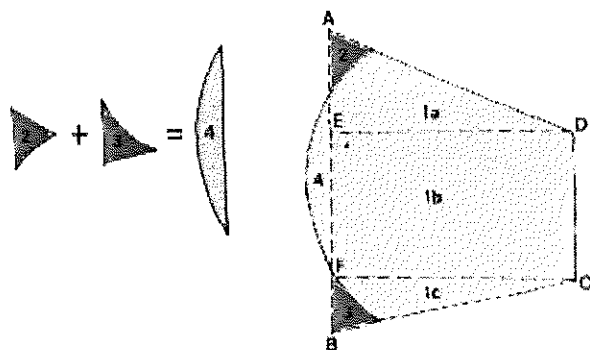
If the pond has an irregular shape with a curving side, you may need to approximate the curved part to find the surface area. Construct a line across the curved side of the pond so that the part outside the line is approximately the same as the part inside. Then calculate area or areas as you did earlier in this section.



Examples

The parts outside the pond and the part inside the pond are about equal; assume $1+2 = 3$:
you can calculate the surface area by multiplying the length by the width.

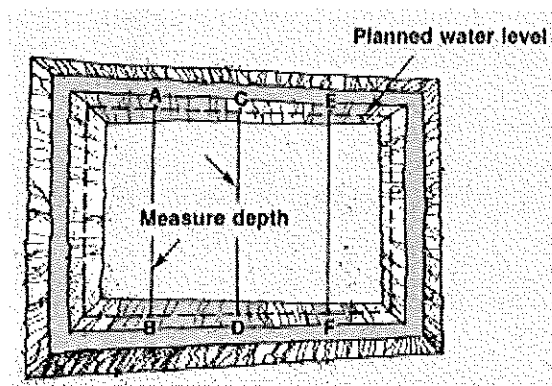
The parts outside the pond and the part inside the pond are about equal; assume $2+3 = 4$;
the total surface is then = $ADE+FCB+EDCF = 1a+1b+1c$



How to calculate the average water depth of the pond when it is empty

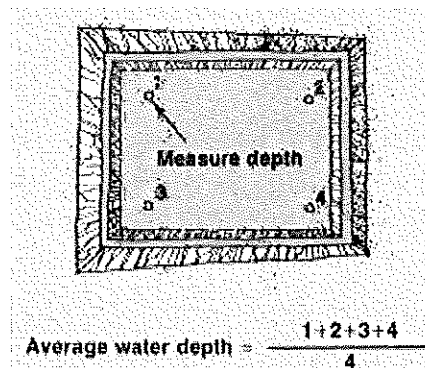
If the pond is not too large, you can mark the future water level with strings stretched across the pond and tied to stakes at AB, CD, and EF. The stakes are placed at the planned water level. Measure the depth in a number of places along each string and calculate the average water depth as shown below.

If the pond is large and it will be difficult or impossible to stretch strings from bank to bank, you may be able to calculate the average water depth using a combination of strings where possible, and a square grid, as shown below.



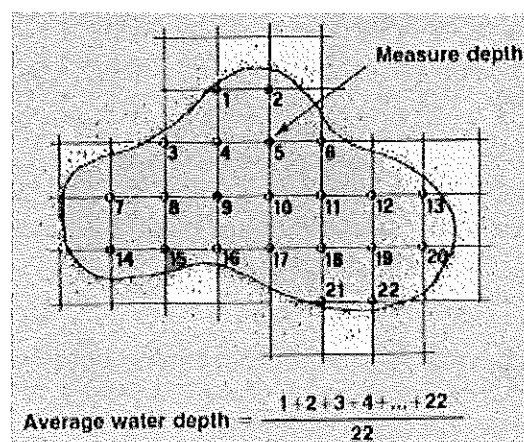
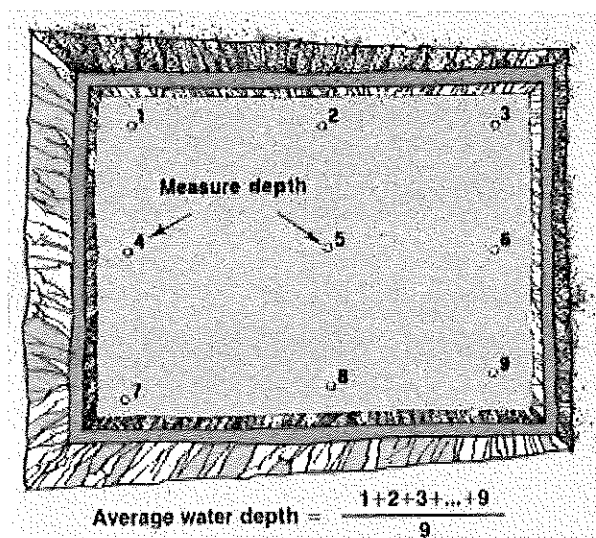
How to calculate the average water depth of the pond when it is full

If the pond is small, with a regular shape, and has a bottom with a constant slope from one end to the other, go into the water and measure the depth at four points, 1, 2, 3 and 4 in the pond. To find the average depth, calculate the average of these measurements.



If the pond is large, with a regular shape, and has a bottom with a constant slope from one end to the other, increase the number of measurements. Go into the water and measure the depth at nine or more points in the pond.

If the pond is large with an irregular shape and an irregular bottom, construct a square grid 5 m x 5 m over the pond surface. Go into the water and measure the depth at each grid intersection. Average all measurements.



How to calculate the volume of water in the pond

You have thus calculated the surface area of the pond and the average water depth of the pond. Now, using the figures you have found, you can calculate the volume of water in the pond by multiplying the surface in square metres (m²) by the average water depth in metres (m) to get the volume of the pond in cubic metres (m³).

$$\text{SURFACE AREA} \times \text{AVERAGE DEPTH} = \text{VOLUME}$$

Examples

Surface area (m ²)	Average water depth (m)	Water volume (m ³)
235	x 1.0	= 235
450	x 1.2	= 540
2500	x 1.5	= 3750

Note: 1 cubic metre (m³) = 1000 litres (l). To express water volume (in m³) in litres (l) multiply by 1000. To express water volume (in l) in cubic metres (m³) divide by 1000.

Examples

$$80 \text{ m}^3 \times 1\,000 = 80\,000 \text{ l}$$

$$540 \text{ m}^3 \times 1\,000 = 540\,000 \text{ l}$$

$$\frac{75\,000 \text{ l}}{1\,000} = 75 \text{ m}^3$$

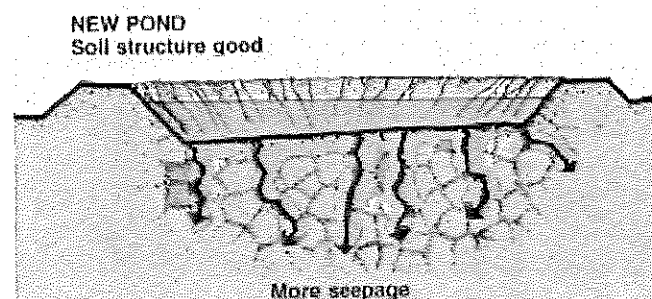
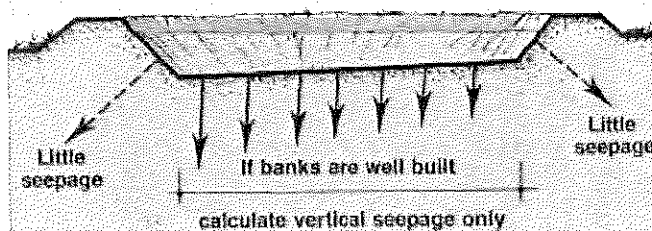
$$\frac{400\,000 \text{ l}}{1\,000} = 400 \text{ m}^3$$

2.1 Water losses by seepage

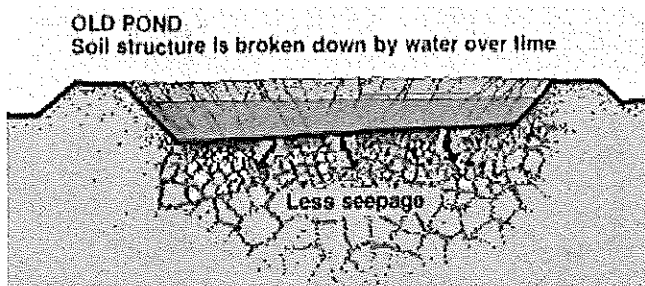
Water that is lost vertically through the bottom of the pond, horizontally through the dikes by infiltration, and through the drainage system of the pond is called seepage water.

If the dikes of your pond are well built and well maintained and if the drainage system is watertight, the amount of seepage water lost horizontally will be very small. You will need to calculate only the vertical seepage.

Water seepage will be greater from a new pond when it is filled for the first time. The soil structure of the pond will still be good and water will be lost.



After the pond has been filled with water for some time, the water tends to break down the soil structure and the soil pores become sealed by organic matter that collects on the pond bottom. As a result, the soil permeability and losses by seepage will decrease.



The amount of vertical water seepage will depend on the soil texture and on the soil structure of the pond bottom. If the composition of the soil is coarse, as in sandy soils, it will be permeable, and water will be lost by seepage. Soils with a good structure will allow more seepage than soils with a bad structure.

How to calculate water losses caused by seepage

The figures below give the rate of seepage losses in millimetres per day (mm/day) from various soil types (in the natural state) needed to calculate pond seepage losses over a period of time.

Natural soil type	Seepage losses (mm/day)
Sand	25.00 - 250
Sandy loam	13.00 - 76
Loam	8.00 - 20
Clayey loam	2.50 - 15
Loamy clay	0.25 - 5
Clay	1.25 - 10

Example

Your pond has a surface area of 1 500 m². The soil of the pond is loam. You want to find the amount of water needed to compensate for seepage losses during 6 months.

Seepage losses from loam in one day will average 14 mm (from 8 to 20 mm/day) or 0.014 m/day (seepage) x 1 500 m²(pond area) = 21 m³/day.

Seepage losses for 6 months (180 days):

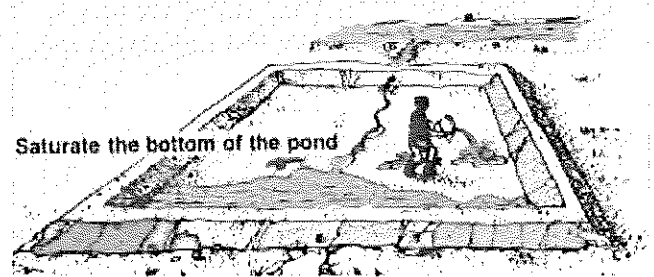
180 (days) x 21 m³/ day = 3 780 m³.

Reducing seepage water losses by puddling

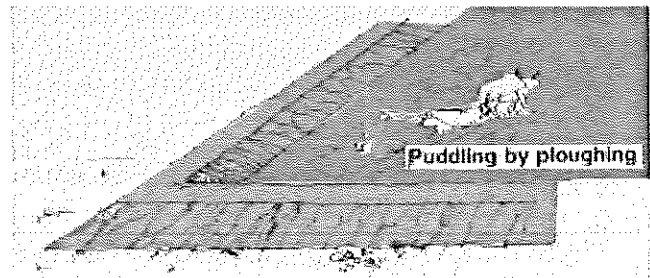
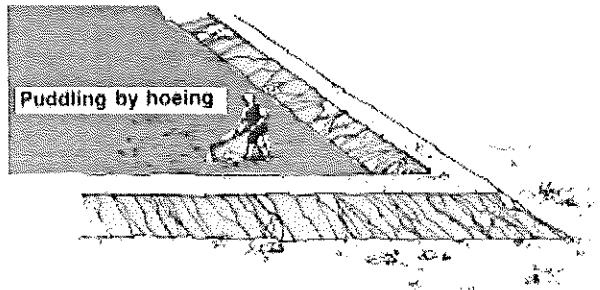
One way to reduce seepage water losses is to break the soil structure of the pond bottom before it is filled with water. This is a common practice in irrigated rice fields, and is called **puddling**.

The soil of the pond bottom is first saturated with water. The amount of water you will need initially to saturate the bottom (200-300 mm) will vary slightly

with the type of soil. Assume a standard requirement of 300 mm, or 0.3 m.



When the water has soaked into the soil of the pond bottom enough to permit working, you are ready to puddle. This is done by hoeing, ploughing or working the soil by any other suitable means.



How to calculate water needed for puddling and water losses by seepage after puddling

To calculate the amount of water needed for puddling multiply the pond area (in m^2) by 0.3 m.

Example

Your pond has an area of 1 500 m^2 . How much water will you need to saturate its bottom before puddling? You will need $0.3 \text{ m} \times 1500 \text{ m}^2 = 450 \text{ m}^3$.

The figures in the chart give the rate of seepage losses from various soil types (after puddling) needed to calculate pond seepage losses over a period of time.

Example

You are going to puddle a pond with a surface area of 1 500 m^2 ; the soil of the pond bottom is loam; you want to find the amount of water needed to compensate for seepage losses during 6 months after puddling. Seepage losses from puddled loam in one day will be about 3 mm or 0.003 m/day (seepage) $\times$ 1 500 m^2 (pond area) = 4.5 m^3 /day. Seepage losses for 6 months (180 days): 180 (days) $\times$ 4.5 m^3 /day = 810 m^3 .

Puddled soil type	Seepage losses (mm/day)
Sandy loam	3-6
Loam	2-3
Clayey loam	1-2
Loamy clay	about 1

Clay	about 1
------	---------

To calculate the total water required both for puddling and to compensate for seepage losses for 6 months thereafter, add the two values.

Example

Water required for puddling as calculated in the example above: 450 m³.

Water losses by seepage for 6 months (from previous example): 810 m³.

Total water needed: 450 m³ + 810 m³ = 1 260 m³.

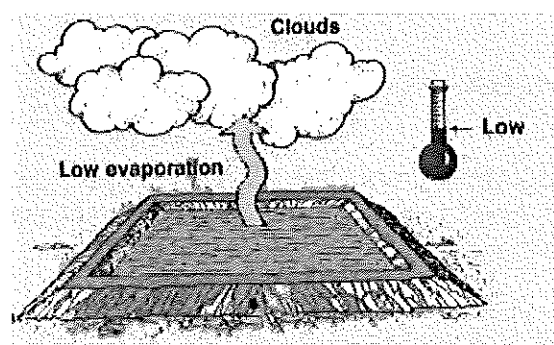
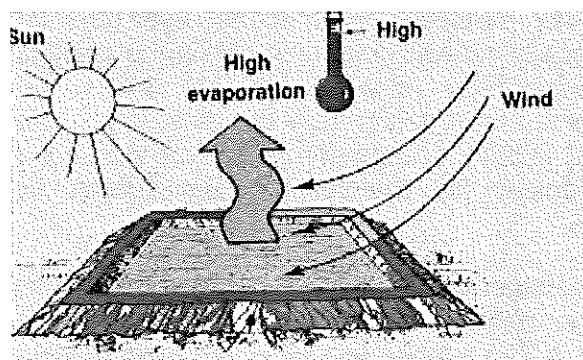
2.2 Water losses by evaporation

The water that is lost to the air from the surface of the pond is called **evaporation**. The amount of water lost by evaporation depends largely on local climate conditions.

High air temperatures, low humidity, strong winds and sunshine will increase evaporation.

Low air temperatures, high humidity, rainfall and cloud cover will decrease evaporation.

Evaporation will also depend on the water surface area. The larger the pond, the more water will evaporate from its surface.



Evaporation rates

You will need to know your local **evaporation rate** in order to calculate the amount of water lost from the surface of a pond by evaporation. Evaporation rates, which are provided by meteorological stations, are found by measuring and recording water losses by evaporation over many years.

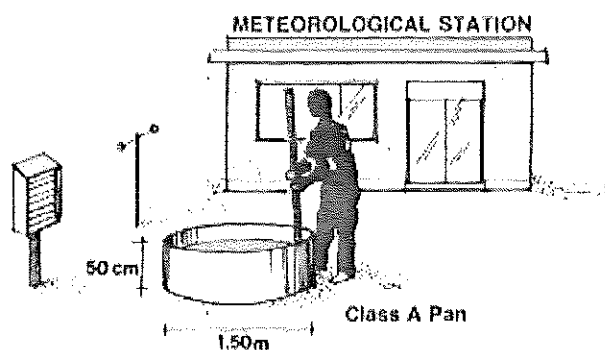
Evaporation rates are usually expressed as the water depth lost in millimetres over a period of time, e.g., 2 mm/day, 14 mm/week or 60 mm/month.

Evaporation rates by Class A Pan

One of the most common methods to find the evaporation rate is accurately to measure daily water losses from a standard-size container called a Class A

Pan. Evaporation rates by Class A Pan can be obtained from many meteorological stations throughout the world.

In choosing a meteorological station for evaporation rates, be careful to select one where climatic conditions such as sun, wind and rainfall are similar to conditions in your locality. If you are not sure ask the advice of a technician from the meteorological station.



Class A Pan evaporation rates may be expressed as either mm/ day, mm/week or mm/month, over a period of years. Usually you will be able to obtain the average monthly evaporation rates, which are based on measurements made during several years. If you can get average monthly evaporation rates, this will be the most convenient for calculating water losses by evaporation.

Note: water evaporates faster from a Class A Pan than from a large water surface such as a pond. When using Class A Pan evaporation rates you must multiply by a correction factor of 0.75 to better approximate evaporation losses.

Example

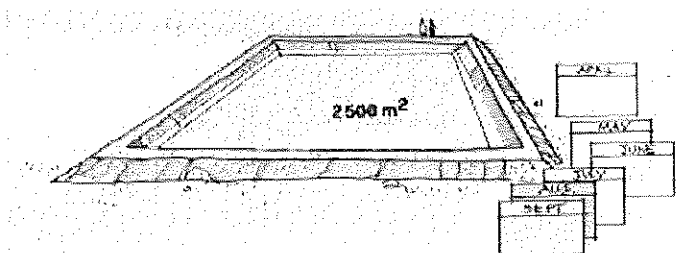
The Class A Pan evaporation rate for the month of December is 45 mm. To find the corrected evaporation rate, multiply 45 mm x 0.75 (correction factor) = 33.75 mm.

How to calculate water losses by evaporation using Class A Pan evaporation rates

To calculate evaporation losses, multiply the water surface area (in m^2) by the corrected evaporation rate (in m) for the length of time your pond will be in use.

- Obtain Class A Pan average evaporation rates (in mm) for each month your pond will be full from an appropriate meteorological station;
- Class A Pan average monthly evaporation rates needed for this example are as shown below:

Month	Evaporation rate (mm)
April	56
May	63
June	68
July	75
August	84



Example

The water surface area of your pond is 2 500 m^2 and you plan to grow fish from April to September.

Total evaporation for these months is 56+63+68+75+84+79 = 425 mm.

The corrected total evaporation is 425 mm x 0.75 = 318.75 or 319 mm (omit this step if you are using evaporation rates calculated by the Penman Formula). The corrected total evaporation expressed in metres is 319 mm ÷ 1 000 = 0.319 m.

The total amount of water you will lose from your pond by evaporation from April to September is 2500 m^2 x 0.319 m = 769.5 or 770 m^3 .

- Add the rates (in mm) for each month and multiply this sum by 0.75 (correction factor for Class A Pan rates) to find the total corrected evaporation (in mm) for all the months;
- Divide this total corrected evaporation (in mm) by 1 000 to express the evaporation in metres;
- Multiply this value (in m) by the water surface area (in m^2) to find the total water losses by evaporation (in m^3) for the months your pond will be in use.

Evaporation rates by the Penman Formula

Some meteorological stations may not record evaporation rates using a Class A Pan. If this is the case, you may be able to get evaporation rates calculated by the Penman Formula. The Penman Formula is based on data of atmospheric pressure, radiation, sunshine, humidity, air temperature and wind speed.

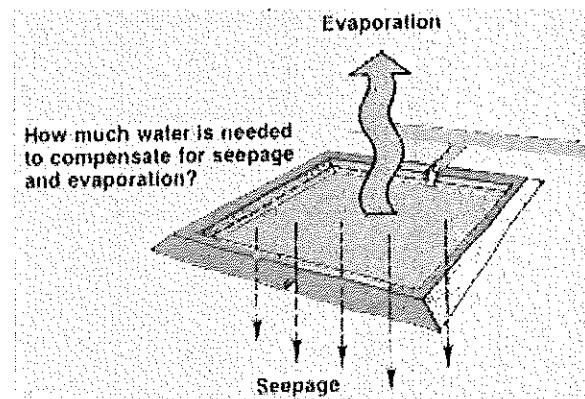
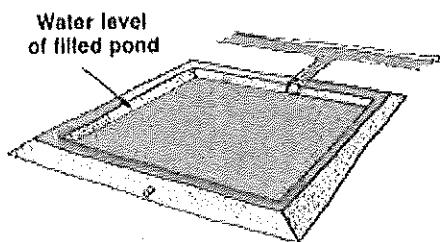
Note: under some conditions, such as when there are high winds, and especially in arid climates, the Penman Formula may provide evaporation rates that are too low. If this is the case in your locality, ask the advice of a technician from the meteorological station.

The evaporation rates calculated by the Penman Formula are more accurate than the rates recorded using a Class A Pan. To calculate evaporation losses by Penman rates, you can use the method shown above but, since these rates are more accurate, omit the step where you multiply the total evaporation by the correction factor of 0.75.

2.3 Total water requirements

The total water requirements for a pond are:

- The amount of water needed to fill the pond in a reasonable length of time;
- The amount of water needed to compensate for seepage and evaporation losses over the planned fish-growing period.



Pond size and water flow required

To begin growing fish as soon as possible, you should have enough water available to fill your pond in a reasonable length of time. For ponds smaller than 1 500 m^3 , eight days is reasonable.

Before you begin to build a pond it will be helpful to compare the number of days needed to fill ponds of various sizes and the rate of water flow required. Table 1 will give you a quick idea of some of the combinations possible.

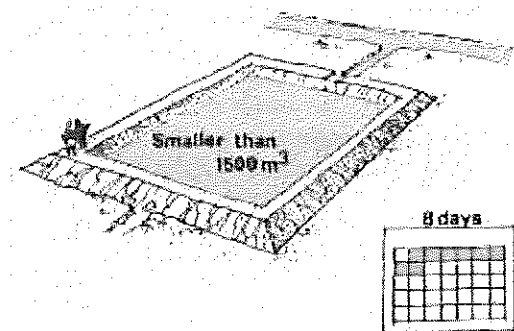


TABLE 1

Days needed to fill ponds of various sizes and the rate of water flow required

Approximate filling time (days)	Pond volume (m ³)	Required water flow (l/s)
8	400	0.5
	1000	1.5
	2500	3.5
	10000	14.0
4	400	1.0
	1000	3.0
	2500	7.0
	5000	14.0
	10000	28.0
2	400	2.0
	1000	6.0
	2500	14.0
	10000	56.0

Examples

You want to build a pond of 1000 m³. Using Table 1, you find that a pond of this size can be filled in about 4 days with a water flow of 3 l/sec.

You want to build a pond of 2500 m³. Using Table 1, you find that a pond of this size can be filled in about 8 days with a water flow of 3.5 l/s.

If you measure the available water flow (see Section 3) before you begin to build your pond, you will be able to estimate more precisely the number of days needed to fill a pond. Table 2 gives the water volume per day (in m³) provided by various rates of water flow. To calculate the number of days to fill a pond, divide the planned pond water volume by this daily water flow.

TABLE 2

Amount of water provided per day by various rates of water flow

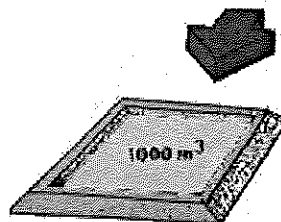
l/s	l/min	l/h	l/day	m ³ /day
1	60	3600	86400	86.4
2	120	7200	172800	172.8
3	180	10800	259200	259.2
4	240	14400	345600	345.6
5	300	18000	432000	432.0
6	360	21600	518400	518.4
7	420	25200	604800	604.8
8	480	28800	691200	691.2
9	540	32400	777600	777.6
10	600	36000	864000	864.0
14	840	50400	1209600	1209.6
15	900	54000	1296000	1296.0
20	1200	72000	1728000	1728.0
¹ Z	Zx60	Zx3600	Zx86400	Zx86.4

¹ The bottom line of this table shows how to convert water flow values (Z) in l/s into l/min, l/h, l/day and m³/day.

Example

The estimated water volume of the pond you want to build is 1000 m³ and you have measured the available water flow as 3 l/s.

Water flow = 3 l/s.
Filled in 4 days.



Using Table 2, you find that a water flow of 3 l/s will provide 259.2 m³ of water per day.

The time required to fill your pond is 1000 m³ ÷ 259.2 m³/day = 3.86 days, say 4 days.

As a check, compare this result with Table 1 and you will confirm this by reading across from 4 days that you need 3 l/s to fill a pond of 1000 m³.

Pond volume and the number of ponds possible will depend on the water flow available

The size and number of ponds you will be able to build will depend on the water flow available at the time you plan to fill them. The paragraphs above together with Tables 1 and 2 give you several ways to estimate the pond volume possible with various rates of water flow.

Now you must decide on the volume of each pond to be built, on the number of ponds to be built and how you will plan for the future expansion of your fish-farming operations.

Volume of each pond to be built

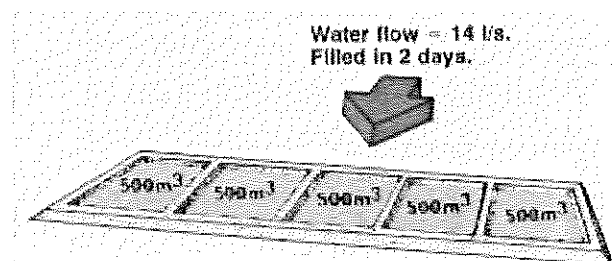
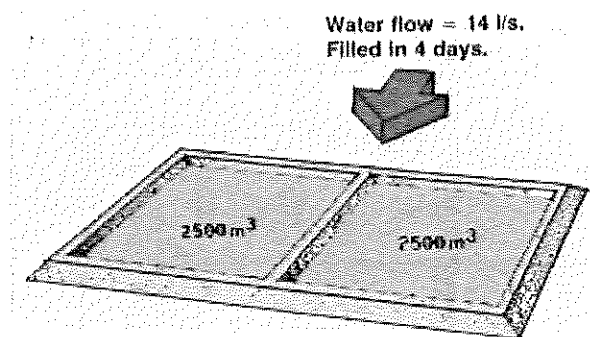
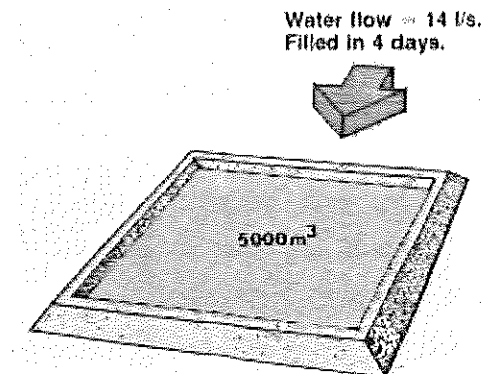
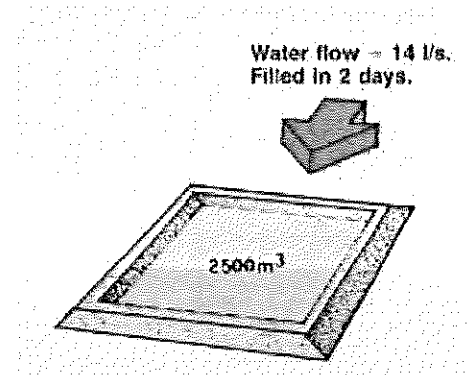
You have measured the water flow and have found that you have 14 l/s available:

- Using Table 1 you find that with 14 l/s you can fill one pond of 2500 m³ in 2 days;
- Or, with 14 l/s, you can fill one pond of 5000 m³ in 4 days;
- Using the values in Table 1 you can also calculate that with 14 l/s you can fill one pond of 10 000 m³ in 8 days.

Number of ponds to be built

With the same water flow of 14 l/s, you may decide to build more and smaller ponds than shown above:

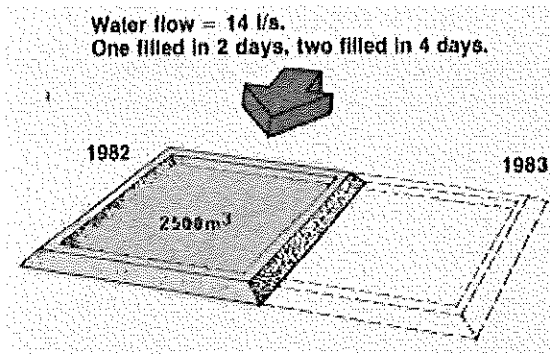
- For example, with 14 l/s, you can fill two ponds of 2500 m³ (= 5000 m³) in 4 days;
- Or, with 14 l/s, you can fill five ponds of 500 m³ (= 2500 m³) in 2 days.



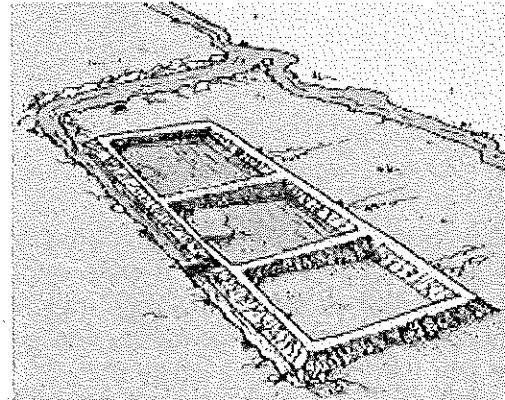
Planning for future expansion

You may also decide to build only one pond this year and another next year:

- With 14 l/s you can build one pond of 2 500 m³ this year and fill it in 2 days and expand your operation next year to two ponds of 2 500 m³ that can both be filled in 4 days with the water flow available.

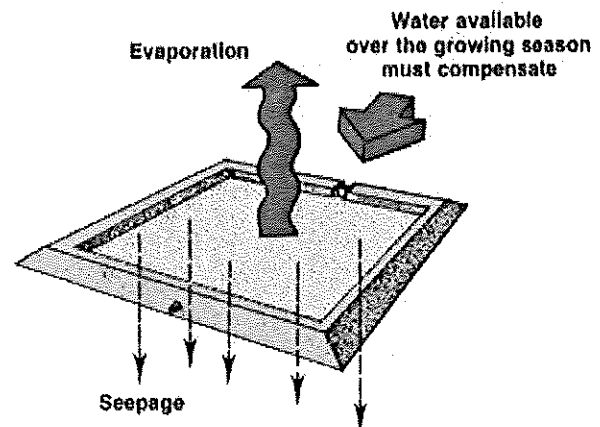


Note: when you have several ponds, they need not be filled at the same time. First fill one and then another as your water supply permits.



Losses by seepage and evaporation

In addition to the water needed initially to fill a pond, you will need to add water regularly, over the length of the growing season, to compensate for seepage and evaporation losses.



Before you begin to build a pond you should estimate how much water you will need to compensate for seepage and evaporation losses, per hectare of pond area, so that your available water supply will be sufficient during the driest season. On this basis, you can then calculate the pond area that can be maintained with this minimum water flow only.

Remember:

1 ha = 10 000 m²

1 m³ = 1 000 l

1 day = 86 400 s

Example

During the dry season, the water supply available decreases to 4 l/s for 2 months.

You find that during this period the seepage losses for the kind of soil your pond is on are 7 mm/day (see Section 2.1).

You also find that evaporation losses from the surface of the pond are 5 mm/day (see Section 2.2).

The total seepage and evaporation losses for this period are then $7 \text{ mm/day} + 5 \text{ mm/day} = 12 \text{ mm/day}$, which, expressed in metres, is $12 \div 1\,000 = 0.012 \text{ m/day}$.

So the water losses per hectare of pond area can be calculated in m^3/day as follows:

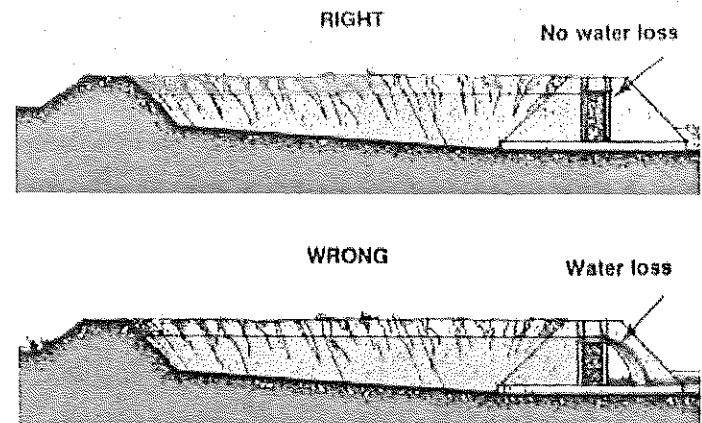
$$0.012 \text{ m/day over } 1 \text{ ha} = 0.012 \text{ m} \times 10\,000 \text{ m}^2 = 120 \text{ m}^3/\text{day/ha}$$

Expressed in l/s/ha as equal to $(120 \times 1\,000 \text{ l}) \div 86\,400 \text{ s}$ or 1.4 l/s/ha of pond area.

The pond area (in ha) that can be maintained with a minimum water flow of 4 l/s can then be calculated as equal to:

$$4 \text{ l/s} \div 1.4 \text{ l/s} = 2.8 \text{ ha of fish ponds.}$$

Note: when adding water to a pond to compensate for seepage and evaporation losses, add only enough water to keep the water level at the normal height. If you add too much water, the rich, fertilized pond water that feeds the fish will be washed away through the outlet. Check the outlet regularly to see that it is watertight and that no water is being lost.





Search

Identify Non-Water Right Features

Distance: 1 Feet

General Rules Hydrography

Withdrawn Authority: DRIFT CREEK, SPC VOL 7 PAGE 227; OAR 690-502-0120(1)(b) - Including tributaries, a tributary of the Pudding River in the N 1/4 Section 8, T7S, R1W, W.M., except for storage and appropriation of stored water.

Groundwater Retriected:

GW Retriected Subunit:

GW ODEQ Management Area:

GW Umatilla Muni Wells (Smile):

Rule 4D: Rules apply

Division 33 (Area, Watershed, species): LOWER COLUMBIA, Abiqua Creek-Pudding River, Chinook Salmon, Steelhead

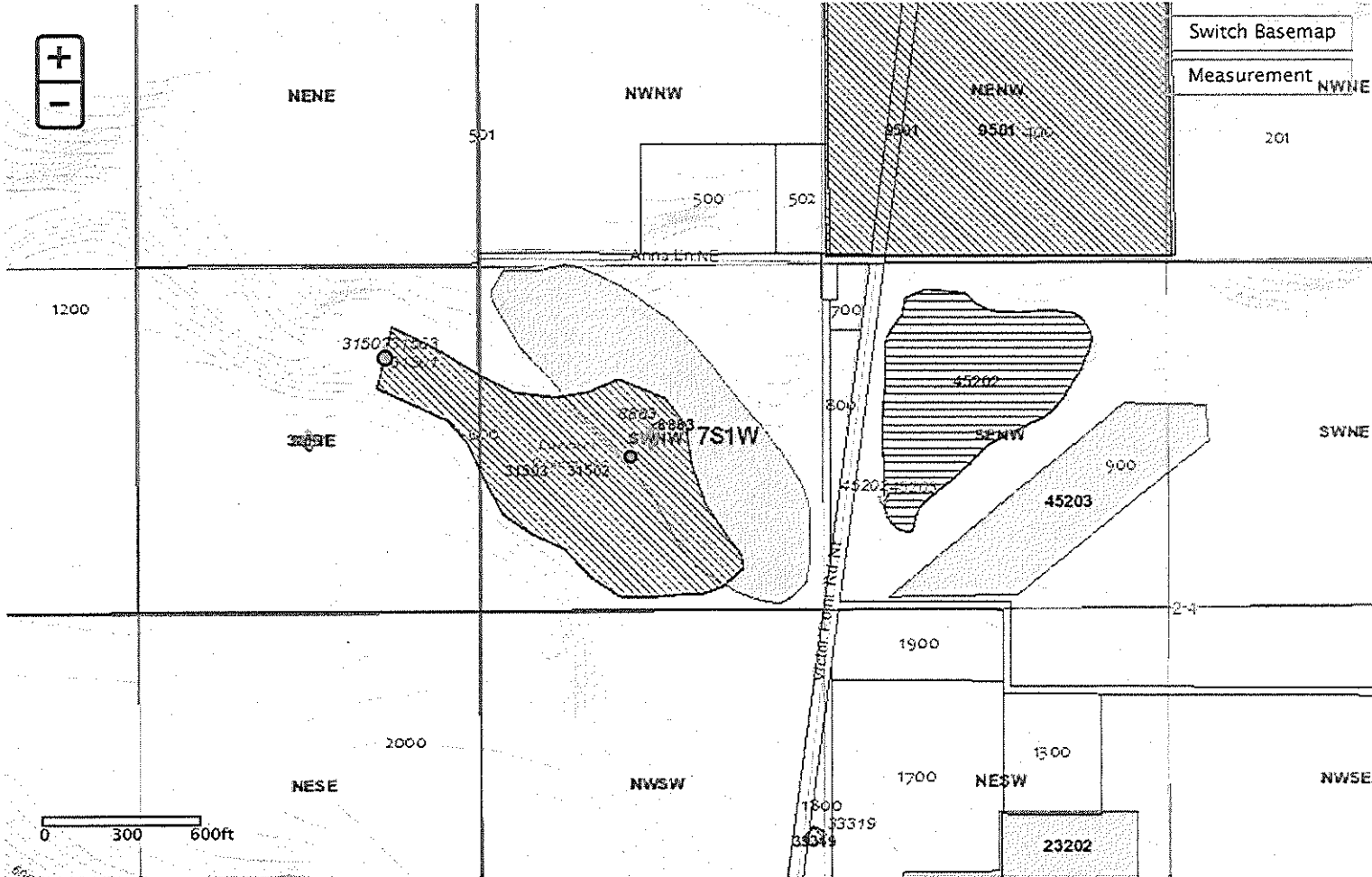
Water Quality

Tax Lots

Tools

Layers

Bookmarks



Marion County Assessor's Property Records
Property Summary

Property Identification

Account No.:		Manufactured Home ID:	
Situs Address:	14710 ANNA LN NE SILVERTON, OR 97381	Legal Description:	ACRES 37.04
Map Tax Lot:	071W24 00600		

Owner Information

Owner:	PILCHER, KARA H PO BOX 1680 SILVERTON, OR 97381
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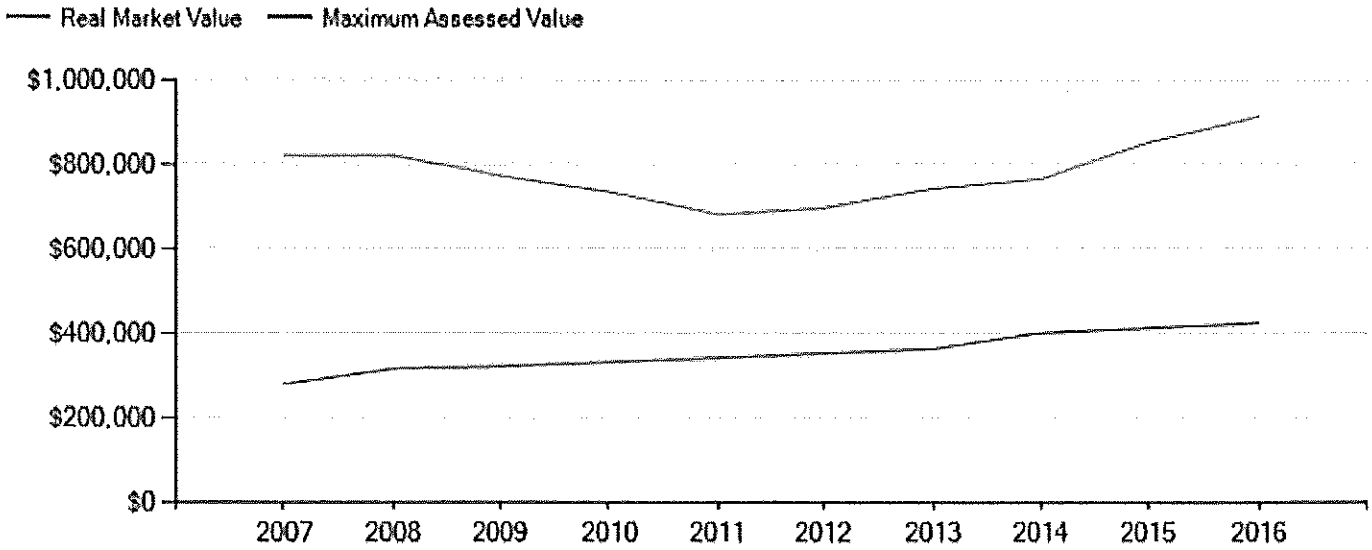
Property Details

Year Built:	1901	Property Code:	A95A
Living Area:	8129	Property Class:	581
Bedrooms:	7	Levy Code Area:	00400028
Bathrooms:	3	Zoning:	Contact Local Jurisdiction
Legal Acreage:	37.04	Apex Sketches:	1 2 3 4

Value Information

RMV Land Market:	\$0		
RMV Land Spec. Assess.:	\$401,950		
RMV Structures:	\$514,670		
RMV Total:	\$916,620		
SAV:	\$70,760		
Exception RMV:	\$0		
Exemption RMV:	\$0	Exemption Description:	None
M5 Taxable:	\$585,430		
MAV:	\$427,720		
MSAV:	\$32,800		
AV:	\$460,520		

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years.
For a detailed explanation, please see definition of Assessed Value above (hover over the "i").



Tax Information

Taxes Levied 2016-17:	\$6,118.26	Tax Payoff Amount:	\$6,145.46
Tax Rate:	13.0433	Tax Statement:	Original 2016-17 Tax Statement

Sales Information

Sales Date:	7/15/1996	Deed Number:	13250149
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no conflict

Search Criteria

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

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

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	aa(40): a(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE SW	NE SW	NW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:9501 OR * Additional Info: ELMER LORENCE App: S12121 Permit: S8488 Cert: 9501		6/7/1928	FISH CULTURE								*												
Select Cert:31501 OR * Additional Info: ELMER LORENCE App: R31651 Permit: R2051 Cert: 31501	T12232	6/21/1957	FISH CULTURE																				
Select Cert:31502 OR * Additional Info: ELMER LORENCE App: R37593 Permit: R2870 Cert: 31502		4/30/1962	FISH CULTURE																				
Select Cert:31503 OR * Additional Info: ELMER LORENCE App: S31652 Permit: S25025 Cert: 31503	T12232	6/21/1957	FISH CULTURE																				
Select Cert:33319 OR * Additional Info: PAUL HENRY App: R37386 Permit: R2960 Cert: 33319		2/6/1962	FISH CULTURE																				
Select Cert:8883 OR * Additional Info: MARTIN LORENCE App: S10980 Permit: S7488 Cert: 8883		8/5/1926	IRRIGATION																				
Select Cert:9501 OR * Additional Info: ELMER LORENCE App: S12121 Permit: S8488 Cert: 9501		6/7/1928	IRRIGATION									7											
Select Cert:23202 OR * Additional Info: NOAH HUNT App: S23979 Permit: S18920 Cert: 23202		8/4/1949	IRRIGATION													10.4	0.1		4.4				
Select Cert:45203 OR * Additional Info: S. AMOS/ARDYTHE FUNRUE App: S48078 Permit: S35251 Cert: 45203		3/30/1971	IRRIGATION							1						8							
Select Cert:5044 OR CN Additional Info: E I CHARLESWORTH App: S9304 Permit: S6144 Cert: 5044		2/15/1923	POWER DEVELOPMENT								*												
Select Cert:45202 OR * Additional Info: S. AMOS/ARDYTHE FUNRUE App: R48077		3/30/1971	RECREATION																				

[illegible]

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



no conflict

Search Criteria

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

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

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	qq(40): NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown
q(160): NE	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	SW	QQ
Select Cert:31501 OR *	T12232	6/21/1957	FISH CULTURE																								
Additional Info: ELMER LORENCE App: R31651 Permit: R2051 Cert: 31501				X-fer																							
Select Cert:31502 OR *		4/30/1962	FISH CULTURE																								
Additional Info: ELMER LORENCE App: R37593 Permit: R2870 Cert: 31502																											
Select Cert:31503 OR *	T12232	6/21/1957	FISH CULTURE																								
Additional Info: ELMER LORENCE App: S31652 Permit: S25025 Cert: 31503				X-fer																							

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

STATE OF OREGON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Oregon Water Resources Department
158 12th Street NE
Salem, Oregon 97310

Junior to X-fer

The specific limits for the use are listed below along with conditions of use.

Source: DRIFT CR > PUDDING R

County: MARION

Purpose and/or use: Providing required stream flows for cutthroat trout for migration, spawning, egg incubation, fry emergence, and juvenile rearing.

To be maintained in:

DRIFT CREEK FROM EAST AND WEST FORKS DRIFT CREEK AT RIVER MILE 11.0 (SWNE, SECTION 7, TOWNSHIP 8S, RANGE 1E WM); TO THE MOUTH AT RIVER MILE 0.0 (SENW, SECTION 8, TOWNSHIP 7S, RANGE 1W WM)

The right is established under Oregon Revised Statutes 537.341.

The date of priority is 10/18/1990.

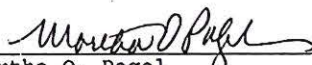
The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st $\frac{1}{2}$	40.0	40.0	40.0	40.0	30.1	13.6	3.0	2.0	2.0	3.0	20.0	40.0
2nd $\frac{1}{2}$	40.0	40.0	40.0	40.0	30.1	5.0	3.0	2.0	2.0	5.26	40.0	40.0

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For the purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.
5. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.

Witness the signature of the Water Resources Director,
affixed AUGUST 20, 1996.


Martha O. Pagel

Recorded in State Record of Water Right Certificate number 72591.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January __, 2017

KARA HARTSON PILCHER REVOCABLE LIVING TRUST or
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Joan PR

SUBJECT: Water Right Transfer Application T-12232

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12232. 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 Silverton Appeal Tribune 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 503-986-0890 or Sarah.A.Henderson@oregon.gov if I may be of assistance.

Sincerely,

Sarah Henderson

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-12232
Joel M. Plahn, District 16 Watermaster (*via e-mail*)
Ted Ressler, Agent and CWRE for the applicant (*via e-mail*)
Brian Posewitz, Water Watch of Oregon, Commenter (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12232, Marion County	)	PROPOSING APPROVAL OF
	)	CHANGES IN POINT OF DIVERSION,
	)	PLACE OF USE, AND CHARACTER
	)	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

KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR
GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Findings of Fact

1. On January 4, 2016, KARA HARTSON PILCHER REVOCABLE LIVING TRUST OR GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST filed an application to change the point of diversion, the place of use, and the character of use under Certificate 31503 and to change the character of use under Certificate 31501. The Department assigned the application number T-12232.
2. Notice of the application for transfer was published on January 12, 2016, pursuant to OAR 690-380-4000. One comment was filed in response to the notice.
3. On January 5, 2017, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12232 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of February 4, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The comment was filed by Brian Posewitz, of Water Watch of Oregon on February 11, 2016. The comment focused on the change in non-consumptive use to a consumptive use.

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 Department has reviewed the application with regards to injury and enlargement and will condition the transfer to prevent injury and enlargement.

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

Certificate: 31501 in the name of ELMER LORENCE (perfected under Permit R-2051)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: UNNAMED STREAM, tributary of DRIFT CREEK, appropriated under Application R-31652, Permit R-25025

Reservoir Location:

STORAGE FOR FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

7. Certificate 31501 does not describe the location of the point of diversion, however information is available from the Certified Water Right Examiner and applicant indicating that the center of the dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

8. Transfer Application T-12232 proposes to change the character of use to multi-purpose.

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

Certificate: 31503 in the name of ELMER LORENCE (perfected under Permit S-25025)
Use: FISH CULTURE
Priority Date: JUNE 21, 1957
Rate: 38.7 ACRE-FEET
Source: RESERVOIR constructed under Application R-31651, Permit R-2051, a tributary of UNNAMED STREAM (DRIFT CREEK)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE

Authorized Place of Use:

FISH CULTURE				
Twp	Rng	Mer	Sec	Q-Q
7 S	1 W	WM	23	SE NE
7 S	1 W	WM	24	SW NW

10. The Certified Water Right Examiner and applicant have provided better information describing the authorized point of diversion (center of dam) as follow:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1000 FEET NORTH AND 380 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23

11. Transfer Application T-12232 proposes to move the authorized point of diversion approximately 124 and 749 feet easterly from the center of the dam to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	23	SE NE	1060 FEET NORTH AND 270 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 23
7 S	1 W	WM	24	SW NW	830 FEET NORTH AND 350 FEET EAST FROM THE EAST 1/4 CORNER OF SECTION 23

12. Transfer Application T-12232 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
7 S	1 W	WM	24	SW NW	7.7
7 S	1 W	WM	24	NW NW	0.88
Total					10.48

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	24	SW NW	5.0

13. Transfer Application T-12232 proposes to change the character of use to primary irrigation and supplemental irrigation.

14. Within the SW(1/4) NW(1/4), Section 24, T 7 S, R 1 W, WM, there is a Primary Water Right Certificate 8883 that is layered with 5.0 acres of Certificate 31503. The 5.0 acres of Certificate 31503 will be supplemental to primary water right Certificate 8883. *not nec. as in table above*

15. The use of water for irrigation shall be consistent with the permits being issued in the area, including a per-acre diversion rate, annual duty of water and season of use.

16. The irrigation season is limited to March 1 through October 31 of each year, and the diversion of water at the new place of use for irrigation is limited to one-eightieth of one cubic foot per second (cfs) per acre and 2.5 acre-feet per acre during the irrigation season.

17. The total annual acre feet per acre allowed is 38.7 acre feet ($2.5 \times 15.48 = 38.7$) during the irrigation season of March 1 through October 31.

18. Transfer application T-12232 requests that the 38.7 acre feet for the fish culture be converted to irrigation use. However, because the water flows in and out at the same rate, the quantity of water to be transferred would be limited to the amount of evaporation loss (consumptive use) from the reservoir. The reservoir has an area of 10.0 acre or 435,600 square feet. Based on the best available information, the annual evaporation rate for this

location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: 38 inches per year ÷ 12 inches/foot × 435,600 square feet ÷ 43,560 square feet per acre).

19. 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)]

20. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
21. The full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-12232.
22. The proposed changes, as conditioned, would not result in enlargement of the rights.
23. The proposed changes, as conditioned, would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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-12232 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use and changes in character of use proposed in Transfer Application T-12232 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 31501 and 31503 and any related decree.*
3. *The use of water for irrigation use under the right described by Certificate 31503 shall not exceed a rate of diversion of one-eightieth of one cubic foot per second per acre and a maximum total quantity of 31.7 acre feet of water diverted during the irrigation season of March 1 through October 31 of each year.*
4. *Water right Certificates 31501 and 31503 are cancelled.*
5. *The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*

6. *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.

7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2022. 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.*
9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of January, 2017.

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

This Preliminary Determination was prepared by Sarah Henderson. If you have questions about the information in this document, you may reach me at 503-986-0890 or Sarah.A.Henderson@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>

Marion County Parcel Information



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

Parcel Information

Parcel #: R21650

Tax Lot: 071W24 00600

Site Address: 14710 Anna Ln NE
Silverton OR 97381

Owner: Pilcher Kara H

Owner2:

Owner Address: PO Box 1680
Silverton, OR 97381

Phone:

Twn/Range/Section: T: 07S R: 01W S: 24 Q: NW

Parcel Size: 37.04 Acres (1,613,462 SqFt)

Plat/Subdivision:

Lot:

Block:

Census Tract/Block: 010503/3145

Waterfront: Lorence Lake

Assessment Information

Market Value Land: \$32,800

Market Value Impr: \$514,670

Market Value Total: \$547,470

Assessed Value: \$460,520



Tax Information

Levy Code Area: 00400028

Levy Rate: 13.0433

Tax Year: 2016

Annual Tax: \$6,118.26

Exemption Desc:

Legal

ACRES 37.04

Land

Zoning: EFU - Exclusive Farm Use

Cnty Bldg Use: A95A - AGRICULTURE - Class OF RESIDENCE 5

School District: 4J - SILVER FALLS

Cnty Land Use: 581 - Specially assessed improved, multiple special assessments

Neighborhood:

Std Land Use: AMSC - AGRICULTURAL MISC

Recreation: -

Improvement

Year Built: 1901

Stories: 0.00

Finished Area: 1,190 SqFt

Bedrooms: 7

Bathrooms: 3.00

Garage: Attached 798

A/C:

Exterior Walls:

Basement Fin: 0 SqFt

Roof Covering:

FirePlace: 0

Heat: -

Transfer Information

Rec. Date: 07/15/96	Sale Price: \$350,000	Doc Num: 13250149	Doc Type:
Orig Loan Amt:			
Loan Type:	Finance Type:	Lender:	

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



Marion County, Oregon Property Records

Property Information

[Property
Information](#)[Tax
Summary](#)[Assessment
History](#)[Improvement
Information](#)[New
Search](#)[Search
Results](#)[Log
Off](#)[Printable
Summary](#)

Search Results for R21650

Owner Name

PILCHER,KARA H

Owner AddressPO BOX 1680
SILVERTON, OR 97381**Alternate Account Number**

[REDACTED]

Map Tax Lot

071W24 00600

[Get Map](#)**Property ID Number**

R21650

Situs Address14710 ANNA LN NE
SILVERTON, OR 97381**Neighborhood**

CENT.RUR - RURAL, CENT.RUR

Levy Code Area00400028 ; 00400008 - SILVERTON
FD & SILVER FALLS LB ; SILVER
FALLS LIBRARY DIST**Tax Rate**

13.0433

Property Description

Property Class581 (SPECIALLY ASSESSED
IMPROVED,MULTIPLE SPECIAL ASSESSMENTS)**Property Code**A95A - AGRICULTURE, GENERAL-DIVERSIFIED,
CLASS 5, 1 ADD HOUSE**Related Accounts by Map Tax Lot**[R21649](#)**Mortgage Agent-Lender****Exemption****Tax Roll Description**

ACRES 37.04

Year Built

1901

Split/Sub Account**Zoning**

EFU

Miscellaneous CodeSPEC (SPECIALLY ASSESSED ACCOUNT)
ZONE (FARM ZONED)**Linked Accounts****Mortgage Account Number****Expiration Date****Acreage**

37.04

Split/Sub Account Message**Special Account Information - Last Certified Year (2015)**

2016 - (1001) FARM OSD

2016 - (1021) FARM HOMESITE

2016 - (3300) TWO HILL IRR

2016 - (3340) FOUR HILL IRR

2016 - (3350) FOUR HILL DRY

2016 - (3360) SOIL CLASS FOR SPECIALLY ASSESSED FARM DEFERRAL

Sales Information

Buyer (Name & Address)1 PILCHER,KARA H
1749 VICTOR POINT RD NE
SILVERTON, OR 97381**Seller (Name & Address)**

Missing Owner Information

Sales Info07/15/96
\$350,000
27**Deed Info**13250149
RD

2017 Land Information (Unedited and Uncertified)

ID	Type	Acres	Sq Ft	Market Value
----	------	-------	-------	--------------

**MARION COUNTY, OREGON
PROPERTY INFORMATION**

Owner Name
PILCHER,KARA H
Situs Address
14710 ANNA LN NE
SILVERTON, OR 97381

Property ID #
R21650
Map Tax Lot #
071W24 00600

<i>Last Certified Year (2016) Information for R21650</i>	
RMV Land Non-LSU	\$0
RMV Land LSU	\$401,950
RMV Improvements	\$514,670
RMV Total	\$916,620
Land LSU	\$32,800
Total Exemptions	\$0
M5 Net Value	\$585,430
M50 Assd Value	\$460,520

<i>Important Information About R21650</i>
If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

Total Tax Payoff Amount		
Current Year Tax Owed	Interest Date	Total Tax Payoff Amount
\$0.00	01/06/2017	\$0.00

Current Property Tax						
Thlrd	Begin Balance	Amount Paid	Taxes Paid	Interest Paid	Discount	Date Paid
1st	2,039.42	2,039.42	2,039.42	0.00	0.00	11/15/16
2nd	2,039.42	1,957.84	1,957.84	0.00	81.58	11/15/16
3rd	2,039.42	1,937.45	1,937.45	0.00	101.97	11/15/16

Information Subject to Disclaimer - See Home Page

Tax Summary							
Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest	Date Paid	Total Owed
2016	6,118.26	6,006.72	111.54 [SA004] 64.04 [SA222] 47.50	0.00	0.00	11/15/16	0.00
2015	5,946.12	5,834.42	111.70 [SA004] 64.20 [SA222] 47.50	0.00	0.00	11/15/15	0.00
2014	5,774.52	5,665.49	109.03 [SA004] 61.53 [SA222] 47.50	0.00	0.00	11/14/14	0.00

Marion County Parcel Information



First American Title™

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

Parcel Information

Parcel #: R21649

Tax Lot: 071W24 00600

Site Address: 14710 Anna Ln NE
Silverton OR 97381

Owner: Pilcher Kara H

Owner2:

Owner Address: PO Box 1680
Silverton, OR 97381

Phone:

Twn/Range/Section: T: 07S R: 01W S: 24 Q:

Parcel Size: 44.00 Acres (1,916,640 SqFt)

Plat/Subdivision:

Lot:

Block:

Census Tract/Block: /

Waterfront:

Assessment Information

Market Value Land: \$14,060

Market Value Impr: \$0

Market Value Total: \$14,060

Assessed Value: \$14,060

Land

Zoning: F38

Cnty Bldg Use: A90 - AGRICULTURE - GENERAL - DIVERSIFIED (MORE THAN ONE ACTIVITY), ALL FOREST LANDS, WASTE OR WOODLOT In

School District: -

Cnty Land Use: 581 - Specially assessed improved, multiple special assessments

Neighborhood:

Std Land Use: AMSC - AGRICULTURAL MISC

Recreation: -

Improvement

Year Built: 0

Stories: 0.00

Finished Area: 0 SqFt

Bedrooms: 0

Bathrooms: 0.00

Garage: Attached 0

A/C:

Exterior Walls:

Basement Fin: 0 SqFt

Roof Covering:

FirePlace: 0

Heat: -

Transfer Information

Rec. Date:	07/15/96	Sale Price:	\$350,000	Doc Num:	13250149	Doc Type:	
Orig Loan Amt:							
Loan Type:		Finance Type:		Lender:			

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Marion County, Oregon Property Records

Property Information

[Property Information](#) [Tax Summary](#) [Assessment History](#) [Improvement Information](#) [New Search](#) [Search Results](#) [Log Off](#) [Printable Summary](#)

Search Results for R21649

Owner Name PILCHER,KARA H	Property ID Number R21649
Owner Address PO BOX 1680 SILVERTON, OR 97381	Situs Address 14710 ANNA LN NE SILVERTON, OR 97381
Alternate Account Number [REDACTED]	Neighborhood CENT.RUR - RURAL, CENT.RUR
Map Tax Lot 071W24 00600	Levy Code Area 00400008 ; 00400028 - SILVER FALLS LIBRARY DIST ; SILVERTON FD & SILVER FALLS LB
Get Map	Tax Rate 11.7481

Property Description

Property Class 581 (SPECIALLY ASSESSED IMPROVED,MULTIPLE SPECIAL ASSESSMENTS)	Zoning EFU
Property Code A90 - AGRICULTURE, GENERAL-DIVERSIFIED, NO RESIDENCE	Miscellaneous Code SPEC (SPECIALLY ASSESSED ACCOUNT) DFL (DESIGNATED FORESTLAND) ZONE (FARM ZONED)

Related Accounts by Map Tax Lot

R21650

Mortgage Agent-Lender

Exemption

Tax Roll Description

ACRES 44.00

Year Built

Split/Sub Account

Special Account Information - Last Certified Year (2015)

2016 - (3700) POND

2016 - (4010) DESIG FOREST FC0

Sales Information

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	PILCHER,KARA H 1749 VICTOR POINT RD NE SILVERTON, OR 97381	LORENCE,ANNA L	07/15/96 \$350,000 27	13250149 RD

2017 Land Information (Unedited and Uncertified)

ID	Type	Acres	Sq Ft	Market Value
L1	4010 - DESIG FOREST FC0	29.00		\$216,890
L2	3700 - POND	15.00		\$112,190

**MARION COUNTY, OREGON
PROPERTY INFORMATION**

Owner Name
PILCHER,KARA H
Situs Address
14710 ANNA LN NE
SILVERTON, OR 97381

Property ID #
R21649
Map Tax Lot #
071W24 00600

<i>Last Certified Year (2016) Information for R21649</i>	
RMV Land Non-LSU	\$0
RMV Land LSU	\$329,080
RMV Improvements	\$0
RMV Total	\$329,080
Land LSU	\$14,060
Total Exemptions	\$0
M5 Net Value	\$22,020
M50 Assd Value	\$14,060

<i>Important Information About R21649</i>
If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

Total Tax Payoff Amount		
Current Year Tax Owed	Interest Date	Total Tax Payoff Amount
\$0.00	01/06/2017	\$0.00

Current Property Tax						
Thlrd	Begin Balance	Amount Paid	Taxes Paid	Interest Paid	Discount	Date Paid
1st	55.06	55.06	55.06	0.00	0.00	11/15/16
2nd	55.05	52.85	52.85	0.00	2.20	11/15/16
3rd	55.05	52.30	52.30	0.00	2.75	11/15/16

Information Subject to Disclaimer - See Home Page

Tax Summary							
Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest	Date Paid	Total Owed
2016	165.16	165.16	0.00	0.00	0.00	11/15/16	0.00
2015	160.39	160.39	0.00	0.00	0.00	11/15/15	0.00
2014	155.39	155.39	0.00	0.00	0.00	11/14/14	0.00
2013	153.41	153.41	0.00	0.00	0.00	11/12/13	0.00
2012	166.36	166.36	0.00	0.00	0.00	11/13/12	0.00
2011	166.03	166.03	0.00	0.00	0.00	10/28/11	0.00
2010	158.46	158.46	0.00	0.00	0.00	11/15/10	0.00
2009	154.15	154.15	0.00	0.00	0.00	11/15/09	0.00

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this 15 day of July, 19 96, by and between DOUGLAS L. BRADY the duly appointed, qualified and acting personal representative of the estate of ANNA LINDSAY LORENCE, deceased, hereinafter called the first party, and KARA HARTSON PILCHER hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situate in the County of MARION State of Oregon, described as follows, to-wit:

SEE ATTACHED LEGAL

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the same unto the said second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 350,000.00

However, the actual consideration consists of or includes other property or value given or promised which is EXCEPT (the whole) consideration (indicate which).

IN WITNESS WHEREOF, the said first party has executed this instrument; if first party is a corporation, it has caused its corporate name to be signed hereto and its corporate seal affixed by its officers duly authorized thereunto by order of its Board of Directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

NOTE: The sentence between the symbols if not applicable, should be deleted. See ORS 93.030.

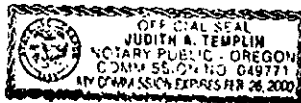
STATE OF OREGON

County of Marion } ss.

BE IT REMEMBERED, That on this 15th day of July, 19 96, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named DOUGLAS L. BRADY

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that HE executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Jeanne A. Templin
Notary Public for Oregon.
My Commission expires _____

ESTATE OF ANNA LINDSAY LORENCE
C/O PO BOX 248
STAYTON, OR 97181
Grantor's Name and Address
KARA HARTSON PILCHER
29480 SE KELSO
BORING, OR 97009
Grantee's Name and Address
After recording return to:
KARA HARTSON PILCHER
29480 SE KELSO
BORING, OR 97009
Name, Address, Zip
Until a change is requested all tax statements shall be sent to the following address:
KARA HARTSON PILCHER
29480 SE KELSO
BORING, OR 97009
Name, Address, Zip

Space Reserved
For
Recorder's Use

STATE OF OREGON,
County of _____ } ss.
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/leaf/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said county.
Witness my hand and seal of County affixed.

Name Title
By _____ Deputy

JUL 16, 1996

The West one-half (W1/2) of the Northwest quarter (NW1/4) of Section 24; and the Southeast quarter (SE1/4) of the Northeast quarter (NE1/4) of Section 23 in Township 7 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

SAVE AND EXCEPT that portion conveyed to Douglas L. Brady et ux by instrument recorded March 21, 1988, in Real 609, Page 11, Film Records for Marion County, Oregon.

TOGETHER WITH that portion of the vacated County Road 765 that would insure to the benefit of the above described property by operation of law.

JUL 16, 1996

REEL:1325

PAGE: 149

July 16, 1996 , 04:07P

CONTROL #: 1325149

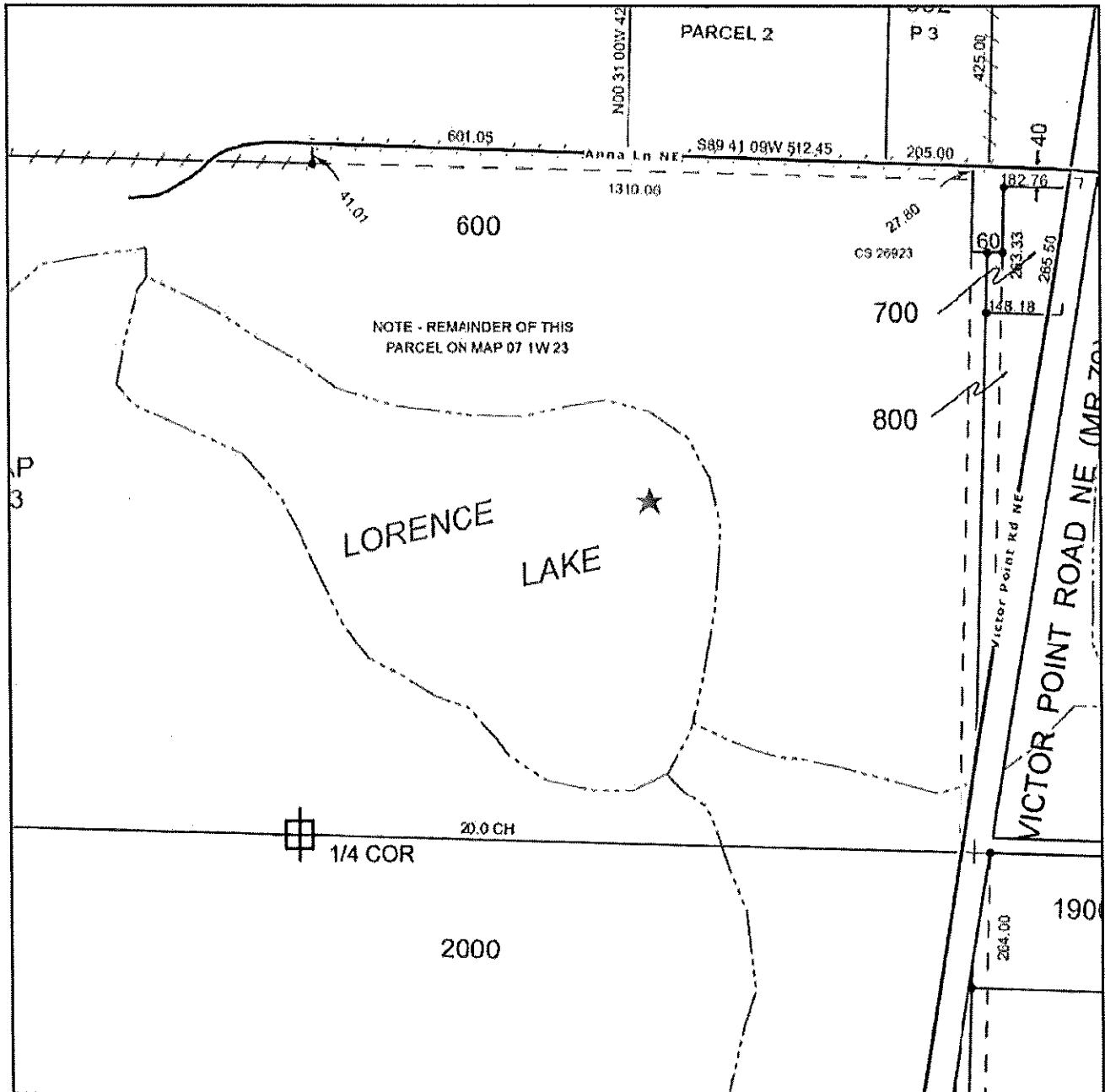
State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$40.00

ALAN H DAVIDSON
COUNTY CLERK

Jul 16, 1996



First American Title™

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

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

geoAdvantage

SEE MAP
071W10

SEE MAP
071W12

SEC 14 T7S R1W W.M.

SCALE 1" = 400'

LEGEND

LINE TYPES

Taxlot Boundary

Road Right-of-Way

Railroad Right-of-Way

Private Road ROW

Subdivision/Plat Bndry

Waterline - Taxlot Bndry

Historical Boundary

Easement

Railroad Centerline

Taxcode Line

Map Boundary

Waterline - Non Bndry

SYMBOL TYPES

- Survey Monument

- Road Station

© DLC Corner

+ 1/16TH Section Cor.

 1/4 Section Cor.

16 15
 Section Corner

21 22

NUMBERS

Tax Code Number

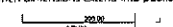
000 00 00 0

Acreage

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: If a tick mark is indicated on the end of a line, then the dimension goes to the tick mark. This is used when dimensions extend into public right-of-ways.



CANCELLED NUMBERS

DISCLAIMER: THIS MAP WAS PREPARED
FOR ASSESSMENT PURPOSES ONLY



Assessors Office
Cartography Dept

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.marion-oh.us

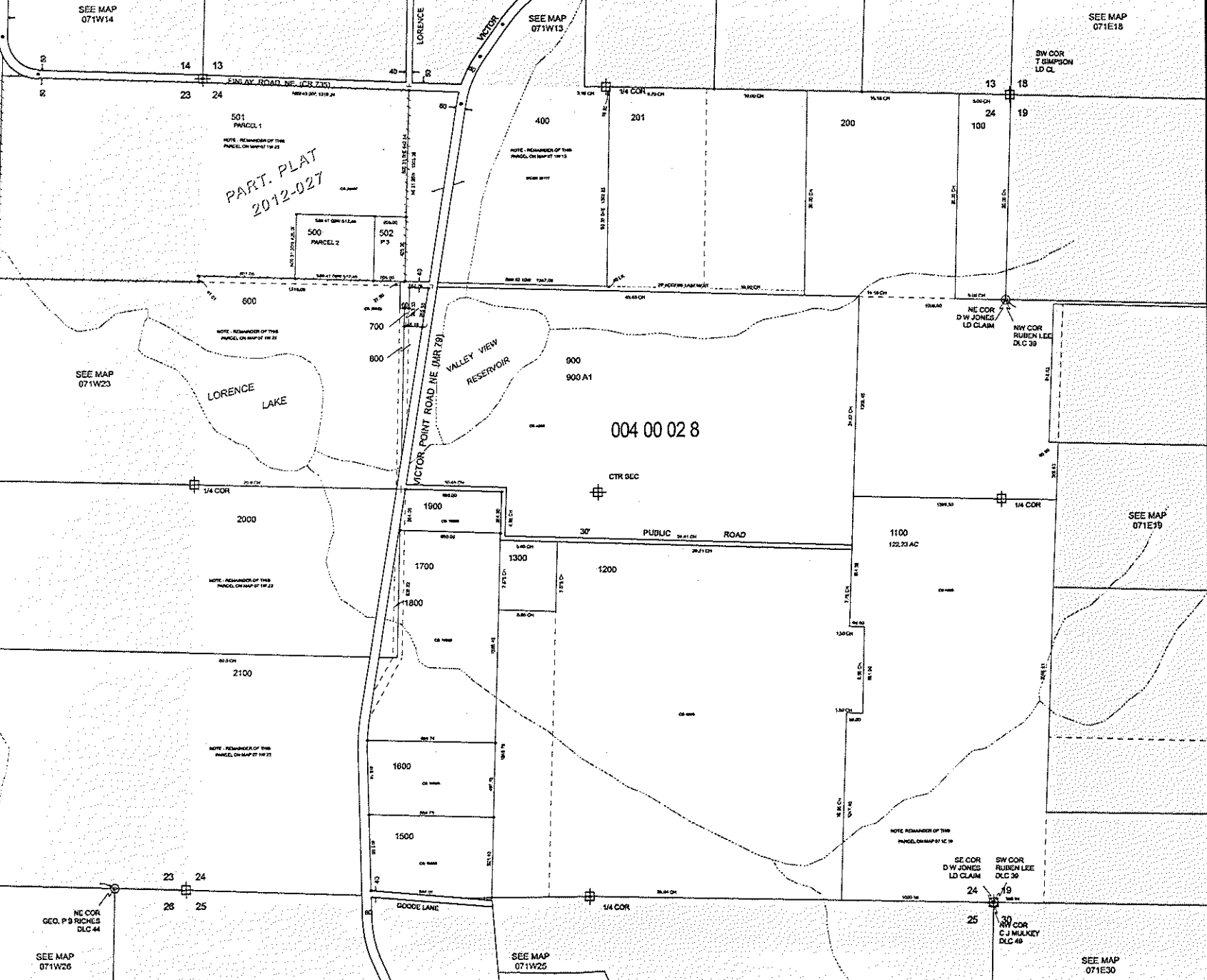
PLOT DATE: 7/6/2016

07 1W 14

004 00 02 8

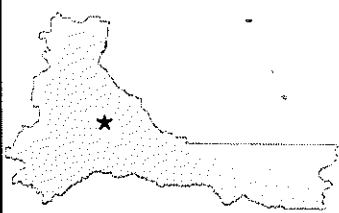
004 00 02 8

07 1W 24



07 1W 24

07 1W 24



MARION COUNTY, OREGON
SEC 24 T7S R1W W.M.
SCALE 1" = 400'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Bndry
 - Waterline - Taxlot Bndry
 - Historical Boundary
 - Easement
 - Railroad Centerline
 - Taxcode Line
 - Map Boundary
 - Waterline - Non Bndry

- SYMBOL TYPES**
- Survey Monument
 - Road Station
 - DLC Corner
 - 1/16TH Section Cor.
 - 1/4 Section Cor.
 - Section Corner

NUMBERS
Tax Code Number
000 00 00 0
Acreage 0.25 AC All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES
Tick Marks: If a tick mark is indicated on the end of a line, then the dimension goes to the tick mark. This is used when dimensions extend into public right-of-ways.

CANCELLED NUMBERS

300				
1000				
1400				

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.marion.or.us

PLOT DATE: 7/6/2016

07 1W 24



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This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

geoAdvantage

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JAN 11 2017

SALEM, OR
Marion County Parcel Information



First American Title™

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

Parcel Information

Parcel #: R21650
Tax Lot: 071W24 00600
Site Address: 14710 Anna Ln NE
Silverton OR 97381
Owner: Pilcher Kara H
Owner2:
Owner Address: PO Box 1680
Silverton, OR 97381
Phone:
TwN/Range/Section: T: 07S R: 01W S: 24 Q: NW
Parcel Size: 37.04 Acres (1,613,462 SqFt)
Plat/Subdivision:
Lot:
Block:
Census Tract/Block: 010503/3145
Waterfront: Lorence Lake



Assessment Information

Market Value Land: \$32,800
Market Value Impr: \$514,670
Market Value Total: \$547,470
Assessed Value: \$460,520

Tax Information

Levy Code Area: 00400028
Levy Rate: 13.0433
Tax Year: 2016
Annual Tax: \$6,118.26
Exemption Desc:

Legal

ACRES 37.04

Land

Zoning: EFU - Exclusive Farm Use
Cnty Bldg Use: A95A - AGRICULTURE - Class OF RESIDENCE 5
School District: 4J - SILVER FALLS
Cnty Land Use: 581 - Specially assessed improved, multiple special assessments
Neighborhood:
Std Land Use: AMSC - AGRICULTURAL MISC
Recreation: -

Improvement

Year Built: 1901
Bedrooms: 7
A/C:
Roof Covering:
Stories: 0.00
Bathrooms: 3.00
Exterior Walls:
FirePlace: 0
Finished Area: 1,190 SqFt
Garage: Attached 798
Basement Fin: 0 SqFt
Heat: -

Transfer Information

Rec. Date:	07/15/96	Sale Price:	\$350,000	Doc Num:	13250149	Doc Type:	
Orig Loan Amt:							
Loan Type:		Finance Type:		Lender:			

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



Marion County, Oregon Property Records

Property Information

[Property Information](#) [Tax Summary](#) [Assessment History](#) [Improvement Information](#) [New Search](#) [Search Results](#) [Log Off](#) [Printable Summary](#)

Search Results for R21650

Owner Name PILCHER,KARA H	Property ID Number R21650
Owner Address PO BOX 1680 SILVERTON, OR 97381	Situs Address 14710 ANNA LN NE SILVERTON, OR 97381
Alternate Account Number [REDACTED]	Neighborhood CENT.RUR - RURAL, CENT.RUR
Map Tax Lot 071W24 00600	Levy Code Area 00400028 ; 00400008 - SILVERTON FD & SILVER FALLS LB ; SILVER FALLS LIBRARY DIST
Get Map	Tax Rate 13.0433

Property Description

Property Class 581 (SPECIALLY ASSESSED IMPROVED,MULTIPLE SPECIAL ASSESSMENTS)	Zoning EFU
Property Code A95A - AGRICULTURE, GENERAL-DIVERSIFIED, CLASS 5, 1 ADD HOUSE	Miscellaneous Code SPEC (SPECIALLY ASSESSED ACCOUNT) ZONE (FARM ZONED)
Related Accounts by Map Tax Lot R21649	Linked Accounts
Mortgage Agent-Lender	Mortgage Account Number
Exemption	Expiration Date
Tax Roll Description ACRES 37.04	
Year Built 1901	Acreage 37.04
Split/Sub Account	Split/Sub Account Message

Special Account Information - Last Certified Year (2015)

2016 - (1001) FARM OSD
2016 - (1021) FARM HOMESITE
2016 - (3300) TWO HILL IRR
2016 - (3340) FOUR HILL IRR
2016 - (3350) FOUR HILL DRY
2016 - (3360) SOIL CLASS FOR SPECIALLY ASSESSED FARM DEFERRAL

Sales Information

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	PILCHER,KARA H 1749 VICTOR POINT RD NE SILVERTON, OR 97381	Missing Owner Information	07/15/96 \$350,000 27	13250149 RD

2017 Land Information (Unedited and Uncertified)

ID	Type	Acres	Sq Ft	Market Value
----	------	-------	-------	--------------

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SALEM, OR

**MARION COUNTY, OREGON
PROPERTY INFORMATION**

Owner Name
PILCHER, KARA H
Situs Address
14710 ANNA LN NE
SILVERTON, OR 97381

Property ID #
R21650
Map Tax Lot #
071W24 00600

<i>Last Certified Year (2016) Information for R21650</i>	
RMV Land Non-LSU	\$0
RMV Land LSU	\$401,950
RMV Improvements	\$514,670
RMV Total	\$916,620
Land LSU	\$32,800
Total Exemptions	\$0
M5 Net Value	\$585,430
M50 Assd Value	\$460,520

<i>Important Information About R21650</i>
If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

Total Tax Payoff Amount		
Current Year Tax Owed	Interest Date	Total Tax Payoff Amount
\$0.00	01/06/2017	\$0.00

Current Property Tax						
Third	Begin Balance	Amount Paid	Taxes Paid	Interest Paid	Discount	Date Paid
1st	2,039.42	2,039.42	2,039.42	0.00	0.00	11/15/16
2nd	2,039.42	1,957.84	1,957.84	0.00	81.58	11/15/16
3rd	2,039.42	1,937.45	1,937.45	0.00	101.97	11/15/16

Information Subject to Disclaimer - See Home Page

Tax Summary							
Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest	Date Paid	Total Owed
2016	6,118.26	6,006.72	111.54 [SA004] 64.04 [SA222] 47.50	0.00	0.00	11/15/16	0.00
2015	5,946.12	5,834.42	111.70 [SA004] 64.20 [SA222] 47.50	0.00	0.00	11/15/15	0.00
2014	5,774.52	5,665.49	109.03 [SA004] 61.53 [SA222] 47.50	0.00	0.00	11/14/14	0.00

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SALES

Marion County Parcel Information



First American Title™

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

Parcel Information

Parcel #: R21649
Tax Lot: 071W24 00600
Site Address: 14710 Anna Ln NE
Silverton OR 97381
Owner: Pilcher Kara H
Owner2:
Owner Address: PO Box 1680
Silverton, OR 97381
Phone:
Twn/Range/Section: T: 07S R: 01W S: 24 Q:
Parcel Size: 44.00 Acres (1,916,640 SqFt)
Plat/Subdivision:
Lot:
Block:
Census Tract/Block: /
Waterfront:

Assessment Information

Market Value Land: \$14,060
Market Value Impr: \$0
Market Value Total: \$14,060
Assessed Value: \$14,060

Land

Zoning: F38
Cnty Bldg Use: A90 - AGRICULTURE - GENERAL - DIVERSIFIED (MORE THAN ONE ACTIVITY), ALL FOREST LANDS, WASTE OR WOODLOT in
School District: -
Cnty Land Use: 581 - Specially assessed improved, multiple special assessments
Neighborhood: **Std Land Use:** AMSC - AGRICULTURAL MISC
Recreation: -

Improvement

Year Built: 0
Stories: 0.00
Finished Area: 0 SqFt
Bedrooms: 0
Bathrooms: 0.00
Garage: Attached 0
A/C:
Exterior Walls:
Basement Fin: 0 SqFt
Roof Covering:
FirePlace: 0
Heat: -

Transfer Information

Rec. Date:	07/15/96	Sale Price:	\$350,000	Doc Num:	13250149	Doc Type:	
Orig Loan Amt:							
Loan Type:		Finance Type:		Lender:			

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SALEM, OR



Marion County, Oregon Property Records

Property Information

[Property Information](#) [Tax Summary](#) [Assessment History](#) [Improvement Information](#) [New Search](#) [Search Results](#) [Log Off](#) [Printable Summary](#)

Search Results for R21649

Owner Name PILCHER,KARA H	Property ID Number R21649
Owner Address PO BOX 1680 SILVERTON, OR 97381	Situs Address 14710 ANNA LN NE SILVERTON, OR 97381
Alternate Account Number [REDACTED]	Neighborhood CENT.RUR - RURAL, CENT.RUR
Map Tax Lot 071W24 00600	Levy Code Area 00400008 ; 00400028 - SILVER FALLS LIBRARY DIST ; SILVERTON FD & SILVER FALLS LB
Get Map	Tax Rate 11.7481

Property Description

Property Class 581 (SPECIALLY ASSESSED IMPROVED,MULTIPLE SPECIAL ASSESSMENTS)	Zoning EFU
Property Code A90 - AGRICULTURE, GENERAL-DIVERSIFIED, NO RESIDENCE	Miscellaneous Code SPEC (SPECIALLY ASSESSED ACCOUNT) DFL (DESIGNATED FORESTLAND) ZONE (FARM ZONED)
Related Accounts by Map Tax Lot R21650	Linked Accounts
Mortgage Agent-Lender	Mortgage Account Number
Exemption	Expiration Date
Tax Roll Description ACRES 44.00	
Year Built	Acreage 44.00
Split/Sub Account	Split/Sub Account Message

Special Account Information - Last Certified Year (2015)

2016 - (3700) POND
2016 - (4010) DESIG FOREST FC0

Sales Information

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	PILCHER,KARA H 1749 VICTOR POINT RD NE SILVERTON, OR 97381	LORENCE,ANNA L	07/15/96 \$350,000 27	13250149 RD

2017 Land Information (Unedited and Uncertified)

ID	Type	Acres	Sq Ft	Market Value
L1	4010 - DESIG FOREST FC0	29.00		\$216,890
L2	3700 - POND	15.00		\$112,190

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JAN 11 2017

SALEM, OR

**MARION COUNTY, OREGON
PROPERTY INFORMATION**

Owner Name
PILCHER,KARA H

Situs Address
14710 ANNA LN NE
SILVERTON, OR 97381

Property ID #
R21649
Map Tax Lot #
071W24 00600

<i>Last Certified Year (2016) Information for R21649</i>	
RMV Land Non-LSU	\$0
RMV Land LSU	\$329,080
RMV Improvements	\$0
RMV Total	\$329,080
Land LSU	\$14,060
Total Exemptions	\$0
M5 Net Value	\$22,020
M50 Assd Value	\$14,060

<i>Important Information About R21649</i>
If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

Total Tax Payoff Amount		
Current Year Tax Owed	Interest Date	Total Tax Payoff Amount
\$0.00	01/06/2017	\$0.00

Current Property Tax						
Third	Begin Balance	Amount Paid	Taxes Paid	Interest Paid	Discount	Date Paid
1st	55.06	55.06	55.06	0.00	0.00	11/15/16
2nd	55.05	52.85	52.85	0.00	2.20	11/15/16
3rd	55.05	52.30	52.30	0.00	2.75	11/15/16

Information Subject to Disclaimer - See Home Page

Tax Summary							
Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest	Date Paid	Total Owed
2016	165.16	165.16	0.00	0.00	0.00	11/15/16	0.00
2015	160.39	160.39	0.00	0.00	0.00	11/15/15	0.00
2014	155.39	155.39	0.00	0.00	0.00	11/14/14	0.00
2013	153.41	153.41	0.00	0.00	0.00	11/12/13	0.00
2012	166.36	166.36	0.00	0.00	0.00	11/13/12	0.00
2011	166.03	166.03	0.00	0.00	0.00	10/28/11	0.00
2010	158.46	158.46	0.00	0.00	0.00	11/15/10	0.00
2009	154.15	154.15	0.00	0.00	0.00	11/15/09	0.00

RECEIVED BY OWNER

JAN 11 2017

SALEM, OR

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this 15 day of July, 19 96, by and between DOUGLAS L. BRADY the duly appointed, qualified and acting personal representative of the estate of ANNA LINDSAY LORENCE, deceased, hereinafter called the first party, and KARA HARTSON PILCHER

hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situate in the County of MARION State of Oregon, described as follows, to-wit:

SEE ATTACHED LEGAL

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the same unto the said second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 350,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which).

IN WITNESS WHEREOF, the said first party has executed this instrument; if first party is a corporation, it has caused its corporate name to be signed hereto and its corporate seal affixed by its officers duly authorized thereunto by order of its Board of Directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE DOUGLAS L. BRADY APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. Douglas L. Brady Personal Representative of the Estate of ANNA LINDSAY LORENCE Deceased.

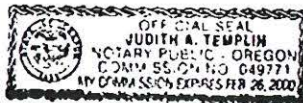
NOTE: The sentence between the symbols , if not applicable, should be deleted. See ORS 93.030.

STATE OF OREGON } ss.
County of Marion

BE IT REMEMBERED, That on this 15th day of July, 19 96, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named DOUGLAS L. BRADY

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that HE executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Jeanne A. Temple
Notary Public for Oregon.
My Commission expires

ESTATE OF ANNA LINDSAY LORENCE

C/O PO BOX 248
STAYTON, OR 97181

Grantor's Name and Address
KARA HARTSON PILCHER
29480 SE KELSO
BORING, OR 97009

Grantee's Name and Address
After recording return to:
KARA HARTSON PILCHER
29480 SE KELSO
BORING, OR 97009
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address:

KARA HARTSON PILCHER
29480 SE KELSO
BORING, OR 97009
Name, Address, Zip

STATE OF OREGON, } ss.
County of

I certify that the within instrument was received for record on the day of , 19 , at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. .
Record of Deeds of said county.

Witness my hand and seal of County affixed.

Name Title
By Deputy

Space Reserved
For
Recorder's Use

RECEIVED BY OWRD

SALEM, OR

JUL 16, 1996

The West one-half (W1/2) of the Northwest quarter (NW1/4) of Section 24; and the Southeast quarter (SE1/4) of the Northeast quarter (NE1/4) of Section 23 in Township 7 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

SAVE AND EXCEPT that portion conveyed to Douglas L. Brady et ux by instrument recorded March 21, 1988, in Reel 609, Page 11, Film Records for Marion County, Oregon.

TOGETHER WITH that portion of the vacated County Road 765 that would insure to the benefit of the above described property by operation of law.

JUL 16, 1996

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JAN 11 2017

SALEM, OR

REEL:1325

PAGE: 149

July 16, 1996 , 04:07P

CONTROL #: 1325149

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$40.00

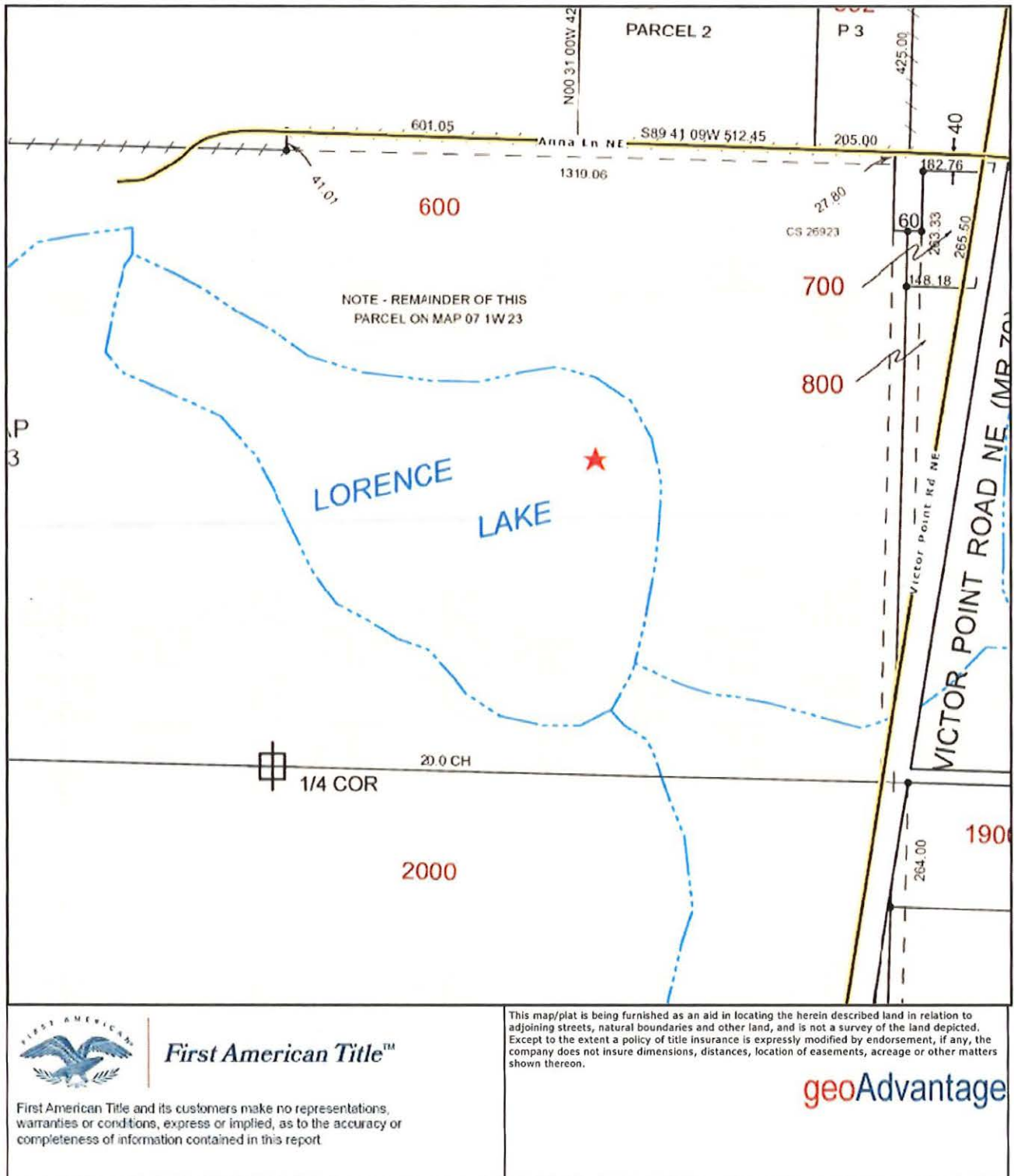
ALAN H DAVIDSON
COUNTY CLERK

Jul 16, 1996

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JAN 11 2017

SALEM, OR



RECEIVED BY OWRD

JAN 11 2017

SALEM, OR

07 1W 14

SEE MAP
071W10

SALEM, OR

JAN 11 2017

RECEIVED BY OWRD

SEE MAP
071W12

07 1W 14



MARION COUNTY, OREGON

SEC 14 T7S R1W W.M.

SCALE 1" = 400'

LEGEND

LINE TYPES

Taxlot Boundary	Historical Boundary
Road Right-of-Way	Easement
Railroad Right-of-Way	Railroad Centerline
Private Road ROW	Taxcode Line
Subdivision/Plat Bndry	Map Boundary
Waterline - Taxlot Bndry	Waterline - Non Bndry

SYMBOL TYPES

Survey Monument	+ 1/26TH Section Cor.
Road Station	⊕ 1/4 Section Cor.
DLC Corner	⊙ 16, 15 21 22 Section Corner

NUMBERS

Tax Code Number

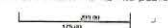
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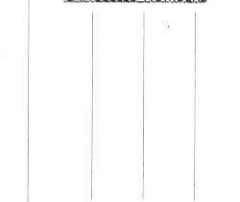
All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs.

NOTES

Tick Marks: If a tick mark is indicated on the end of a line, then the dimension goes to the tick mark. This is used when dimensions extend into public right-of-ways.



CANCELLED NUMBERS



DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

Assessors Office
Cartography DeptFOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.marion.or.us

PLOT DATE: 7/6/2016

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SEE MAP
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SALEM, OR

JAN 1 2017

RECEIVED BY OMWD

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PARCEL ON MAP 071W23500
PARCEL 2
NOTE: REMAINDER OF THIS
PARCEL ON MAP 071W23502
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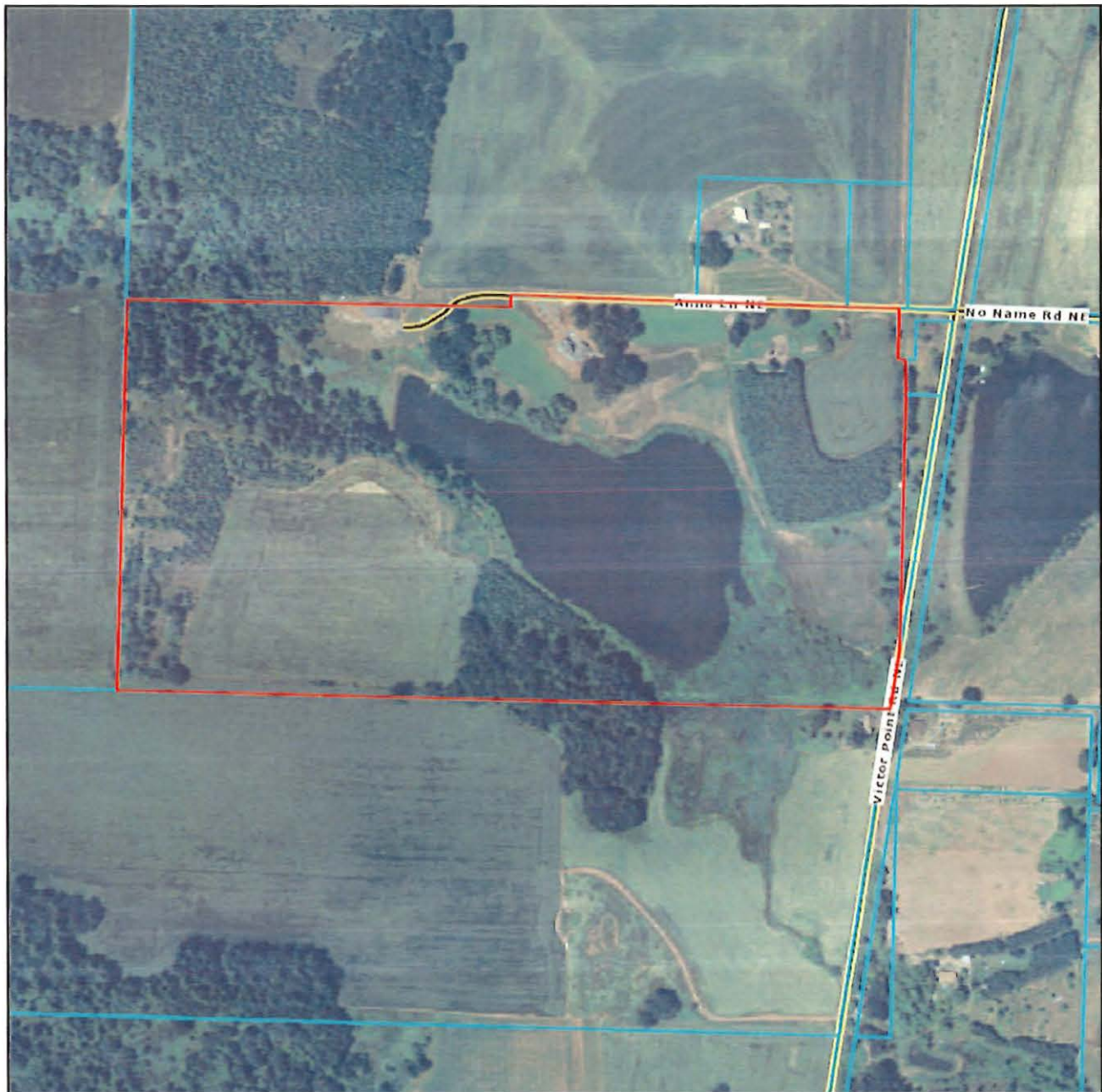
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First American Title and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

geoAdvantage

RECEIVED BY OWRD

JAN 11 2017

SALEM, OR

HENDERSON Sarah A * WRD

From: HENDERSON Sarah A * WRD
Sent: Thursday, January 12, 2017 8:03 AM
To: Ted Ressler
Cc: 'gpilcher@iselinursery.com'
Subject: RE: T-12232 Draft Preliminary Determination

Good Morning,

Ted thank you for your findings. All changes below will be done , I also believe you are right about not needing an affidavit for diminishment. Breaking it out by use is perfect.

As soon as I make the changes and check out the ownership, the Preliminary Determination will be signed.

Have a most excellent day. If you would still like to call, I am here all day. And again thank you.

Sarah

Sarah Henderson | Transfer Specialist, Transfer and Conservation Division
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503.986.0890 | Fax: 503.986.0901
Email: sarah.a.henderson@oregon.gov | Web: <http://www.wrd.state.or.us>

From: Ted Ressler [<mailto:tressler@gsiws.com>]
Sent: Wednesday, January 11, 2017 5:26 PM
To: HENDERSON Sarah A * WRD
Cc: 'gpilcher@iselinursery.com'
Subject: RE: T-12232 Draft Preliminary Determination

Hi Sarah

I've reviewed the draft preliminary determination and discussed it with the applicant. We have a few comments/clarifications. I thought it would be helpful to share these by email before calling to discuss – let me know a good time to call.

1. Proposed character of use and partial diminishment (Findings of Fact #11 and #12). Since a purpose of the transfer application is to propose a new use for the stored water under certificate 31503, an affidavit for diminishment does not seem applicable. Can we just simply specify the new use to be primary irrigation on 11.48 acres and supplemental irrigation on 5.0 acres? The transfer map differentiates the acres of supplemental irrigation from the acres of primary

irrigation. Accordingly, Findings of Fact #11 and #12 could be revised to:

11. Transfer Application T-12232 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	1 W	WM	23	SE NE	1.9
7 S	1 W	WM	24	SW NW	12.7
7 S	1 W	WM	24	NW NW	0.88
Total					15.48

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7S	1W	WM	24	SWNW	5.0

12. Transfer Application T-12232 proposes to change the character of use to irrigation.

2. Findings of Fact #17. There is a minor typo in the last sentence of this finding. The typo does NOT affect the 31.7 acre-foot volume calculation.

17. Transfer application T-12232 requests that the 38.7 acre feet for the fish culture be converted to irrigation use. However, because the water flows in and out at the same rate, the quantity of water to be transferred would be limited to the amount of evaporation loss (consumptive use) from the reservoir. The reservoir has an area of 10.0 acre or 435,600 square feet. Based on the best available information, the annual evaporation rate for this location is 38 inches per year. Therefore, the amount of water available to be transferred is 31.7 acre feet (calculated by: 32 inches per year ÷ 12 inches/foot × 435,600 square feet ÷ 43,560 square feet per acre). 38

Other than the comments/clarifications presented above, the draft preliminary determination accurately reflects the changes proposed by the transfer application and the applicant accepts the Department's findings regarding the consumptive use of Certificate 31503 under Findings of Fact #17.

The report of landownership for the land associated with the transfer is attached.

Thank you

Ted

From: HENDERSON Sarah A * WRD [<mailto:Sarah.A.Henderson@oregon.gov>]
Sent: Thursday, January 5, 2017 8:12 AM
To: Ted Ressler <tressler@gsiws.com>
Cc: PLAHN Joel M * WRD <Joel.M.Plahn@oregon.gov>; brian@waterwatch.org
Subject: T-12232 Draft Preliminary Determination

Good Morning,

Attached is the Draft Preliminary Determination, Cover Letter, Affidavit for Partial Diminishment, and ODFW conditions for the T-12232 water right transfer.

Please read these documents carefully and notice the deadline date of February 4, 2017 for the submittal of the required documents needed in the letter.

Hard copy is in the mail to KARA HARTSON PILCHER REVOCABLE LIVING TRUST or GREGORY EUGENE PILCHER REVOCABLE LIVING TRUST.

If you have any questions regarding these documents, please let me know.

Thank you and have a wonderful day.

Sarah

Sarah Henderson | Transfer Specialist, Transfer and Conservation Division

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

Ph: 503.986.0890 | Fax: 503.986.0901

Email: sarah.a.henderson@oregon.gov | Web: <http://www.wrd.state.or.us>



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-12232

Review Due Date: _____

Applicant Name: Kara Hartson Pilcher Trust

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

Reviewer(s): Joel Plahn

Date of Review: Feb. 1, 2015

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: Pudding River and tribs are regulated for an ISWR with a date of 6/22/1964 but both of these rights are senior.
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 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-12232

Date of review: 08-25-16

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 Drift Creek [stream], tributary to Pudding River, because the proposed P.O.D. is being added upstream potentially affecting instream right 52591.

Additionally, the change of use may impact or reduce flows downstream. (72591)
(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.]

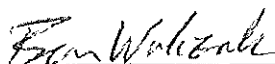
Note: This option will yield the following:

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

(971) 673-6013

Phone

Ben Walczak

Printed Name

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-12232

**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: Peter Baki

Address: 4034 Fairview Industrial Dr. SE

City/State/Zip: Salem, OR 97302

Phone: (503) 947-6217

- ☒ 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 St

City/State/Zip: Clackamas, OR 97015

Phone: (971) 673-6013

ANDREWS Marissa L

From: ANDREWS Marissa L
Sent: Monday, August 22, 2016 10:51 AM
To: FARRAND Alex; WALCZAK Ben
Subject: ODFW Review T-12232

Hello,

My records reflect that on 1/11/2015 a request was made to your department to submit a review of the below referenced transfer application. Please respond with an update on this review or the completed review itself.

Thank you,

T-12232 link to information:

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=12232&transfer_char=T

Marissa Andrews | Water Rights and Transfers Support

Oregon Water Resources Department

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

My Desk: 503.986.0807 | General Help: 503.986.0900

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): Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust

Mailing Address: PO Box 1680

City: Silverton

State: OR

Zip Code: 97381

Daytime Phone: K 503 307 0583
G 503 860 1174

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>7S</u>	<u>1W</u>	<u>23</u>	<u>SE NE</u>	<u>600</u>	<u>Exclusive Farm Use</u>	☒ Diverted	☒ Conveyed	☒ Used	Irrigation
<u>7S</u>	<u>1W</u>	<u>24</u>	<u>SW NW</u>	<u>600</u>	<u>Exclusive Farm Use</u>	☒ Diverted	☒ Conveyed	☒ Used	Irrigation
<u>7S</u>	<u>1W</u>	<u>24</u>	<u>NW NW</u>	<u>600</u>	<u>Exclusive Farm Use</u>	☐ Diverted	☒ Conveyed	☒ Used	Irrigation

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

Marion County

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B. Description of Proposed Use

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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: 38.7 ☐ 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:

The applicant is seeking to irrigate 15.48 acres of land zoned for Exclusive Farm Use.

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

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 17.136
- ☐ 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

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

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Name: Patty Dorr Title: Assistant Planner
 Signature: Patty Dorr Phone: 503-588-5028 Date: 12/21/15
 Government Entity: Marion County Planning

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: Marion County Planning Division Phone: _____ Date: _____
5155 Silverton Rd. NE
Salem, OR 97305

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of MARION)

I, GREG PILCHER, in my capacity as OWNER,

mailing address PO BOX 1680, SILVERTON, OR 97381

telephone number (503)860-1174, 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 # 31501, 31503; **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)

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OR

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

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

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

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

(continues on reverse side)

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

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

Date

Signed and sworn to (or affirmed) before me this 11th day of DEC, 20 .



Notary Public for Oregon

My Commission Expires: 3-17-19

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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Evidence of Use Map

Water Right Certificates 31501 and 31503
Imagery Date: July 14, 2014



Google earth

© 2015 Google



Oregon

Kate Brown, 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.wrd.state.or.us

January 12, 2016

KARA HARTSON PILCHER REVOCABLE LIVING TRUST
PO BOX 1680
SILVERTON, OR 97381

Reference: Application T- 12232

On January 4, 2016, we received your water right Transfer application. The application was accompanied by \$3050.00. Our receipt number 118486 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 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*)
Ted Ressler, Agent
Marion County Planning Department

Enclosure

Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before February 11, 2016. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	T 12232
Water Right	Cert: 31501, 31503
County/Basin	Marion / Willamette (2)
Applicant Name	KARA HARTSON PILCHER REVOCABLE LIVING TRUST PO BOX 1680 SILVERTON, OR 97381
Proposed Change	POINT OF DIVERSION, PLACE OF USE, USE
Sources/TRSQ40Q160	RESERVOIR > DRIFT CREEK / 7.00S 1.00W 23 SENE UNNAMED STREAM > DRIFT CREEK / 7.00S 1.00W 23 SENE
Use/Quantity	FISH CULTURE / 38.700 AF FISH CULTURE / 38.700 AF
Priority Date	06/21/1957, 06/21/1957

**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 # **118486**

INVOICE # _____

RECEIVED FROM: <u>Greg Pilcher</u>	APPLICATION
BY: <u>Kara H. Pilcher</u>	PERMIT
	TRANSFER <u>T-12232</u>
CASH: ☐ CHECK:# <u>8915</u> OTHER: (IDENTIFY) ☐	TOTAL REC'D <u>\$3050.00</u>

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		<u>46110</u>
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	\$ <u>3,050.00</u>	\$
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 (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

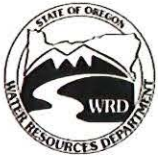
FUND	TITLE
OBJ. CODE	VENDOR #
DESCRIPTION	\$

RECEIPT: **118486**

DATED: 1/4/16

BY: M. A. [Signature]

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.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. 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: 31501, 31503**
Please include a separate Part 5 for each water right. (See instructions on page 6)

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Attachments:

- ☒ Completed Transfer Application Map. See Attachment B
- ☒ Completed Evidence of Use Affidavit and supporting documentation. See Attachment C
- ☐ ☒ 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. See Attachment D
- ☐ ☒ 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: ____/____/____

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Part 2 of 5 – Transfer Application Map Checklist

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°).

Part 3 of 5 – Fee Worksheet

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed: ☒ Place of Use ☒ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>3 (2a)</u> Subtract 1 from the number in line 2a = <u>2 (2b)</u> If only one change, this will be 0 Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » » RECEIVED BY OWRD JAN 04 2016 SALEM, OR	2	\$1,600
3	Number of water rights included in transfer <u>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b)</u> If only one water right this will be 0 Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » »	3	\$450
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 \$350 »	4	\$0
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>0.19 cfs (5a)</u> Subtract 1.0 from the number in 5a above: <u>0 (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 \$300, then enter on line 5 » » » » » » » » » » » » » » » »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3,050
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	3,050

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

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

FEE WORKSHEET for SUBSTITUTION

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$725.00
	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 \$350 and enter » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS PO Box 1680			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 GSI Water Solutions, Inc. c/o Ted Ressler			PHONE NO. 971-200-8509	ADDITIONAL CONTACT NO.
ADDRESS 55 SW Yamhill St., Suite 300			FAX NO.	
CITY Portland	STATE OR	ZIP 97204	E-MAIL tressler@gsiws.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: The applicant proposes to change the Character of Use of stored water under water right certificate 31501 from Fish Life to Multipurpose Use. The applicant proposes to change the Character of Use of secondary water right certificate 31503 from Fish Life to Irrigation. The applicant also proposes to change the Place of Use and the Point of Diversion of secondary water right certificate 31503 (see Attachment B).

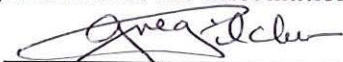
☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

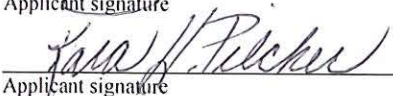
Check One Box

- ☒ 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: Silverton Appeal Tribune.

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


Applicant signature


Applicant signature

Greg Pilcher
Print Name (and Title if applicable)

12/10/15
Date

Kara Pilcher
Print Name (and Title if applicable)

12/10/15
Date

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SALEM, OR

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			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

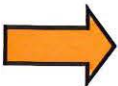
Describe any special ownership circumstances here: _____

- ☐ 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	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	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 Marion County	ADDRESS 5155 SILVERTON ROAD NE	
CITY Salem	STATE Oregon	ZIP 97305

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ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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SALEM, OR

Part 5 of 5 – Water Right Information

CERTIFICATE # 31501

Description of Water Delivery System

System capacity: N/A cubic feet per second (cfs) OR

N/A gallons per minute (gpm)

38.7 acre-feet (af)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **The reservoir is an on-channel storage facility filled by surface water from an unnamed tributary to Drift Creek.**

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)
Center of Dam	☒ Authorized ☐ Proposed		7	S	1	W	23	SE	NE	600	1,000 feet North and 380 feet West from the East ¼ corner of Section 23.
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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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.

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

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

Table 2. Description of Changes to Water Right Certificate # 31501

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													USE	7	S	1	W	23	SE	NE	600	N/A	N/A	Multi- purpose	Center of Dam	6/1/1957
													USE	7	S	1	W	24	SW	NW	600	N/A	N/A	Multi- purpose	Center of Dam	6/1/1957
TOTAL ACRES:											TOTAL ACRES:															

Additional remarks: Certificate 31501 allows for the storage of 38.7 acre-feet from an unnamed tributary of Drift Creek. The Character of Use for the entire volume should be changed from Fish Life to Multipurpose use. Certificate 31501 does not include a description for the location of the point of diversion. The location description provided in Table 1 on page 6 is for the center of the dam. Certificate 31502, which is not included in this transfer, allows for the storage of an additional 47.3 acre-feet for Fish Life in the same reservoir.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No **Both certificates are for storage in the same reservoir. "Layered" water use does not apply.**

If YES, list the certificate, water use permit, or ground water registration numbers: **Certificate 31502 allows for the storage of 47.3 acre-feet for Fish Life in the same reservoir.**



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 # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ 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

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Part 5 of 5 – Water Right Information

CERTIFICATE # 31503

Description of Water Delivery System

System capacity: N/A cubic feet per second (cfs) OR

N/A gallons per minute (gpm)

38.7 acre-feet (af)

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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. **Certificate 31503 is a secondary water right for use of 38.7 af of stored water from the reservoir for Fish Culture. This water is diverted and used within the reservoir.**

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)
Center of Dam	☒ Authorized ☐ Proposed		7	S	1	W	23	SE	NE	600	1,000 feet North and 380 feet West from the East ¼ corner of Section 23.
POD 1	☐ Authorized ☒ Proposed		7	S	1	W	23	SE	NE	600	1060 feet North and 270 feet West from the East ¼ corner of Section 23
POD 2	☐ Authorized ☒ Proposed		7	S	1	W	24	SW	NW	600	830 feet North and 350 feet East from the East ¼ corner of Section 23
	☐ 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.

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

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

Table 2. Description of Changes to Water Right Certificate # 31503

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
										USE, POU, POD	7	S	1	W 23 SE NE	600	N/A	1.9	Irrigation	POD 1, POD 2	6/1/1957		
										USE, POU, POD	7	S	1	W 24 SW NW	600	N/A	12.7	Irrigation	POD 1, POD 2	6/1/1957		
										USE, POU, POD	7	S	1	W 24 NW NW	600	N/A	0.88	Irrigation	POD 1, POD 2	6/1/1957		
TOTAL ACRES:											TOTAL ACRES:						15.48					

Additional remarks: **The Character of Use for water right certificate 31503 should be changed from fish life to irrigation. See Attachment B for illustration of proposed Place of Use changes. Where the Place of Use for Certificate 31503 and 8333 would overlap, 31503 should be considered supplemental to 8333. Certificate 8883 allows for the irrigation of 5 acres in the SW NW $\frac{1}{4}$ $\frac{1}{4}$ in Section 24. There is not a final proof survey map for Certificate 8883 showing the location of the 5 acres of irrigation, rather there is onal a proof of appropriation of water that generally shows the area in which the 5 acres of irrigation is located. The PODs for Certificates 31503 and 8883 are the same.**

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: **Certificate 8883 is associated with the "to" lands – see above remarks for description.**



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 # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ 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

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELMER LORENCE

of Rt. 3, Box 63, Silverton, State of Oregon, has made proof

to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of
an unnamed stream, tributary of Drift Creek, appropriated under Application No.
31652, Permit No. 25025

for the purposes of
fish culture

under Reservoir Permit No. R-2051 of the State Engineer, and that said right to store said
waters has been perfected in accordance with the laws of Oregon; that the priority of the right
hereby confirmed dates from June 21, 1957,

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed 38.7 acre feet.

The reservoir is located in

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SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 23
SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 24
T. 7 S., R. 1 W., W. M.

WITNESS the signature of the State Engineer, affixed

this date. APRIL 10 1964

T 12232

CHRIS L. WHEELER

State Engineer

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELMER LORENCE

of Route 3, Box 63, Silverton, 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 reservoir constructed under Application No. R-31651, Permit No. R-2051,

a tributary of unnamed stream (Drift Creek) for the purpose of fish culture

under Permit No. 25025 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 21, 1957,

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 38.7 acre feet stored water only

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T. 7 S., R. 1 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to - - - - - of one cubic foot per second per acre,

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:

Fish culture

SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 23

SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 24

T. 7 S., R. 1 W., W. M.

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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.

WITNESS the signature of the State Engineer, affixed

this date. APRIL 10 1964

T 12232

CHRIS L. WINTER

State Engineer

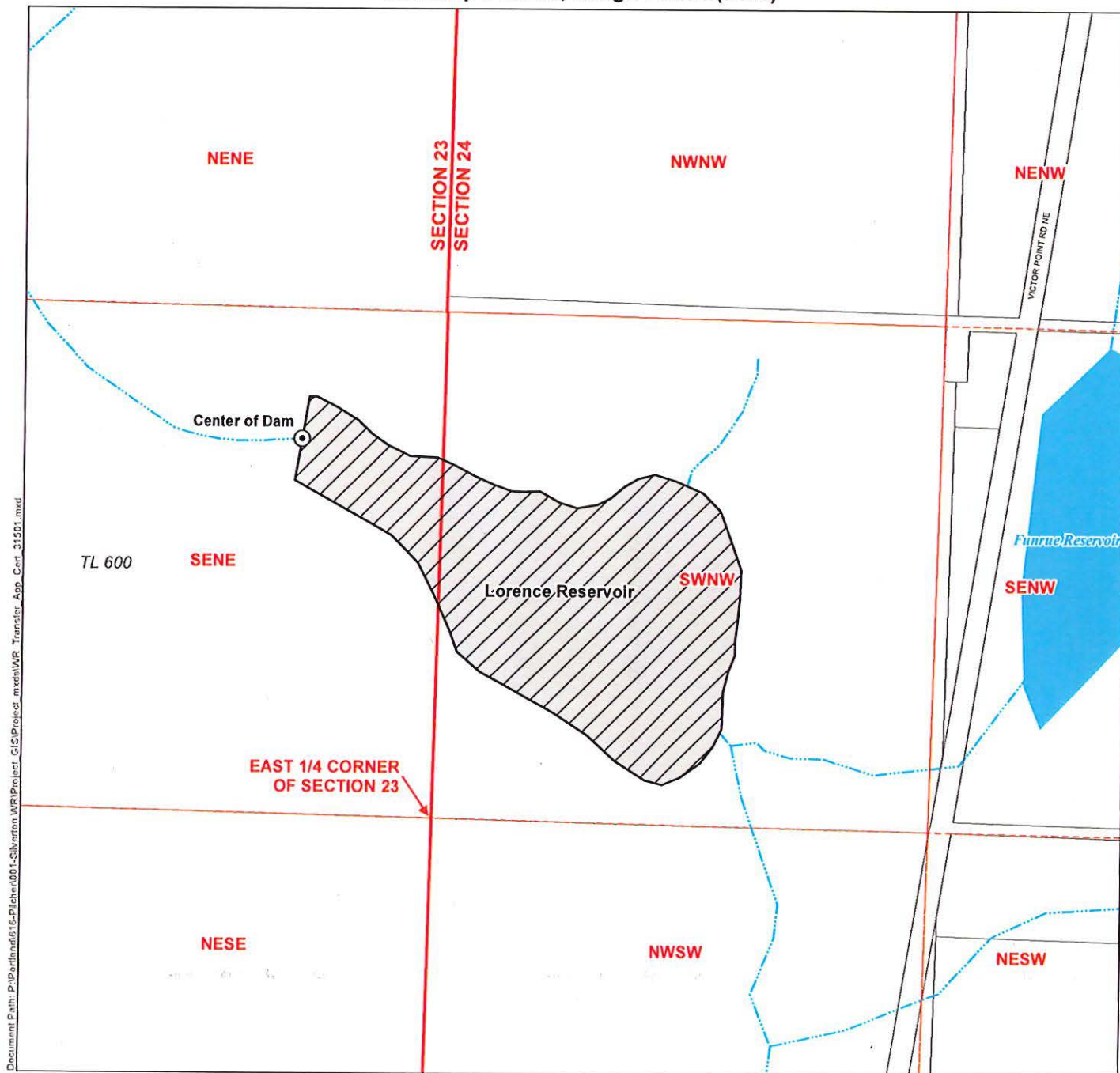
JAN 04 2016

SALEM, OR

Application for a Water Right Transfer Proposed Change in Character of Use

Certificate 31501, Permit R-2051, Application R-31651

Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust
Township 7 South, Range 1 West (W.M.)



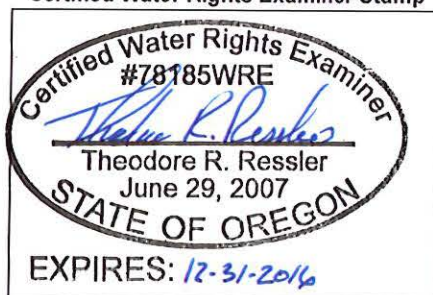
LEGEND

- ⊙ Authorized Point of Diversion (POD)
- ▨ Place of Use (POU) Where Character of Use to be Changed
- Tax Lots
- Waterbodies
- ~ Watercourses

POD LOCATION DESCRIPTION

Authorized POD - Center of Dam
Located 1,000 feet North and 380 feet West from the East 1/4 corner of Section 23, Township 7 South, Range 1 West (W.M.)

Certified Water Rights Examiner Stamp



DISCLAIMER

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

MAP NOTES

Date: December 1, 2015
Data Sources: OWRD, US BLM, USGS
Prepared By: GSI Water Solutions, Inc.

T 12232



0 200 400
1 inch = 400 feet



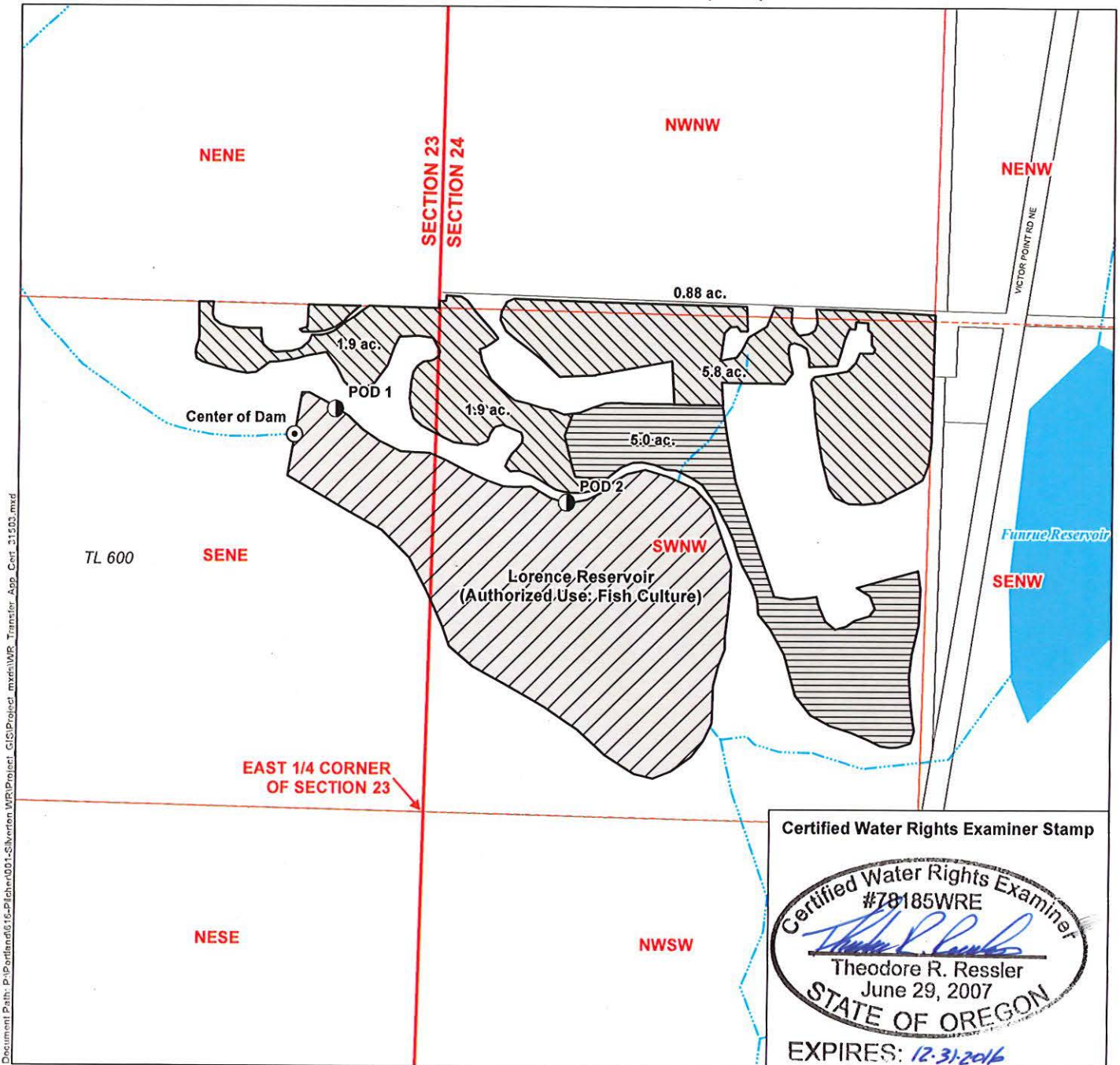
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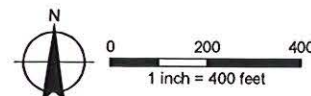
Application for a Water Right Transfer

Proposed Change in Place of Use and Character of Use

Certificate 31503, Permit S-25025, Application S-31652

Kara Hartson Pilcher Revocable Living Trust or Gregory Eugene Pilcher Revocable Living Trust
Township 7 South, Range 1 West (W.M.)

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SALEM, OR

December 31, 2015

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

Re: Application for a Permanent Water Right Transfer, Certificates 31501 and 31503

Dear Kelly,

On behalf of the applicants, Kara Hartson Pilcher Revocable Living Trust and Gregory Eugene Pilcher Revocable Living Trust, please find enclosed an Application for a Permanent Water Right Transfer involving water right Certificates 31501 and 31503.

The application requests to change the character of use of Certificate 31501 and the character of use, place of use, and point of diversion for Certificate 31503. Please also find enclosed a check in the amount of \$3,050 for payment of the application filing fee.

If you have any questions or concerns, please call me at (503) 239-8799, ext 106. Please copy me on any correspondence regarding this application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Theodore R. Ressler".

Theodore R. Ressler, RG, CWRE
GSI Water Solutions, Inc.

Enclosures: Application for a Permanent Water Right Transfer
Check in the amount of \$3,050

cc Greg Pilcher

Water Right Transfer Application Checklist

Checked by Jeffrey Date 5-Jan-15

(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: _____
If not, the correct fee would be: _____, so the amount missing is: _____

► If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells =	_____	x \$350.00 =
Total =		

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

► If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) =	<u>1</u>	x \$450.00 = <u>450</u>
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00 <u>0</u>
1 or 2 additional TYPEs of change* (see Page 5 of application) =	<u>2</u>	x \$800.00 = <u>1600</u>
If <i>Place of Use</i> or <i>Character of Use</i> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs =		x \$300.00 = <u>0</u>
HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer		
Sub-total =		<u>3050</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		

*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.

☒ 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:

31501 - use

31503 - POU, use, Pod

Changes: _____

cfs involved: .19

Source: Lawrence Reservoir