

T-10515

RA

Name Jagdish GrewalAddress 17465 SE Sunnyside Rd
Damascus, OR 97089
503 658-4715Change in POADate Filed 1-2-08Initial notice date 1-22-2008

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 8-10-09 Vol 78 Page 643

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued 85556Cert. 97959 issued 10-25-2024

DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellsTrib. of Clear CreekUse IRCounty Clackamas

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

App # G 4901Per # G 4619Cert # 38516PR Date 1969

App # _____

Per # _____

Cert # _____

PR Date _____

App # _____

Per # _____

Cert # _____

PR Date _____

App # _____

Per # _____

Cert # _____

PR Date _____

App # _____

Per # _____

Cert # _____

PR Date _____

WM # 20GW Karl Wozniak

FEES PAID		
Date	Amount	Receipt #
<u>1/2/08</u>	<u>400.00</u>	<u>91084</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent J.H. Greenman Haner, Ross & Sparseen, Inc 2895 Beavercreek Rd, OregonCity OR 97045 503-657-1384 503-657-1387 FaxCWRE JH Greenman #056CC's list Clackamas County 9101 SE Sunnybrook Blvd, Clackamas, OR 97015RA Contractor: PBS☐ - Oversized map - Location

Mailing List for Final Transfer Certificate(s)

Transfer Application: T-10515

Certificate: 97959 (C-38516)

Certificate/Transfer Holder: (include copy of map)

JAGDISH GREWAL
4119 SW RODLUN RD
GRESHAM, OR 97080

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

Copies of Final Transfer Certificate(s) to be sent to:

1. Watermaster District #: 20
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

5. William E. McGill, CWRE

Record Marking(s):

1. Original Application# G-4901
2. Old Certificate# 38516

Copies Mailed

by: TM
(STAFF)

on: 10-25-2024
(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

DATE MAILED: OCT 25 2024

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this Department: The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

The certificate is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in-a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Jonnine Skaug at 503-979-3943.

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAGDISH GREWAL
4119 SW RODLUN RD
GRESHAM OR 97080

confirms the right to the use of water perfected under the terms of Permit G-4619. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS A TRIBUTARY OF CLEAR CREEK

PURPOSE OR USE: IRRIGATION OF 58.1 ACRES

MAXIMUM RATE: 0.39 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO 0.39 CFS FROM WELL 6, AND 0.31 CFS FROM WELL 7, IN ANY COMBINATION NOT TO EXCEED 0.39 CFS FROM EACH WELL

DATE OF PRIORITY: JUNE 4, 1969

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	SE NE	39	WELL 6 - 2650.7 FEET NORTH AND 1846.6 FEET EAST FROM S1/4 CORNER, SECTION 33
2 S	3 E	WM	33	NE SE	39	WELL 7 - 1762.0 FEET NORTH AND 2019.2 FEET EAST FROM S1/4 CORNER, SECTION 33

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	3 E	WM	33	SE NE	39	21.5
2 S	3 E	WM	33	NE SE	39	20.2
2 S	3 E	WM	34	SW NW	39	7.7
2 S	3 E	WM	34	NW SW	39	8.7

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available from the original points of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	NW NE	37	WELL 3 - 400 FEET NORTH AND 630 FEET EAST FROM SW CORNER, DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 4 - 940 FEET NORTH AND 50 FEET EAST FROM SW CORNER, DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 5 - 580 FEET NORTH AND 320 FEET EAST FROM SW CORNER, DLC 37

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

Water use measurement conditions:

- a) The water user shall maintain and operate a totalizing flow meter, or, other suitable measuring device, as approved by the Director, in good working order, at each point of appropriation.
- b) The water user shall allow the Watermaster access to the 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 access.

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered August 10, 2009, at Special Order Volume 78, Page 643, approving Transfer Application T-10515, and together with Certificate 85556, supersedes Certificate 38516, State record of Water Right Certificates.

Issued

OCT 25 2024

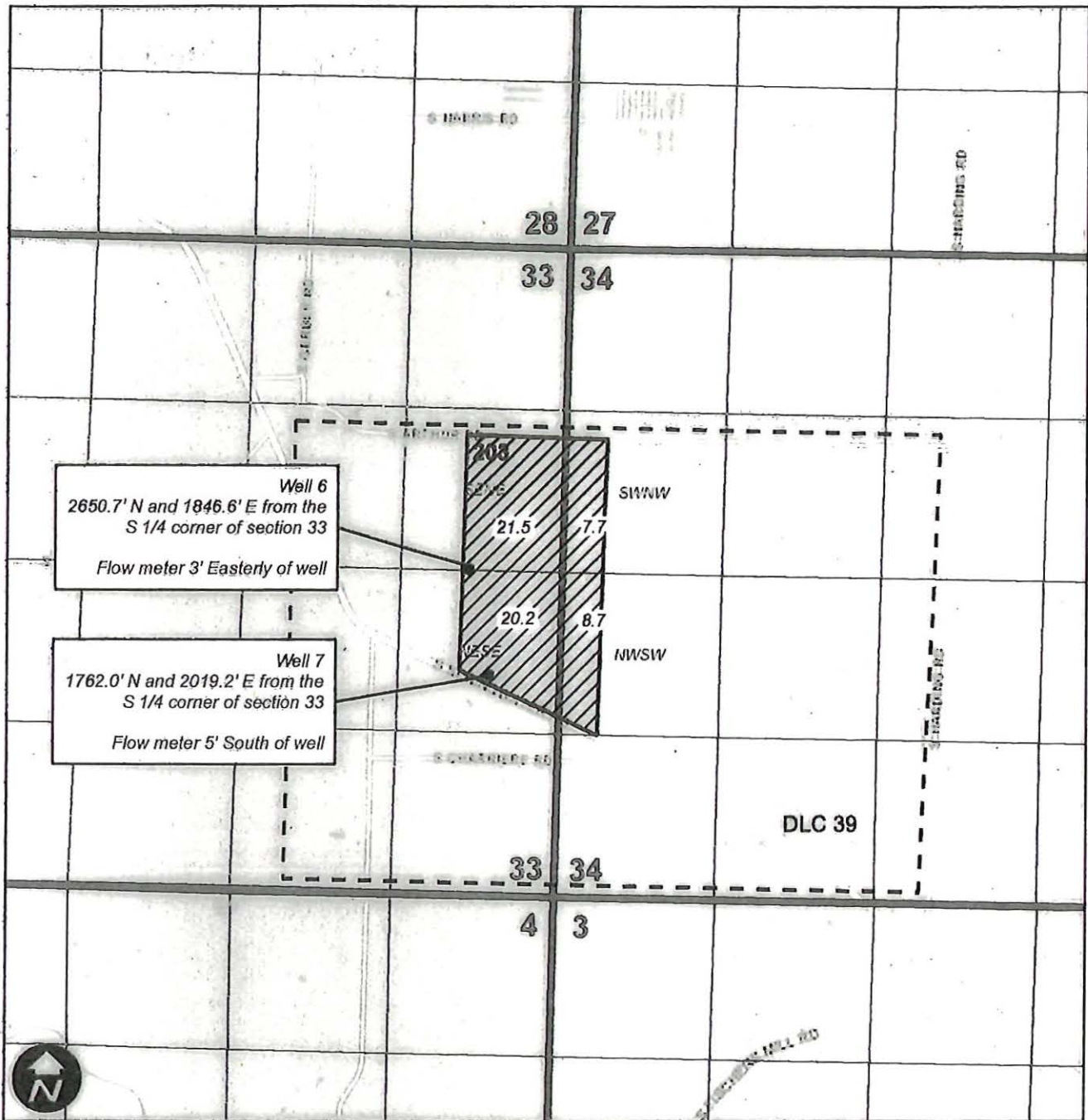


Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

Claim of Beneficial Use - Grewal

Transfer T-10515

COPY
Township 2S, Range 3E, W.M.



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

0 660 1,320 2,640 Feet

Legend

POU Tax Lot DLC



(Brecks old work)

LAST REVIEW OCT 2021

TRANSFER

AG-4901

Memo- Proof to Satisfaction

Transfer App #	T-10515	
WRD Reviewer (CW)	Breck	Date: 2024
WRD Peer Reviewer (PR)	J Skang	Date: Aug 2024

ORIGINAL CERT:	CHANGE REQUESTED:	RR Cert:
38516	☐ POU ☒ POD/POA ☐ APOD/APOA ☐ USE	85556
	☐ POU ☐ POD/POA ☐ APOD/APOA ☐ USE	
	☐ POU ☐ POD/POA ☐ APOD/APOA ☐ USE	
	☐ POU ☐ POD/POA ☐ APOD/APOA ☐ USE	

PREPARATION:

CW	PR	RESEARCH:			
☒	☒	☒ CBU Report/Map	☒ Transfer Order Ord Vol 5POV Issued Date 78 pg 643 8/10/2019	☐ Assignment	☐ Transfer Extension
		Electronic Folder:			
☒	☐	☒ Create CBU folder	☒ Create Work Packet Folder		
☒	☐	SCAN: Above documents into "CBU Folder"			
☒	☐	SAVE: other documents in "Work Packet Folder"			
		☒ Certificate(s)	☒ Transfer App Maps (To/From)	☐	
		☒ OrMap Tax Lot Map	☒ Ownership Report	☒ BLM Cadastral Survey	☐ GW Logs
		☐ GW Conditions	☐ Mitigation	☐ POU Report (conflict) [POU ONLY]	☐ Others:
☒	☒	SEARCH:			
		☒ Interactive Mapper	☐ AOI	☒ Map and TaxLot ID 203	☐ Receiving LO:
				New Landowner: Same	

REVIEW OF CLAIM:

ORDER REQ'D	CERTIFICATE REQ'D	COMPLIED YES/NO	CONDITIONS:	NOTES:
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Fish Condition	
☒ Y ☐ N/A	☐ Y ☐ N/A	☒ Y ☐ N	Meter/Measuring Device	claim says meter is in place by prior owners and replacements put in 4/13/23
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Water Use Reporting	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	SWL (Month)	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Dedicated MMS tube	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Well Id	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Other:	
☒ Y ☐ N/A	☐ Y ☐ N/A	☒ Y ☐ N	C-date: 10/11/2014	EXT C-Date: 6/13/2012

REVIEW OF MAP: (Only the changes approved)

CW	PR		Notes:
☒	☐	Verify POA/POD Location (New Only)	
☐	☐	Verify POU (New only)	
☐	☐	POU clearly identified by Use Type/Certificate	
☐	☐	DLC/GOV'T LOT	
		☐ Original Cert Map for unchanged POU/POD/POA (Attached for Peer Reviewer/Data)	☐ Note Maps for Reference

POD/POA/APOD/POA ONLY: RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA-NEW/ADD'T	AUTHORIZED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
Well 6	0.39cfs		0.47cfs	See Calc Sheet
Well 7	0.39cfs		0.31cfs	limit

go-finish made proof

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10515, Clackamas County	)	CHANGE IN POINTS OF
	)	APPROPRIATION

Authority

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

Applicant

Jagdish Grewal
17465 SE Sunnyside Rd.
Damascus, OR 97089

Findings of Fact

Background

1. On January 2, 2008, Jagdish Grewal filed an application to change the points of appropriation for a portion of the right under Certificate 38516. The Department assigned the application number T-10515.
2. On March 27, 2009, a revised transfer application map was received.
3. The portion of the right to be transferred is as follows:

Certificate: 38516 in the name of ELMORE MOSTUL (perfected under Permit G-4619)

Use: IRRIGATION of 58.1 ACRES

Priority Date: JUNE 4, 1969

Rate: 0.39 CUBIC FOOT PER SECOND (CFS), BEING 0.08 CFS FROM WELL 3, 0.11 CFS FROM WELL 4 AND 0.20 CFS FROM WELL 5

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: WELLS #3, #4 and #5 in the CLEAR CREEK BASIN

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.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	NW NE	37	WELL 3: 400 FEET NORTH AND 630 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 4: 940 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 5: 580 FEET NORTH AND 320 FEET EAST FROM THE SW CORNER OF DLC 37

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	3 E	WM	33	SE NE	39	21.5
2 S	3 E	WM	33	NE SE	39	20.2
2 S	3 E	WM	34	SW NW	39	7.7
2 S	3 E	WM	34	NW SW	39	8.7

4. Transfer Application T-10515 proposes to change the authorized points of appropriation to two wells approximately 1,600 to 2,560 feet from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	SE NE	39	WELL 6: 2650.7 FEET NORTH AND 1846.6 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 33
2 S	3 E	WM	33	NE SE	39	WELL 7: 1762.0 FEET NORTH AND 2019.2 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 33

5. Notice of the application for transfer was published on January 22, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On March 13, 2009 a letter was sent to the applicant indicating that the transfer map originally submitted did not meet current mapping standards, and requesting submission of a revised map by April 15, 2009. Specifically, the acreage breakdown by quarter quarter section did not match the Claim of Beneficial Use map for this water right under Certificate 38516 and some elements, including Donation Land Claim lines and the remaining portion of the right were not shown as required by OAR 690-380-3100(2). On March 27, 2009 J. H. Greenman, CWRE and agent for the applicant, submitted a revised map that resolved these deficiencies.
7. On April 20, 2009, the Department mailed a copy of the Preliminary Determination proposing to approve Transfer Application T-10515 to the applicant. The Preliminary Determination cover letter set forth a deadline of May 20, 2009, for the applicant to respond. On May 20, 2009 the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer. On May 26, 2009, the applicant asked that the

period of time allowed for completion of the change be extended to five years, due to the difficult economic times and the uncertainties and complexity of the project. This request is reasonable and the completion date has been revised accordingly.

8. On June 4, 2009, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10515 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 June 16, 2009, and in the Estacada News on June 24, July 1 and July 8, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-10515 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10515.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in points of appropriation proposed in Transfer Application T-10515 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000

Now, therefore, it is ORDERED:

1. The change in points of appropriation proposed in application T-10515 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 38516 and any related decree.
3. Water right Certificate 38516 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.
4. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
5. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.

6. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of 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.
7. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2014**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
8. When satisfactory proof of the completed change is received, a new certificate confirming the portion of the right transferred will be issued.

Dated at Salem, Oregon this 10th day of August 2009.


Phillip C. Ward, Director

Mailing date: AUG 17 2009

STATE OF OREGON

COUNTY OF CLATSOP

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELMORE MOSTUL

of 19755 S. Bakers Ferry Road, Oregon City, 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 three wells

a tributary of Clear Creek
irrigation of 112.9 acres

for the purpose of

under Permit No. G-4619 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 4, 1969

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.75 cubic foot per second, being 0.14 cubic foot per second from well No. 3, 0.22 cubic foot per second from well No. 4 and 0.39 cubic foot per second from well No. 5

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NW¼ NE¼ as projected within Mack DLC 37, Section 33, T. 2 S., R. 3 E., W. 4. Wells located: #3 - 400 feet North and 630 feet East; #4 - 940 feet North and 50 feet East; #5 - 580 feet North and 320 feet East, all from SW Corner, Mack DLC 37.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall

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

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

8.2 acres Lot 3 (NE¼ SW¼)
27.0 acres SE¼ SW¼
3.0 acres Lot 2 (NW¼ SE¼)
12.4 acres Lot 1 (SW¼ SE¼)
Section 28

2.8 acres Lot 1 (NW¼ NE¼)
21.5 acres SE¼ NE¼
As projected within Arthur DLC 39
1.4 acres NE¼ NW¼
20.2 acres NE¼ SE¼
As projected within Arthur DLC 39
Section 33

7.7 acres SW¼ NW¼
8.7 acres NW¼ SW¼
Both as projected with Arthur DLC 39
Section 34

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. September 28, 1972

CHRIS L. WHEELER

State Engineer

ADP
T2S R3E sec 33
se ne 39
well 4 2650.7'
N 1846.6'E
from S¼
Corner sec 33
T2S R3E sec 33
ne sec well 7
1762.0' 10' 209.2'
E from S¼
Corner sec 33

WORK ORDER

Work Order: **R09 1211 09**

Water Right Contract Work

This Work Order hereby incorporates by reference all of the terms and conditions contained in the Price Agreement between the State of Oregon acting by and through Oregon Water Resources Department and **PBS Engineering and Environmental**.

Contractor Data	Water Resource Data
Project Contact: Andrew Harvey PBS Engineering & Environmental Title: Project Contact Address: 4412 SW Corbett Avenue Portland, OR 97239 Phone: (503) 417-7693 Fax: (503) 248-0223 E-Mail: andrew_harvey@pbsenv.com	Project Officer: Dorothy Pedersen Transfer Advisor Address: 725 Summer Street NE, Suite A Phone: (503) 986-0890 Fax: (503) 986-0903 E-Mail: Dorothy.L.Pedersen@wrp.state.or.us

Work Order Effective Date: **February 10, 2009.**

Part I. General Information. This Work Order is in effect between the contractor and the Department for the processing of water right applications as described in the Master Agreement

Part II. Work; Acceptance Criteria; Deliverables and Delivery Schedule: – See Exhibit A (Statement of Work for delivery schedule.

Part III. Special Considerations. There is no Special Consideration related to this Work Order.

Part IV. Payment Provisions. Unless otherwise specified, payments related to this Work Order shall be made only upon receipt and approval of the final product - The Product includes all deliverables - the Final Check List, Electronic and Paper Reports.

Payment for this work shall be processed upon receiving related invoice and the completed Deliverable Cover Sheet.

Part V. Travel and Other Expenses.

Agency shall not reimburse Contractor for any travel expense under this Contract.

Part VI. Contract Amendments.

The Agency reserves the right to amend the Contract for the Anticipated Amendments, listed below, in accordance with the rules of OAR 125-246-0560.

ANTICIPATED AMENDMENTS

None. Unless specified by the Agency.

**Exhibit A
Statement of Work**

**Reimbursement Authority Process
Itemized Estimate Sheet
For
Transfer**

Application Number: T-10515

Name of Applicant: Jagdish Grewal

	Item	Time (In hours)
1	Review of application for completeness.	2.5
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	2.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter <i>(if necessary)</i> .	2.0
4	Preparation of draft preliminary determination and cover letter.	2.5
5	Preparation of PD cover letter and PD public notice.	3.0
Total Estimated Time:		12.0

Issuance of Draft Preliminary Determination: **March 3, 2009***

Total estimated cost is 12.0 hours at \$90.00 per hour = **\$1,080.00**

Maximum compensation under this Work Order is \$1,080.00 (12.0 X \$90.00/hr)

Contractor shall notify OWRD in advance if more than 12.0 hours is needed to complete the work described in the Statement of Work above.

Invoices for this Work Order shall be sent to:

Salem Opelfa
Oregon Water Resources Department
Loan Servicing Specialist
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0929
Fax: (503) 986-0904

CONTRACTOR, YOU WILL NOT BE PAID FOR SERVICES RENDERED PRIOR TO NECESSARY APPROVALS.

Agency may terminate this Work Order:

- a. Immediately upon written notice if the Department fails to receive funding from the Applicant.
- b. Upon receiving a written Termination Notice from the Applicant.

Contractor will be paid for all work performed up to the time of the written Termination Notice but not to exceed the total amount of this Work Order.

ACCEPTANCE OF TERMS BY CONTRACTOR:

MARSHA WALKER
Name
Marsha Walker
Signature
2/16/09
Date

APPROVED BY AGENCY:

Tracy Loudon
Administrator
Administrative Services
Oregon Water Resources Department

Date

Reviewed as to Legal Sufficiency by Assistant Attorney General
(All work orders more than \$75,000 must be approved by the AG's Office)

Date

WORK ORDER

Work Order: **R09 1211 09**

Water Right Contract Work

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3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	2.0
4	Preparation of draft preliminary determination and cover letter.	2.5
5	Preparation of PD cover letter and PD public notice.	3.0
Total Estimated Time:		12.0

Issuance of Draft Preliminary Determination: **March 3, 2009***

Total estimated cost is 12.0 hours at \$90.00 per hour = **\$1,080.00**

Maximum compensation under this Work Order is **\$1,080.00 (12.0 X \$90.00/hr)**

Contractor shall notify OWRD in advance if more than **12.0** hours is needed to complete the work described in the Statement of Work above.

Invoices for this Work Order shall be sent to:

Salem Opeifa
Oregon Water Resources Department
Loan Servicing Specialist
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Phone: (503) 986-0929
Fax: (503) 986-0904

CONTRACTOR, YOU WILL NOT BE PAID FOR SERVICES RENDERED PRIOR TO NECESSARY APPROVALS.

Agency may terminate this Work Order:

- a. Immediately upon written notice if the Department fails to receive funding from the Applicant.
- b. Upon receiving a written Termination Notice from the Applicant.

Contractor will be paid for all work performed up to the time of the written Termination Notice but not to exceed the total amount of this Work Order.

ACCEPTANCE OF TERMS BY CONTRACTOR:

Name

Signature

Date

APPROVED BY AGENCY:

Tracy Loudon
Administrator
Administrative Services
Oregon Water Resources Department

Date

Reviewed as to Legal Sufficiency by Assistant Attorney General
(All work orders more than \$75,000 must be approved by the AG's Office)

Date

Shipping Checklist for Reimbursement Authority Files

File T-10515 Applicant: Jagdish Grewal

Agent/Contact: JH Greenman

Ship to Contractor: PBS

Items included:

- ☒ Copy of front of file folder
- ☒ Application Cover Letter, if there is one
- ☒ Transfer Application form
- ☒ Transfer map
- ☒ Evidence of Use Affidavit
- ☒ Supporting documentation for evidence of use
- ☒ Land-use Information form
- ☒ Ownership documentation or ☐ Need to ask for ownership info in DPD cover letter
- ☒ Certificate or copy of decree for each right to be transferred
- ☒ Final Proof Map or decree map for each right to be transferred
- ☒ Well logs (if change in POA, SW POD-to-GW POA change) or ☐ NA
- ☒ Watermaster review or ☐ Will email watermaster review when available
- ☐ ODFW review (if change in POD) or ☐ Will send later or ☒ NA
- ☒ GW review (if POA change or POD-to-POA change) or ☐ Will send later or ☐ NA
- ☒ Final Deliverable cover sheet
- ☒ Itemized Estimate sheet for contractor

Additional things to check:

- ☒ All regular application processing fees paid
- ☒ Reimbursement Authority \$125 fee paid for preparing estimate
- ☒ Date of WRD initial Public Notice 01/22/2008

Number of sheets copied 50

File contents copied by Sarah Henderson Date: 01/15/2009

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # 10515

Applicant: Jagdish Grewal

The following items have been submitted electronically*:

- ☐ Contact List
- ☐ Draft Preliminary Determination (DPD)
- ☐ DPD Cover Letter
- ☐ PD Notice
- ☐ PD Cover Letter
- ☐ Remaining Right Certificates (one for each right that is not entirely affected by the transfer)
- ☐ Instream Water Right Certificate (if needed)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- ☐ Review checklist
- ☐ Marked copy of transfer application
- ☐ (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- ☐ (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- ☐ Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- ☐ Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.
- ☐ Signature of Contractor: _____ Date: _____

For WRD use only:

WRD approval by: _____ Date: _____

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number 10515

Name of Applicant: Jagdish Grewal

Proposed Timeline

01/22/2008	Public Notice (start of 30-day comment period).
02/27/2009	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
04/01/2009	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: PBS

Authorized Representative: _____

Date: _____

Review Checklist**T-10515****Processor: RA****Application**

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ 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 ¼ ¼.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation

- Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW
- | | | | |
|---------------------|---|---|--|
| Headgate | ☐ When in the judgment | ☐ Prior to diverting | ☐ Existing and maintain |
| Measuring Devices | ☐ When in the judgment | ☐ Prior to diverting | ☐ Existing and maintain |
| Fish Screen Devices | ☐ | | |

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

Materials needed for peer reviewer

- ☐ application marked ☐ transfer map ☐ Water right map (if marked) ☐ certificate marked
- ☐ deed/ROLI (if marked) ☐ plat card marked printout (if POU or Use change)
- ☐ other processing notes

MEMO

Date: January 15, 2009

To: Joan

From: Sarah Henderson

RE: T-10515

Ship file to contractor under Reimbursement Authority

Charge to PCA #47125

Number of copied pages 50

Send (overnight) to:

PBS Engineering and Environmental

Attn: Sandra Jones

4412 SW Corbett Avenue

Portland, OR 97239

WATER RESOURCES DEPARTMENT REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department (OWRD) to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
☒	Transfer Application	<u>10515</u>
☐	Certificate Request	_____
☐	Extension of Time Request	_____

Applicant Information

Applicant:
(Please Print)

JAGDISH S. GREWAL

Address:

17465 S.E. SUNNYSIDE RD.

DAMASCUS, OR 97089

Phone:

503-658-4715

Cell 503-504-1944

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within one (1) business day.
- That OWRD will, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review my request.

I certify that I am the (check one) ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Signature:

J. Grewal

Name:

Jagdish S. Grewal

OWRD USE ONLY

Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

R0921109
PBS



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

June 2, 2023

Jagdish Grewal
4119 SW Rodlun Rd
Gresham, OR 97080

On June 2, 2023, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Application T-10515

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

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

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

Cc: file T-10515

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



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

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.\

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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**SECTION 1
GENERAL INFORMATION**

JUN 02 2023

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Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in point(s) of appropriation or additional point(s) of appropriation, or a combination of both. ☒ **YES** ☐ **NO**
If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION #

T-10515**2. Property Owner (current owner information)**

APPLICANT/BUSINESS NAME Jagdish Grewal		PHONE NO. (503) 504-1944	ADDITIONAL CONTACT NO. (971) 940-3597
ADDRESS 4119 SW Rodlun Rd.			
CITY Gresham	STATE OR	ZIP 97080	E-MAIL deash.grewal@gmail.com

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

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

TRANSFER HOLDER OF RECORD Jagdish Grewal		
ADDRESS 4119 SW Rodlun Rd.		
CITY Gresham	STATE OR	ZIP 97080

4. Date of Site Inspection:**5/26/2023****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Jagdish Grewal	5/26/2023	Owner
Johnny (Townsend Farms)	5/26/2023	Farm Manager for lessee

6. County:**Clackamas**

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

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



CWRE NAME <i>William E. McGill</i>	PHONE NO. <i>(503) 510-3026</i>	ADDITIONAL CONTACT NO. <i>(503) 931-0210</i>
ADDRESS <i>15333 Pletzer Rd. SE</i>		
CITY <i>Turner</i>	STATE <i>OR</i>	ZIP <i>97392</i>
E-MAIL <i>willmcgill.surveying@gmail.com</i>		

Transfer Holder of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>J. B. Grewal</i>	JAGDISH S. GREWAL	Trustee	5/19/2023

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SECTION 3

CLAIM DESCRIPTION

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

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

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well 6	CLAC 68502	L-108068	
Well 7	CLAC 66544	L-101354	

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

2. Variations:

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

YES ☐ NO ☒

If yes, describe below.

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

3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Well 6	0.39 cfs	0.47 cfs	System not running at time of onsite inspection.
Well 7	0.39 cfs	0.31 cfs	

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SECTION 4

SYSTEM DESCRIPTION

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

YES

NO

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

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

Well 6

A. POA System Information

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

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin	F6STS015100		Submersible		2 ½"

2. Motor Information

MANUFACTURER	HORSEPOWER
Franklin	15

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15	85	8'	0' avg.	0.47

4. Provide pump calculations:

$$Q = (15 * 7.04) / (8 + 215.9) = 0.47 \text{ cfs}$$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
System not running at time of onsite inspection.			

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

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B. Groundwater Source Information (Well and Sump)

3. Is the appropriation from a dug well (sump)?

YES

☒ NO

C. Additional notes or comments related to the system:

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

Well 7

A. POA System Information

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

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin	75FA10		Submersible		2 1/2"

2. Motor Information

MANUFACTURER	HORSEPOWER
Franklin	10

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
10	85	18'	-5' avg.	0.31

4. Provide pump calculations:

$$Q = (10 * 7.04) / (18 + 215.9 - 5) = 0.31 \text{ cfs}$$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
System not running at time of onsite inspection.			

B. Groundwater Source Information (Well and Sump)

3. Is the appropriation from a dug well (sump)?

YES

NO

C. Additional notes or comments related to the system:

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SECTION 5 CONDITIONS

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

1. Time Limits:

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

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POA(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	8/10/2009	
COMPLETENESS DATE FROM ORDER (C)	10/1/2014	6/13/2012

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

2. Is there an extension final order(s)?

YES ☒ NO

3. Measurement Conditions:

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

YES ☒ NO

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

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

b. Has a meter been installed?

YES ☒ NO

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well 6	McCrometer	23-03323-03	Working	005286	4/13/2023*
Well 7	McCrometer	23-03324-03	Working	004252	4/13/2023*

*When we were contacted to do the claim, the original flow meters for wells 6 and 7 were missing for unknown reasons. The owners believe a previous tenant may have taken them out. The current farm manager did not have any information on the original installed meters. Replacement meters were installed on 4/13/2023 to maintain compliance with the conditions in the final order.

4. Recording and reporting conditions

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

YES ☒ NO

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

- | | | |
|--|-----|-----------------------------|
| a. Were there special well construction standards? | YES | ☐ NO |
| b. Was submittal of a ground water monitoring plan required? | YES | ☐ NO |
| c. Other conditions? | YES | ☐ NO |

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

SECTION 6

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Well Logs (x2)	CLAC 68502 (Well 6) and CLAC 66544 (Well 7)
Pictures (x7)	Taken on 5/26/2023 during onsite inspection

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

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

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

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

Survey method used was aerial photo provided by Maxar Technologies.
Source Date: 6/4/2021

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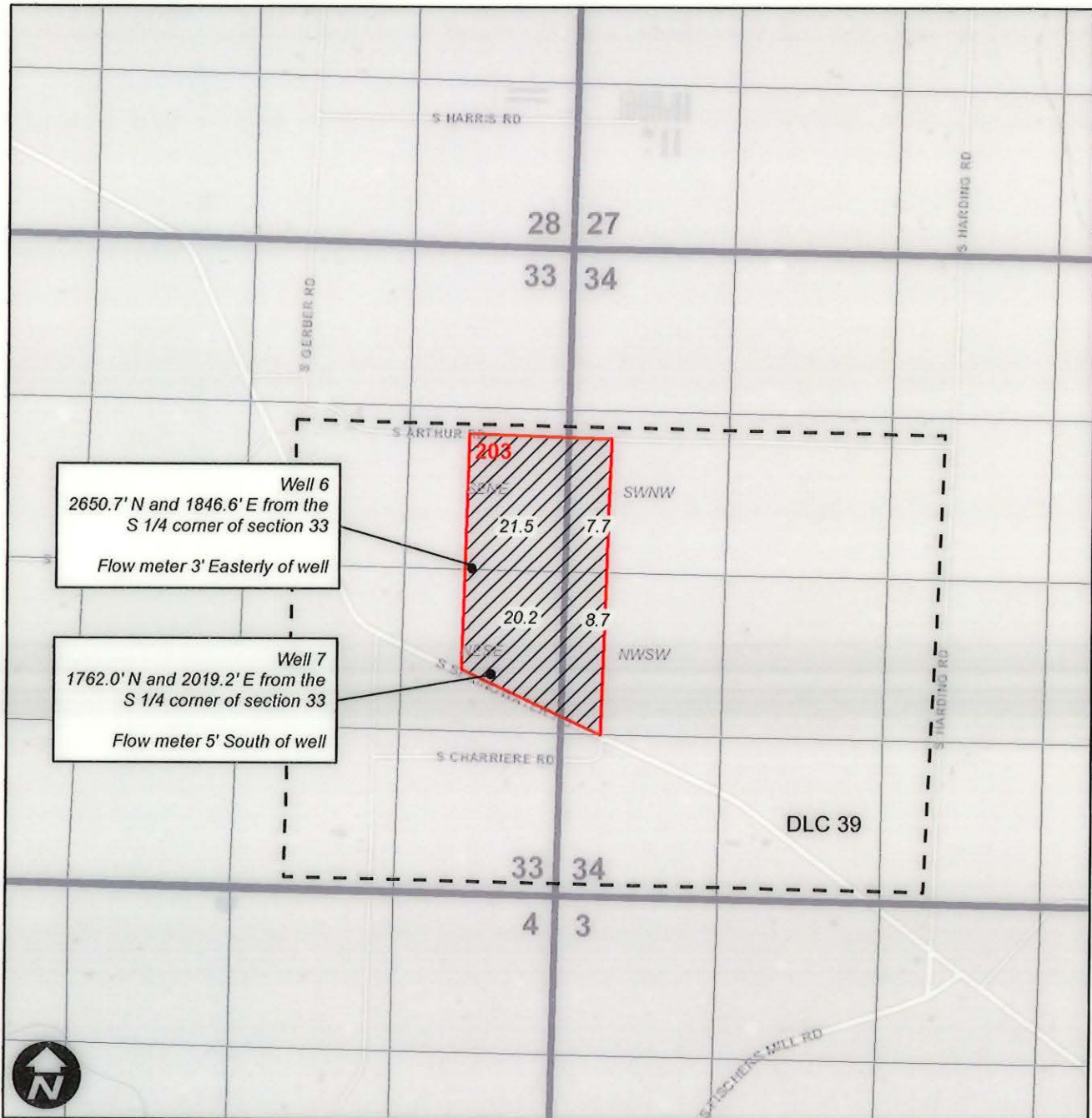
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Claim of Beneficial Use - Grewal Transfer T-10515

Township 2S, Range 3E, W.M.



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

0 660 1,320 2,640 Feet

Legend

POU Tax Lot DLC



EXPIRES: 12-31-2024

Map Checklist

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

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

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WELL LABEL # L 108068

START CARD # 207644

(1) LAND OWNER

Owner Well I.D. 1-12

First Name JAGDISH Last Name GREWAL

Company

Address 17465 SE SUNNYSIDE RD

City BORING State OR Zip 97009

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

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION Special Standard ☐ (Attach copy)

Depth of Completed Well 148.00 ft.

BORE HOLE			SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To		
12	0	48	Bentonite Chips	0	33	33	S
8	48	148	Cement	33	48	15	S

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☒ Other Ben-poured

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
☒	☐	8	☒	1	145	.25	☒	☐	☒	☐

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 145

Temp casing ☒ Yes Dia 12 From 0 To 21

(7) PERFORATIONS/SCREENS

Perforations Method Mills knife

Screens Type Material

Perf/S	Casing/	Screen	From	To	Scr/slot	Slot	# of	Tele/
creen	Liner	Dia			width	length	slots	pipe size
Perf	Casing	8	70	125	.25	2	208	

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

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
90	58	125	3

Temperature 55 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Clackamas Twp 2.00 S N/S Range 3.00 E E/W WM

Sec 33 NW SE 1/4 of the SE NE 1/4 Tax Lot 203

Tax Map Number Lot

Lat ° ' " or DMS or DD

Long ° ' " or DMS or DD

☒ Street address of well ☐ Nearest address

17680 SE SPRINGWATER RD, OREGON CITY

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)

Existing Well / Predeepening		
Completed Well	01-25-2012	8

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 78

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
01-25-2012	78	122	90		8

(11) WELL LOG

Ground Elevation

Material	From	To
Clay-brown	0	16
Clay-gravel-cobbles	16	38
Cemented gravel	38	78
Gravel-sand-brown	78	122
Clay-brown	122	148

Date Started 12-15-2011 Completed 01-25-2012

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date

Electronically Filed

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1 Date 01-26-2012

Electronically Filed

Signed RONALD F MCCONNELL (E-filed)

Contact Info (optional)

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

12-31-2009

WELL LABEL # L 101354

START CARD # 199733

(1) LAND OWNER

Owner Well I.D. 18-09

First Name DEASH

Last Name GREYWAL

Company

Address 17465 SE SUNNYSIDE RD

City BORING

State OR

Zip 97009

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud☐ Reverse Rotary ☐ Other

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ Attach copy

Depth of Completed Well 170.00 ft.

BORE HOLE			SEAL			sacks/	
Dia	From	To	Material	From	To	Amt	lbs
12	0	50	Bentonite Chips	0	50	38	S
8	50	170					

How was seal placed:

Method ☐ A ☐ B ☐ C ☐ D ☐ E☒ Other Poured

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

(6) CASING/LINER

Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd

☒	☐	8	☒	1.5	161	.25	☒	☐	☒	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 161Temp casing ☒ Yes Dia 12 From 0 To 10

(7) PERFORATIONS/SCREENS

Perforations Method Mills Knife

Screens Type Material

Perf/S	Casing/	Screen	From	To	Scr/slot	Slot	# of	Tele/
creen	Liner	Dia			width	length	slots	pipe size
Perf	Casing	8	80	150	.25	2	350	

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

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
73	122	147	3

Temperature 54 °F Lab analysis ☐ Yes ByWater quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Clackamas Twp 2.00 S N/S Range 3.00 E E/W WM

Sec 33 SE NE 1/4 of the NW SE 1/4 Tax Lot 203

Tax Map Number Lot

Lat ° ' " or DMS or DD

Long ° ' " or DMS or DD

☐ Street address of well ☒ Nearest address

17680 S SPRINGWATER RD, OREGON CITY

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)

Existing Well / Predeepening		
Completed Well	12-30-2009	18

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 78

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
12-30-2009	78	148	73		18

(11) WELL LOG

Ground Elevation

Material	From	To
Clay-brown	0	19
Clay-cobbles-gravel-brown	19	43
Cemented gravel-cobbles-brown	43	78
Cemented gravel-loose-brown	78	148
Clay-sandy-brown	148	170

RECEIVED

JUN 02 2023

OWRD

Date Started 11-23-2009 Completed 12-30-2009

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date

Electronically Filed

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1 Date 12-31-2009

Electronically Filed

Signed RONALD F MCCONNELL (E-filed)

Contact Info (optional)

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version: 0.95



5/26/23
Grewal
COBU

Well 7

RECEIVED
JUN 02 2023
OWRD



RECEIVED
JUN 02 2023
OWRE

5/26/23 Grewal Coby

Well 7 Tag



RECEIVED

JUN 02 2023

OWRD

5/26/23

Grewal
COB

Well 7
Flow meter
cap + s/n

RECEIVED

JUN 02

OWRD



RECEIVED

5/26/23 Great Cabin

Well 7 flow meter

JUN 02 2023

OWRD



RECEIVED

JUN 02 2023

OWRD

5/26/23

Garudal
COBU

Well 6



RECEIVED
JUN 02 2023
OWRD

5/26/23

Grewal COBU

well 6 flow meter cap + s/n



RECEIVED

JUN 02 2023

OWRD

5/26/23 Grewal Cedar

Well 6 Flow meter

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Corie L.
Transfer #: T-10515	
Date Received: 6/2/2023	
CWRE Name: Will McGill	
Priority Date (s): 6/4/1969	

Fees Required:

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

Fill in App
or Transfer
Number

Map Review:

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

Report Review:

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

MONEY SLIP	
DATE:	RECEIPT #:
RECEIVED FROM:	
CASH	CHECK #
☐	☐
OTHER (IDENTIFY)	TOTAL REC'D \$:
ONLY TREASURY	ONLY MISC CASH ACCT
6401	6402
6403	6404
6405	6406
6407	6408
6409	6410
6411	6412
6413	6414
6415	6416
6417	6418
6419	6420
6421	6422
6423	6424
6425	6426
6427	6428
6429	6430
6431	6432
6433	6434
6435	6436
6437	6438
6439	6440
6441	6442
6443	6444
6445	6446
6447	6448
6449	6450
6451	6452
6453	6454
6455	6456
6457	6458
6459	6460
6461	6462
6463	6464
6465	6466
6467	6468
6469	6470
6471	6472
6473	6474
6475	6476
6477	6478
6479	6480
6481	6482
6483	6484
6485	6486
6487	6488
6489	6490
6491	6492
6493	6494
6495	6496
6497	6498
6499	6500
SPECIAL INSTRUCTIONS:	

☐ RETURN TO APPLICANT - LETTER ATTACHED

Groundwater File Review:

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

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10515, Clackamas County	)	CHANGE IN POINTS OF
	)	APPROPRIATION

Authority

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

Applicant

Jagdish Grewal
17465 SE Sunnyside Rd.
Damascus, OR 97089

Findings of Fact

Background

1. On January 2, 2008, Jagdish Grewal filed an application to change the points of appropriation for a portion of the right under Certificate 38516. The Department assigned the application number T-10515.
2. On March 27, 2009, a revised transfer application map was received.
3. The portion of the right to be transferred is as follows:

Certificate: 38516 in the name of ELMORE MOSTUL (perfected under Permit G-4619)

Use: IRRIGATION of 58.1 ACRES

Priority Date: JUNE 4, 1969

Rate: 0.39 CUBIC FOOT PER SECOND (CFS), BEING 0.08 CFS FROM WELL 3, 0.11 CFS FROM WELL 4 AND 0.20 CFS FROM WELL 5

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: WELLS #3, #4 and #5 in the CLEAR CREEK BASIN

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.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	NW NE	37	WELL 3: 400 FEET NORTH AND 630 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 4: 940 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 5: 580 FEET NORTH AND 320 FEET EAST FROM THE SW CORNER OF DLC 37

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	3 E	WM	33	SE NE	39	21.5
2 S	3 E	WM	33	NE SE	39	20.2
2 S	3 E	WM	34	SW NW	39	7.7
2 S	3 E	WM	34	NW SW	39	8.7

4. Transfer Application T-10515 proposes to change the authorized points of appropriation to two wells approximately 1,600 to 2,560 feet from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	SE NE	39	WELL 6: 2650.7 FEET NORTH AND 1846.6 FEET EAST FROM THE S ¼ CORNER OF SECTION 33
2 S	3 E	WM	33	NE SE	39	WELL 7: 1762.0 FEET NORTH AND 2019.2 FEET EAST FROM THE S ¼ CORNER OF SECTION 33

5. Notice of the application for transfer was published on January 22, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On March 13, 2009 a letter was sent to the applicant indicating that the transfer map originally submitted did not meet current mapping standards, and requesting submission of a revised map by April 15, 2009. Specifically, the acreage breakdown by quarter quarter section did not match the Claim of Beneficial Use map for this water right under Certificate 38516 and some elements, including Donation Land Claim lines and the remaining portion of the right were not shown as required by OAR 690-380-3100(2). On March 27, 2009 J. H. Greenman, CWRE and agent for the applicant, submitted a revised map that resolved these deficiencies.
7. On April 20, 2009, the Department mailed a copy of the Preliminary Determination proposing to approve Transfer Application T-10515 to the applicant. The Preliminary Determination cover letter set forth a deadline of May 20, 2009, for the applicant to respond. On May 20, 2009 the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer. On May 26, 2009, the applicant asked that the

period of time allowed for completion of the change be extended to five years, due to the difficult economic times and the uncertainties and complexity of the project. This request is reasonable and the completion date has been revised accordingly.

8. On June 4, 2009, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10515 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 June 16, 2009, and in the Estacada News on June 24, July 1 and July 8, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-10515 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10515.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in points of appropriation proposed in Transfer Application T-10515 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000

Now, therefore, it is ORDERED:

1. The change in points of appropriation proposed in application T-10515 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 38516 and any related decree.
3. Water right Certificate 38516 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.
4. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
5. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.

6. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of 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.
7. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2014**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
8. When satisfactory proof of the completed change is received, a new certificate confirming the portion of the right transferred will be issued.

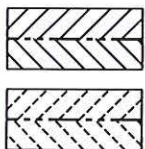
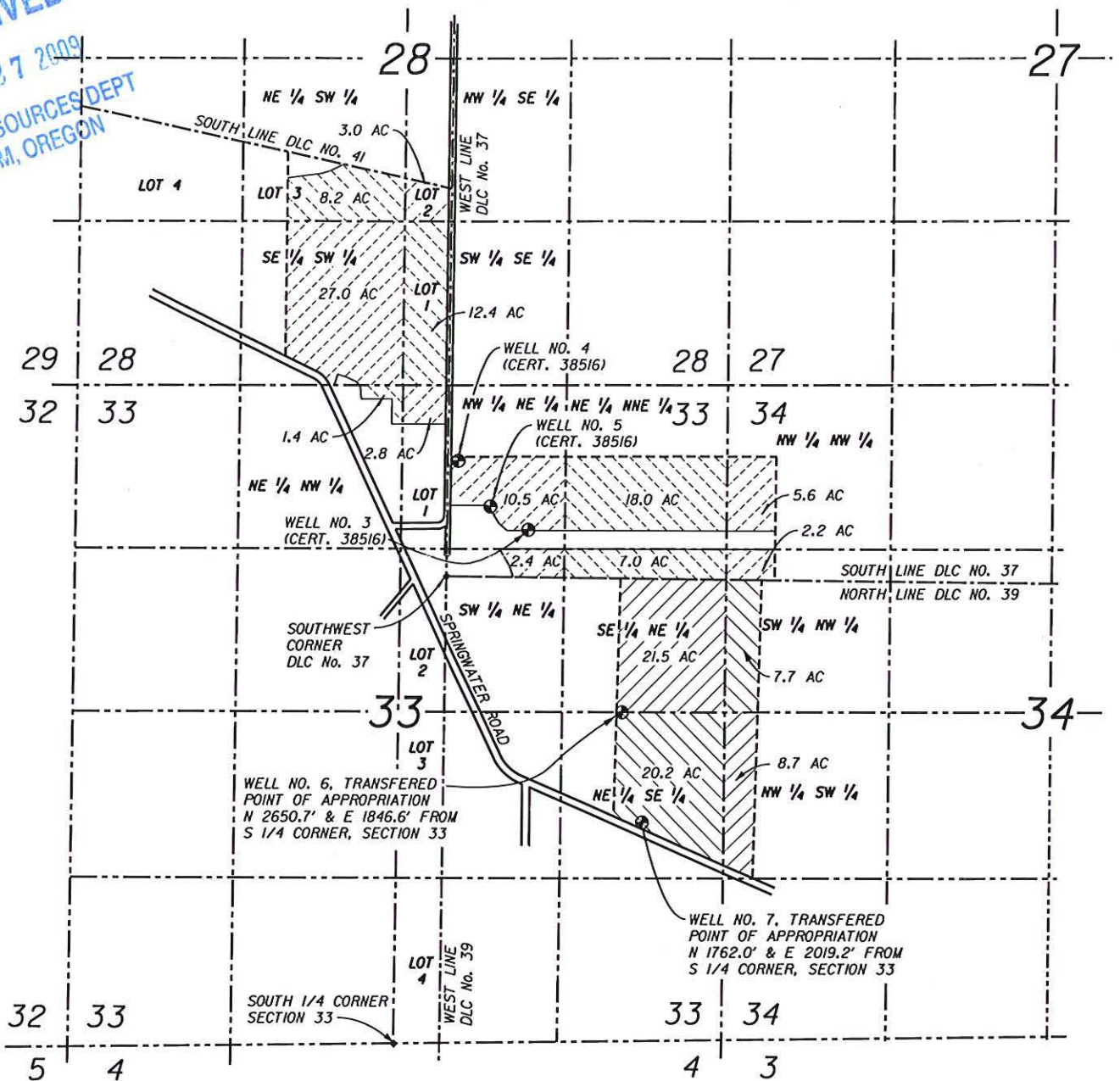
Dated at Salem, Oregon this 10th day of August 2009.


Phillip C. Ward, Director

Mailing date: AUG 17 2009

RECEIVED

MAR 27 2009
WATER RESOURCES DEPT
SALEM, OREGON



PORTION OF
CERTIFICATE 38516
TO BE TRANSFERRED

REMAINDER OF
CERTIFICATE 38516

PROPERTY LINE

LOCATION OF WELLS 3, 4 & 5
FROM S.W. CORNER DLC No. 37

WELL No. 3 - 400' NORTH, 630' EAST
WELL No. 4 - 940' NORTH, 50' EAST
WELL No. 5 - 580' NORTH, 320' EAST

This drawing is an exhibit for a Water Right Transfer Application. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.

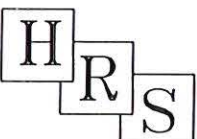


1320 660 0 1320FT
SCALE: 1"= 1320'



SECTION 33 & 34, T.2S., R.3E., W.M.
CLACKAMAS COUNTY, OREGON

TRANSFER No. T-10515



HANER, ROSS &
SPORSEEN, INC.
2895 BEAVERCREEK ROAD
OREGON CITY, OREGON 97045

JAGDISH GREWAL
WATER RIGHT TRANSFER
APPLICATION MAP

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELMORE MOSTUL
19755 S. BAKERS FERRY ROAD
OREGON CITY, OREGON

confirms the right to use the waters of Wells 3, 4 and 5 in the CLEAR CREEK BASIN for IRRIGATION of 54.8 ACRES.

This right was perfected under Permit G-4619. The date of priority is JUNE 4, 1969. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.36 CUBIC FOOT PER SECOND (CFS), being 0.06 cfs from Well No. 3, 0.11 cfs from Well No. 4, and 0.19 cfs from Well No. 5, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	NW NE	37	400 FEET NORTH AND 630 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	940 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	580 FEET NORTH AND 320 FEET EAST FROM THE SW CORNER OF DLC 37

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

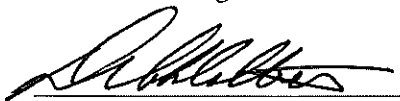
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	3 E	WM	28	NE SW	3		8.2
2 S	3 E	WM	28	SE SW			27.0
2 S	3 E	WM	28	NW SE	2		3.0
2 S	3 E	WM	28	SW SE	1		12.4
2 S	3 E	WM	33	NW NE	1		2.8
2 S	3 E	WM	33	NE NW			1.4

This certificate describes that portion of the water right confirmed by Certificate 38516, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2009, approving Transfer Application T-10515.

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

WITNESS the signature of the Water Resources Director, affixed AUG 10 2009.


Phillip C. Ward, Director



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

August 14, 2009

JAGDISH GREWAL
17465 SE SUNNYSIDE RD
DAMASCUS, OR 97089

REFERENCE: Transfer Application T-10515

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 me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrд.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #16 20
JH Greenman, Agent
Elmore Mostul

Enclosure



STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELMORE MOSTUL
19755 S. BAKERS FERRY ROAD
OREGON CITY, OREGON

confirms the right to use the waters of Wells 3, 4 and 5 in the CLEAR CREEK BASIN for IRRIGATION of 54.8 ACRES.

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2 S	3 E	WM	33	NW NE	37	940 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	580 FEET NORTH AND 320 FEET EAST FROM THE SW CORNER OF DLC 37

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

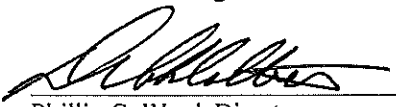
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	3 E	WM	28	NE SW	3		8.2
2 S	3 E	WM	28	SE SW			27.0
2 S	3 E	WM	28	NW SE	2		3.0
2 S	3 E	WM	28	SW SE	1		12.4
2 S	3 E	WM	33	NW NE	1		2.8
2 S	3 E	WM	33	NE NW			1.4

This certificate describes that portion of the water right confirmed by Certificate 38516, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2009, approving Transfer Application T-10515.

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

WITNESS the signature of the Water Resources Director, affixed AUG 10 2009.


Phillip C. Ward, Director

Water Right Transfer Checklist

Transfer T-10515

Transfer Specialist: Kelly/NWR drawer

Transfer Type: Regular

Applicant Name/Address: Jagdish Grewal, 17465 SE Sunnyside Rd., Damascas, OR 97089

Agent Name/Address: J.H. Greenman Haner, Ross & Sporseen, Inc., 2895 Beaver Creek Rd., Oregon City, OR 97045

CWRE Name/Number: J.H Greenman #56

Rec Landowner Name/Address: None

Irr. District Name/Address: None

Affected Gov'ts Name/Address: Clackamas County

Commentors: Name/Address: None

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	G-4901	G-4619	38516	☒ Yes ☐ No	<u>85556</u>
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>1/2/2008</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POA	
Fees Pd: <u>400.00</u>	WM District: <u>20</u>	ODFW District: <u>None</u>
Initial Notice: <u>1/22/2008</u>	WM Review sent: <u>1/16/2008</u>	ODFW Review sent: <u>None</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>1/16/2008</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

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

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: <u>ADP</u>	Coordinator: <u>ADP</u>
Date: _____	Date: <u>6/3/09</u>	Date: <u>8/2/09</u>
Comments/Special Issues: <u>Reimbursement Authority</u>		

Special Order Volume: Vol 78 Pages 643

Final Order Signature Date: AUG 10 2009

Notice of FO email'd to processors dorothy

Review Checklist**T-10515****Processor: NWR Drawer/Kelly Starnes****Application**

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction..."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/decree maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ Only the authorized POD's/POA's and POUs 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 ¼ ¼.

Ownership

- ☐ The deed/ROLI matches the "*from*" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|---|-------------------------------------|--|---|
| ☐ application complete | ☐ map | ☐ FPS | ☐ evidence of use | ☐ land-use form |
| ☐ deed/ROLI | ☐ certificate | ☐ fees paid | ☐ well logs | ☐ plat card |
| ☐ audit | ☐ dpd | | | |

Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GWHeadgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintainMeasuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintainFish Screen Devices ☐

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELMORE MOSTUL
19755 S. BAKERS FERRY ROAD
OREGON CITY, OREGON

confirms the right to use the waters of Wells 3, 4 and 5 in the CLEAR CREEK BASIN for IRRIGATION of 54.8 ACRES.

This right was perfected under Permit G-4619. The date of priority is JUNE 4, 1969. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.36 CUBIC FOOT PER SECOND (CFS), being 0.06 cfs from Well No. 3, 0.11 cfs from Well No. 4, and 0.19 cfs from Well No. 5, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	NW NE	37	400 FEET NORTH AND 630 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	940 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	580 FEET NORTH AND 320 FEET EAST FROM THE SW CORNER OF DLC 37

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

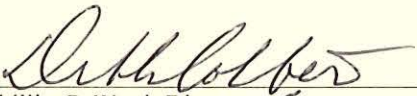
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
2 S	3 E	WM	28	NE SW	3		8.2
2 S	3 E	WM	28	SE SW			27.0
2 S	3 E	WM	28	NW SE	2		3.0
2 S	3 E	WM	28	SW SE			12.4
2 S	3 E	WM	33	NW NE	1		2.8
2 S	3 E	WM	33	NE NW			1.4

This certificate describes that portion of the water right confirmed by Certificate , State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2009, approving Transfer Application T-10515.

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

WITNESS the signature of the Water Resources Director, affixed AUG 10 2009.


Phillip C. Ward, Director

Notes

7/13/09

Re. T-10515

Notice of Preliminary
Determination, etc.

Thanks

Deash

RECEIVED

JUL 15 2009

WATER RESOURCES DEPT
SALEM, OREGON





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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10515

Review Due Date: 02-14-2008

Applicant Name: Jagdish Grewal

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

Reviewer(s): Sabrina White-Scarver

Date of Review: Jan. 23, 2008

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. 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: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☒ N/A If "Yes", explain: _____
8. For POU or USE changes, 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: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

Watermaster Review Form

Transfer Application: T-10515

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.



Oregon

Theodore R. Kulongoski, Governor

GW

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

INTEROFFICE MEMO

FORWARD TO:

NWR Drawen-Kelly
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 1/16/08

DW-2-14-08

FROM:

X WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE)

[Signature]
signed by injury reviewer

date signed April 9, 2008

SUBJECT: WATER RIGHT TRANSFER # 10515

A change in: POU POD POA USE of water.

In the name(s) of Jagdish Grewal.

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY

right. See attached memo.

WOULD RESULT IN INJURY* to an existing water

*The approval of this transfer application would result in injury to other water rights because

The existing right may not be valid because

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

wmtrans.frm

Interoffice Memorandum

April 9, 2008

To: Water Rights
From: Karl Wozniak
Subject: Ground Water Review of Transfer T-10515, Grewal Jagdish

Findings

The new wells, if constructed as proposed, will produce from the same aquifer as the authorized points of appropriation.

The transfer is unlikely to result in injury to existing rights.

The authorized and proposed points of appropriation do not fall within or above a state Scenic Waterway.

Discussion

Information in files G-4551 and G-4901 indicate that the authorized points of appropriations (POAs) are the wells described by OWRD well logs:

CLAC 5180 Well 3

CLAC 5275 Well 4

CLAC 5276 Well 5

These wells are all less than 180 feet deep and produce from alluvial sediments of the Troutdale formation. Proposed wells 6 and 7 are located about 0.4-0.5 miles from the authorized POAs and have similar proposed depths and completion intervals. Geologic maps indicate that the new wells will be completed in the same stratigraphic interval as the authorized POAs. Therefore, the new wells will produce from the same aquifer as the authorized POAs.

Potential injury from the new wells is difficult to assess. However, domestic and irrigation well densities are relatively low in the area. This suggests that the transfer is unlikely to result in injury to existing rights.

Dorothy Pedersen

From: Marsha Walker [marsha_walker@pbsenv.com]
Sent: Tuesday, March 03, 2009 2:30 PM
To: Dorothy Pedersen
Subject: Transfer Application T-10515
Attachments: Deficiency Letter T 10515.doc; Scanned marked up application.pdf

Hi, Dorothy -

Attached please find the scanned marked up application, application checklist (scanned with the application) and Deficiency Letter for the Jagdish Grewal application.

I initially thought there was a problem with ownership of the water rights, but apparently water rights ARE transferred when property is sold unless specifically excluded.

Let me know if you have questions.

Thanks for your help!

Marsha Walker, RG

Senior Geologist

marsha@pbsenv.com

503-417-7600

PBS Engineering + Environmental

Engineering | Natural Resources | Environmental | Health and Safety

www.pbsenv.com

4412 SW Corbett Avenue

Portland, Oregon 97239

Phone: 503-248-1939; Fax: 503-248-0223

DISCLAIMER:

This message and any attachments are considered privileged and confidential and are intended for the sole use of the individual or entity to whom the message is addressed. If you have received this message in error, please immediately advise the sender and permanently delete the message and any attachments.

3/6/2009

Review Checklist

T-10515

Processor: RAApplication

- ☒ The type of change is clearly indicated.
☒ The application is appropriately signed.
☒ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
☒ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's)
 NA ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
☒ All required attachments received.

Water right subject to transfer

- ☒ Certificated right or Proof accepted "to the satisfaction,..."
☒ The right been exercised according to terms & conditions of certificate.
 CLA ☐ Delivery system has the capacity to fully divert the rate/duty of the right. - *insuff info*
☒ No information in record that suggests forfeiture.
 NA ☒ No conflicts identified on the plat cards and plat card reports printed.
 CLA ☐ Affidavits prepared for rights that need to be canceled or diminished. - *NA* -

Application Map

- ☒ The map has an original CWRE signature.
☒ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
 CLA ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled. - *maps don't match*
 CLA ☐ Metes and bounds for the POD's/POA's are properly described on the map. - *existg acreage - missing part*
 CLA ☐ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions. - *don't match cert*
 CLA ☐ Map acres match the tabulation on the certificate. - *figures don't match app/map/cert*
☒ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
 NO ☐ Have necessary aerial photos. - *NA?*

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- CLA ☐ Only the authorized POD's/POA's and POU's to be transferred are listed.
 CLA ☐ Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed) - *NO*
 CLA ☐ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4. - *NOT SHOWN*

Ownership

- ☒ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
 CLA ☐ Have current tax lot map. (If transfer application is several years old, contact assessor's office) - *Doesn't show Remaining acreage*
☒ The applicant is the owner of the "from" lands.
☒ All owners on the deed/ROLI have signed the application.
 NA ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.

- NA ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.

- ☒ Agent has authorization to make decisions.

Evaluation

- Reviews/comments/conditions received? ☒ Watermaster ☐ ODFW ☒ GW
 NA Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
 Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
 Fish Screen Devices ☐

Injury: Y ☒ Enlargement: Y N - *CLA*

Conditions to avoid enlargement/injury - *Review maps.*

Materials needed for peer reviewer

- ☒ application marked ☒ transfer map ☒ Water right map (if marked) ☐ certificate marked
☐ deed/ROLI (if marked) ☐ plat card marked printout (if POU or Use change)
☒ other processing notes



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10515

Review Due Date: 02-14-2008

Applicant Name: Jagdish Grewal

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

Reviewer(s): Sabrina White-Scarver

Date of Review: Jan. 23, 2008

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
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Watermaster Review Form

Transfer Application: T-10515

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
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Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.



Oregon

Theodore R. Kulongoski, Governor

GW

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

INTEROFFICE MEMO

FORWARD TO: NWR Drawel-Kelly
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 1/16/08
Due - 2-14-08

FROM: X WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE) [Signature] date signed April 9, 2008
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 10515

A change in: POU POD POA USE of water.

In the name(s) of Jagdish Grewal

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water
right. See attached memo.

*The approval of this transfer application would result in injury to other water rights because

The existing right may not be valid because

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which
serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the
authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in
regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

State of Oregon

Water Resources Department

Interoffice Memorandum

April 9, 2008

To: Water Rights
From: Karl Wozniak
Subject: Ground Water Review of Transfer T-10515, Grewal Jagdish

Findings

The new wells, if constructed as proposed, will produce from the same aquifer as the authorized points of appropriation.

The transfer is unlikely to result in injury to existing rights.

The authorized and proposed points of appropriation do not fall within or above a state Scenic Waterway.

Discussion

Information in files G-4551 and G-4901 indicate that the authorized points of appropriations (POAs) are the wells described by OWRD well logs:

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CLAC 5275 Well 4

CLAC 5276 Well 5

These wells are all less than 180 feet deep and produce from alluvial sediments of the Troutdale formation. Proposed wells 6 and 7 are located about 0.4-0.5 miles from the authorized POAs and have similar proposed depths and completion intervals. Geologic maps indicate that the new wells will be completed in the same stratigraphic interval as the authorized POAs. Therefore, the new wells will produce from the same aquifer as the authorized POAs.

Potential injury from the new wells is difficult to assess. However, domestic and irrigation well densities are relatively low in the area. This suggests that the transfer is unlikely to result in injury to existing rights.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

January 15, 2008

JAGDISH GREWAL
17465 SE SUNNYSIDE ROAD
DAMASCAS, OR 97089

Reference: Transfer 10515

On January 2, 2008 we received your water right transfer application requesting point of appropriation. The application was accompanied by \$400.00. Our receipt 91084 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 change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. 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 transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #20
CWRE #056
J.H. Greenman, Agent
Files

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 1/22/2008

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: CLACKAMAS
Transfer: 10515
Water Right: CERT 38516
Priority Date: 1969
Name: JAGDISH GREWAL
Address: 17465 SE SUNNYSIDE RD, DAMASCAS, OR 97089
Change: POA
Source: CLEAR CREEK
Authorized POA: T2S, R3E, 33
Proposed POA: T2S, R3E, 33

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

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. Comments should be sent to the Transfers Section at the Department's Salem office.

Estacada News
Community Newspapers
P.O. Box 747
Gresham, Or 97030

RECEIVED

JUL 15 2009

WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT OF PUBLICATION
State of Oregon, County of Clackamas, SS

I, Sue Hartin, being the first duly sworn
depose and say that I am the Customer
Service Representative of **Estacada**
newspaper of general circulation, published
at **Estacada**, in the aforesaid county and
state, as defined by ORS 193.010 and
193.020, that

EN 0609-12

A copy of which is hereto attached, was
published in the entire issue of said
newspaper for 3 successive and
consecutive weeks in the following issues:

6/24 - 7/1 - 7/8/09

Sue Hartin
Sue Hartin

Subscribed and sworn to before me this
8 Day of July, 2009

Deseri Cerruti
Deseri Cerruti - Notary Public for Oregon

**Notice if Preliminary Determination for
Water Right Transfer T-10515**

T-10515 filed by Jagdish Grewal, 17465 SE Sunnyside Rd.,
Damascus, OR 97089, proposes a change in points of appropriation
under Certificate 38516. The right allows the use of 0.39 cubic foot
per second (priority date JUNE 4, 1969) from wells in Sec. 33, T2S,
R3E W.M. and Sec. 34, T2S, R3E W.M in DLC 37, for IRRIGATION.
The applicant proposes to move the points of appropriation
approximately 1,600 for 2,560 feet south-southwest to Sec. 33,
T2S, R3E, W.M. The Water Resources Department has concluded
that the proposed transfer appears to be consistent with the
requirements of ORS Chapter 540 and OAR 690-380-5000.

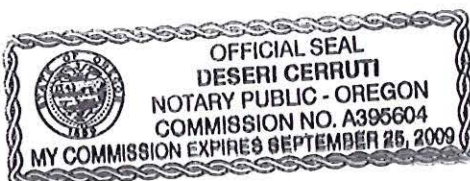
Any person may file, jointly or severally, with the Department a
protest or standing statement within 30 days after the date of the
final publication of notice in the Department's weekly notice or of
this newspaper notice, whichever is later. A protest form and addi-
tional information on filing protests may be obtained by calling (503)
986-0883. The last date of newspaper publication is [DATE OF LAST
PUBLICATION]. If no protests are filed, the Department will issue a
final order consistent with the preliminary determination.

EN0609-12
6/24/09, 7/1/09, 7/8/09

Pd Noticed

6-16-09

Affid of pub due 7/20
FO due 8/8





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

June 4, 2009

Mr. Jagdish Grewal
17465 SE Sunnyside Road
Damascus, Oregon 97089-9226

SUBJECT: Water Right Transfer Application T-10515

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10515. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day 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.

Because the new points of appropriation are more than ¼ mile from the authorized points of appropriation, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me at the address shown in the letterhead, **by July 20, 2009**.

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 Dorothy.I.Pedersen@wr.d.state.or.us if I may be of assistance.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: **T-10515**
Sabrina White-Scarver, District 20 Watermaster
J.H. Greenman, CWRE #056, Haner, Ross & Sporseen, Inc.

enc



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10515, Clackamas County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINTS OF
	)	APPROPRIATION

Authority

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

Applicant

Jagdish Grewal
17465 SE Sunnyside Rd.
Damascus, OR 97089

Findings of Fact

Background

1. On January 2, 2008, Jagdish Grewal filed an application to change the points of appropriation for a portion of the right under Certificate 38516. The Department assigned the application number T-10515.
2. On March 27, 2009, a revised transfer application map was received.
3. The portion of the right to be transferred is as follows:

Certificate: 38516 in the name of ELMORE MOSTUL (perfected under Permit G-4619)

Use: IRRIGATION of 58.1 ACRES

Priority Date: JUNE 4, 1969

Rate: 0.39 CUBIC FOOT PER SECOND (CFS), BEING 0.08 CFS FROM WELL 3, 0.11 CFS FROM WELL 4 AND 0.20 CFS FROM WELL 5

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: WELLS #3, #4 and #5 in the CLEAR CREEK BASIN

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.
--

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	NW NE	37	WELL 3: 400 FEET NORTH AND 630 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 4: 940 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 5: 580 FEET NORTH AND 320 FEET EAST FROM THE SW CORNER OF DLC 37

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	3 E	WM	33	SE NE	39	21.5
2 S	3 E	WM	33	NE SE	39	20.2
2 S	3 E	WM	34	SW NW	39	7.7
2 S	3 E	WM	34	NW SW	39	8.7

4. Transfer Application T-10515 proposes to change the authorized points of appropriation to two wells approximately 1,600 to 2,560 feet from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	SE NE	39	WELL 6: 2650.7 FEET NORTH AND 1846.6 FEET EAST FROM THE S ¼ CORNER OF SECTION 33
2 S	3 E	WM	33	NE SE	39	WELL 7: 1762.0 FEET NORTH AND 2019.2 FEET EAST FROM THE S ¼ CORNER OF SECTION 33

5. Notice of the application for transfer was published on January 22, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On March 13, 2009 a letter was sent to the applicant indicating that the transfer map originally submitted did not meet current mapping standards, and requesting submission of a revised map by April 15, 2009. Specifically, the acreage breakdown by quarter quarter section did not match the Claim of Beneficial Use map for this water right under Certificate 38516 and some elements, including Donation Land Claim lines and the remaining portion of the right were not shown as required by OAR 690-380-3100(2). On March 27, 2009 J. H. Greenman, CWRE and agent for the applicant, submitted a revised map that resolved these deficiencies.
7. On April 20, 2009, the Department mailed a copy of the Preliminary Determination proposing to approve Transfer Application T-10515 to the applicant. The Preliminary Determination cover letter set forth a deadline of May 20, 2009, for the applicant to respond. On May 20, 2009 the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer. On May 26, 2009, the applicant asked that the

period of time allowed for completion of the change be extended to five years, due to the difficult economic times and the uncertainties and complexity of the project. This request is reasonable and the completion date has been revised accordingly.

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years prior to the submittal of Transfer Application T-10515 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10515.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in points of appropriation proposed in Transfer Application T-10515 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved

If application T-10515 is approved, the final order will include the following:

1. *The change in points of appropriation proposed in application T-10515 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 38516 and any related decree.*
3. *Water right Certificate 38516 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.*
4. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
5. *The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*
6. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of 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.

- 7. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2014**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
- 8. When satisfactory proof of the completed change is received, a new certificate confirming the portion of the right transferred will be issued.*

Dated at Salem, Oregon this 4th day of June 2009.


Phillip C. Ward, Director *for*

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrđ.state.or.us.

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

**Notice of Preliminary Determination for
Water Right Transfer T-10515**

T-10515 filed by Jagdish Grewal, 17465 SE Sunnyside Rd., Damascus, OR 97089, proposes a change in points of appropriation under Certificate 38516. The right allows the use of 0.39 cubic foot per second (priority date JUNE 4, 1969) from wells in Sec. 33, T2S, R3E W.M. and Sec. 34, T2S, R3E W.M in DLC 37, for IRRIGATION. The applicant proposes to move the points of appropriation approximately 1,600 to 2,560 feet south-southwest to Sec.33, T2S, R3E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Dorothy Pedersen

From: Marsha Walker [marsha_walker@pbsenv.com]
Sent: Tuesday, June 02, 2009 4:40 PM
To: Dorothy Pedersen
Subject: RE: remaining rights

The ownership info appeared fine; no lienholders were listed on the new title report. The owner is listed as the Jagdish Grewal Trust, Jagdish Grewal Trustee, so I assume the trust itself doesn't require notification.

Thanks for your help!

Marsha Walker, RG

Senior Geologist

marsha@pbsenv.com

503-417-7600

PBS Engineering + Environmental

Engineering | Natural Resources | Environmental | Health and Safety

www.pbsenv.com

4412 SW Corbett Avenue

Portland, Oregon 97239

Phone: 503-248-1939; Fax: 503-248-0223

From: Dorothy Pedersen [mailto:pedersdi@wrd.state.or.us]

Sent: Tuesday, June 02, 2009 4:22 PM

To: Marsha Walker

Subject: RE: remaining rights

Hi Marsha,

Just glancing, the remaining right certificate looks quite normal. I didn't see anything that really jumped out, but once it has been reviewed in detail, I'll send you feedback if there are any significant changes.

Let me know if the ownership and lien report fit the lands and indicated that all owners have consented and lienholders have been notified, or if we still need to have the applicant give us more documentation.

Thanks,
Dorothy

From: Marsha Walker [mailto:marsha_walker@pbsenv.com]
Sent: Tuesday, June 02, 2009 3:57 PM
To: Dorothy Pedersen
Subject: remaining rights

Hi, Dorothy -

I *think* I'm done with this. There is a line in the remaining rights certificate that is highlighted that indicates that I should make sure the rate and duty paragraph matches that on the original certificate, but I'm not sure where that paragraph goes (there isn't a rate & duty paragraph on the example you provided), so I just stuck it in where it seemed appropriate.

I've attached the remaining rights certificate, the pd notice and the pd cover sheet.

I will be out in the field all day Wed and Thur, back in the office on Friday. I appreciate all comments/corrections, because the process still seems quite arcane. How long did it take you to get comfortable with transfers, etc.?

6/2/2009

May 21, 2009

Dorothy Pedersen
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem OR. 97301

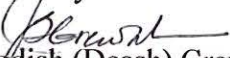
Subject T-10515 Time for Completion

I respectfully request that I be allowed a five year extension of default time period to complete this transfer.

The economic conditions and uncertainty of future income is one reason. The enormity of the project, as I see it, and its own uncertainties as to the depth of wells, cost of power lines, pumps and arranging with various contractors is a daunting task for me. My own lack of experience in dealing with it is another drawback.

Once again I am grateful for all your help.

Sincerely


Jagdish (Deash) Grewal
17465 S.E. Sunnyside RD.
Damascus OR. 97089

RECEIVED

MAY 26 2009

WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: Jagdish Grewal [grewal41@hotmail.com]
Sent: Thursday, May 21, 2009 8:47 AM
To: Dorothy Pedersen
Subject: Re: T-10515 time for completion

Ms. Pedersen

Thank you for the email. I am going to send you a written request for extension of upto five years for the completion of this transfer. You are correct the economic conditions along with other factors I will need that long to make it happen. Deash Grewal
503-658-4715

----- Original Message -----

From: "Dorothy Pedersen" <pedersdi@wrđ.state.or.us>
To: "Jagdish Grewal" <grewal41@hotmail.com>
Cc: "Jim Greenman" <jgreenman@csace.com>
Sent: Wednesday, May 20, 2009 3:31 PM
Subject: T-10515 time for completion

Mr. Grewal,

I have received your response to the T-10515 draft preliminary determination and have forwarded the report of ownership and lien information to the contractor for review and preparation of the rest of the documents for the transfer.

You have requested an extended time for completing the proposed change. As I indicated on the phone on May 5, 2009 the default time period set in Oregon Administrative Rules (OAR 690-380-5140(3) is "one full year plus the time until the next October 1". However, the Department can allow a longer period for completion of the changes "if the applicant can justify the need for a longer period of time". Generally, we will be willing to consider a few additional years, based on the reasons and the size of the project.

I recall from our conversation, that the current economic situation may be a reason for your request for additional time to develop the point of appropriation and irrigation system.

Please indicate the number of years you expect it may take to get the well and delivery system operational and put them to beneficial use, and we will modify the completion date accordingly when we issue the signed preliminary determination.

Thank you,
Dorothy

Dorothy I. Pedersen
Transfer Program Advisor
(503) 986-0890
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

May 19, 2009

Dorothy Pedersen
Field Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR. 97301

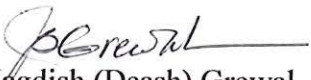
Subject Water Rights Transfer Application T-10515

I am enclosing the new title report from the Chicago Title Company as required to proceed with this transfer. Mr. James Greenman has advised me to accept the transfer as proposed and look for alternatives later if there is need for additional water.

As we discussed on the telephone May 5th, 2009 I would like to request a default extension of maximum time as permitted by the Department so I may be able to get the new irrigation system installed and have it operational.

Thank you for all your help through this process.

Sincerely


Jagdish (Deash) Grewal
17465 S.E. Sunnyside RD.
Damascus, OR. 97089

RECEIVED
MAY 20 2009
WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, April 20, 2009 1:47 PM
To: 'Jim Greenman'
Subject: RE: T-10515

Hi Jim,

The voluntary cancellation process of a portion of a water right (as opposed to the involuntary process through hearings), is initiated by submitting an affidavit of voluntary partial cancellation of a water right. The affidavit form can be accessed at: http://www1.wrd.state.or.us/pdfs/cancel_part_aff_2003.pdf

The affidavit form must be signed by the current landowner (or if the interest in the water right has been conveyed separately from the land through a water right conveyance agreement, the person who holds the current interest in the water right). It must be accompanied by documentation of ownership (a current deed or title company report) and a map indicating the location of the portion that is being voluntarily cancelled. This map does not need to be a CWRE map.

Looking at county tax lot maps via the ORMap website, it looks as though Certificate 38516 covers land in tax lots 203 (involved in the transfer) and tax lots 100, 130, 1400, 1401, 1402 and 1403 in the remaining portion of the right.

The actual rate Certificate 38516 is 0.75 cfs, divided among all of the 112.9 acres. If the Grewals obtain permission from the owners of some of the acres in the place of use to cancel a portion of the right's acres, the total rate under the right may be divided among fewer acres.

If portions of the right are not needed for irrigation and the Grewals can obtain affidavits of partial cancellation for those portions, we can build the cancellation of those acres into the transfer documents and re-calculate the split of the cfs rate that could be applied to the lands in the transfer.

For example, if the owners of ALL of the tax lots not involved in the transfer were willing to voluntarily cancel ALL of their portions of the right, leaving only 58.1 acres under the right, then the maximum rate would be 0.726 cfs for 58.1 acres (the full 1/80 [0.0125] cfs per acre).

If, on the other hand, 20 acres from tax lots not involved in the transfer were to be cancelled, the 0.75 cfs would be divided by 92.9 acres, for an average rate of 0.0081 cfs per acre. The total rate for 58.1 acres would be 0.47 cfs.

Another thought:

If the Grewals have enough total acre-feet of water, but the instantaneous rate is an issue in order to properly operate their irrigation equipment, they may consider putting a "bulge" in their system, such as a storage tank or pond, that they can pump into at the authorized rate, then pump out of sporadically at a higher rate to distribute the irrigation water.

Thanks for your assistance. Let me know if you have further questions.

Dorothy

From: Jim Greenman [mailto:jgreenman@csace.com]
Sent: Monday, April 20, 2009 10:52 AM
To: Dorothy Pedersen
Subject: T-10515

4/20/2009

Ms. Pedersen:

Mr. Grewal would like to pursue the first option suggested in your email of 09/04/17. Because I am not familiar with a process of partial cancellation, would you please tell me which applications and or forms are applicable? Also of interest is the outline of the general process. Is an explanation available on-line?

J. H. (Jim) Greenman, PE, PLS
Haner, Ross & Sporseen, Inc.
v: 503-657-1384
f: 503-657-1387
m: 503-970-3769

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, April 20, 2009 2:30 PM
To: 'Jagdish Grewal'
Cc: 'Jim Greenman'; Sabrina White-Scarver
Subject: RE: T-10515

Mr. Grewal,

I am sorry that the actual rate allowed by your water right for the 58.1 acres was a surprise for you when you read the draft preliminary determination for T-10687, but appreciate the opportunity to explore the options you have before we finalize the documents for your transfer.

It appears that the water right under Certificate 38516 covers a total of 112.9 acres in tax lots 100, 1300, 1400, 1401, 1402, 1403 and 203 (only this last tax lot is involved in the transfer). The total rate (0.75 cfs) was granted to be distributed to all of those 112.9 acres at the time the certificate was issued in 1972. Therefore, the AVERAGE actual rate of 0.0066 cfs per acre has been in effect since 1972. The portion of the average actual rate that applies to the 58.1 acres proposed for transfer has always been 0.39 cfs.

If some of the original 112.9 acres are no longer being irrigated and the owners of those lands to are willing to voluntarily cancel the use of water on the unused acres, they may submit an "affidavit of partial cancellation of a water right". This would leave fewer acres under the water right certificate, therefore resulting in a higher actual average rate per acre. The more acres cancelled, the higher the average rate per non-cancelled acre would be, up to a maximum of 1/80 cfs [0.0125 cfs] per acre.

It appears that you do not own all the the 112.9 acres under the water right, but if the other landowners are no longer interested in using some of their portions under the water right, you may find that they would be willing to voluntarily cancel some of their acres. If so, the process is to have them fill out notarized "affidavit(s) of partial cancellation" which can be accessed at: http://www1.wrd.state.or.us/pdfs/cancel_part_aff_2003.pdf, along with copies of deeds or other ownership documentation and maps that indicate which lands the water right is to be cancelled from.

Under Oregon water law (ORS 540.610) , a water right needs to continue to be exercised without allowing five or more consecutive years to elapse without use. Therefore, water right holders often voluntarily cancel a portion of a right that is no longer used or needed, rather than allowing the right to be forfeited and cancelled later through a hearings process.

For more information about your water right, you may wish to contact the watermaster for your area: Sabrina White-Scarver, 1678 Beaver Creek Rd., Suite L, Oregon City, (503) 722-1410.

Once we know whether you wish to include a partial cancellation in conjunction with the processing of T-10687, or prefer to have us issue a signed Preliminary Determination consistent with the draft, we will move forward with the next step which is to issue the Preliminary Determination and begin the public notice and protest period. If you submit partial cancellation documents we will issue a revised draft for your approval before proceeding.

Sincerely,
 Dorothy

From: Jagdish Grewal [mailto:grewal41@hotmail.com]
Sent: Saturday, April 18, 2009 10:03 AM
To: Dorothy Pedersen
Subject: Re: T-10515

4/20/2009

Ms. Pedersen

May I refer you to the previous information that I sent you regarding the water use. We are the only ones irrigating our land. McKenzie Farms where the wells are located are growing trees. They did not invest anything in the repair or establishment of the rights. All wells in operation are in my name only. They have never irrigated any thing. Is anyone else still entitled to the these water rights? Does this information makes any difference as to how to proceed about getting the appropriate amount of water? Was this information about the reduced rate made available to us anywhere? How many more hoops we must go through yet? I have expressed my frustration before but this bit much. Jagdish S. Grewal

----- Original Message -----

From: [Dorothy Pedersen](#)
To: [Jim Greenman](#)
Cc: [Jagdish Grewal](#) ; [Herb Mosgar](#)
Sent: Friday, April 17, 2009 4:56 PM
Subject: RE: T-10515

Hi Jim,

Thank you for reviewing the T-10515 document so promptly. See my comments below.

Dorothy

From: Jim Greenman [<mailto:jgreenman@csace.com>]
Sent: Friday, April 17, 2009 4:24 PM
To: Dorothy Pedersen
Subject: T-10515

Ms. Pedersen:

I have reviewed the draft of the proposed transfer and have a question regarding the rate in it assigned to the existing wells. It seems the certificate provides an aggregate rate for wells 3, 4 & 5 of 0.75cfs; to-wit well #3 @ 0.14cfs, well #4 @ 0.22cfs & well #5 @ 0.39cfs. Well tests performed when the wells were drilled indicate yields for each of the wells consistent with the rates listed in the certificate. With a given acreage of 58.1 acres and a stated irrigation use, the maximum application rate at 1cfs/80ac would be 0.726cfs.

The total amount in the draft of 0.39cfs is considerably less than the maximum rate of application or that shown in the certificate.

Certificate 38516 allows 0.75 cfs from the 3 wells for irrigation of 112.9 acres. That comes to an average of approximately 0.0066 cfs per acre. Though any one acre could receive as much as 1/80 cfs (0.0125 cfs), clearly there is not enough total cfs to support the full face-value rate to be delivered to all acres simultaneously. This certificate is therefore what we would call a "deficient rate" certificate.

When only a portion of a certificate is involved in a transfer, we pro-rate the water at the average actual rate per acre to determine the cfs that is being transferred, vs the cfs being left to irrigate the remaining acreage. That is how we arrived at 0.39 cfs of the original 0.75 cfs for the 58.1 acres in the transfer, leaving a remainder of 0.36 cfs for the 54.8 acres not affected by the transfer. The total transferred cfs and the remaining right cfs were then further proportionally divided among the three wells, based on the relative contributions to the original total from each of the wells.

The applicant desires the maximum withdrawal rate permissible to be transferred to the new wells. Would you please review this issue and let me know what you conclude? [With deficient rate rights, the only way to boost the per/acre diversion rate is to cancel some of the acreage and then distribute the remaining total cfs at a higher per/acre rate to the non-cancelled acreage. It MAY also be possible to apply for an additional water right to make up for a deficiency in rate. The Grewals may wish to investigate this possibility by contacting the Water Rights Division. Herb Mosgar \(503\) 986-0804 would be the first person to call.](#)

I also note in *Transfer Review Criteria* that the transfer number in item 8 probably contains a typographic

error. Thank you for catching that. I agree and will fix this when we issue the signed preliminary determination document.

Thank you for your attention to this matter, we appreciate the timeliness of your responses.

J. H. (Jim) Greenman, PE, PLS, CWRE
Haner, Ross & Sporseen, Inc.
v: 503-657-1384
f: 503-657-1387
m: 503-970-3769



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 20, 2009

Mr. Jagdish Grewal
17465 SE Sunnyside Road
Damascus, Oregon 97089-9226

SUBJECT: Water Right Transfer Application T-10515

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-10515. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

Because the new points of appropriation are more than ¼ mile from the authorized points of appropriation, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

The submitted report of ownership and lien information was prepared by Chicago Title Insurance Company of Oregon on December 19, 2007, which is not within 3 months of issuance of the draft Preliminary Determination as is specified in OAR 690-380-4010(5)(a). Therefore, you will need to either submit a new report by the title company or provide documentation from the County Clerk or Tax Assessor's office that shows the ownership has not changed since your existing ownership report was generated.

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the ownership documentation. Please submit your response and the documentation **by May 20, 2009**.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wr.d.state.or.us if I may be of assistance.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: **T-10515**
Sabrina White-Scarver, District 20 Watermaster
J.H. Greenman, Haner, Ross & Sporseen, Inc., CWRE #056

encs



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

In the Matter of Transfer Application
T-10515, Clackamas County

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)
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D R A F T
PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINTS OF
APPROPRIATION

Authority

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

Applicant

Jagdish Grewal
17465 SE Sunnyside Rd.
Damascus, OR 97089

Findings of Fact

Background

1. On January 2, 2008, Jagdish Grewal filed an application to change the points of appropriation for a portion of the right under Certificate 38516. The Department assigned the application number T-10515.
2. On March 27, 2009, a revised transfer application map was received.
3. The portion of the right to be transferred is as follows:

Certificate: 38516 in the name of ELMORE MOSTUL (perfected under Permit G-4619)

Use: IRRIGATION of 58.1 ACRES

Priority Date: JUNE 4, 1969

Rate: 0.39 CUBIC FOOT PER SECOND (CFS), BEING 0.08 CFS FROM WELL 3, 0.11 CFS FROM WELL 4 AND 0.20 CFS FROM WELL 5

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: WELLS #3, #4 and #5 in the CLEAR CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	NW NE	37	WELL 3: 400 FEET NORTH AND 630 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 4: 940 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF DLC 37
2 S	3 E	WM	33	NW NE	37	WELL 5: 580 FEET NORTH AND 320 FEET EAST FROM THE SW CORNER OF DLC 37

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	3 E	WM	33	SE NE	39	21.5
2 S	3 E	WM	33	NE SE	39	20.2
2 S	3 E	WM	34	SW NW	39	7.7
2 S	3 E	WM	34	NW SW	39	8.7

4. Transfer Application T-10515 proposes to change the authorized points of appropriation to two wells approximately 1,600 to 2,560 feet from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	3 E	WM	33	SE NE	39	WELL 6: 2650.7 FEET NORTH AND 1846.6 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 33
2 S	3 E	WM	33	NE SE	39	WELL 7: 1762.0 FEET NORTH AND 2019.2 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 33

5. Notice of the application for transfer was published on January 22, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On March 13, 2009 a letter was sent to the applicant indicating that the transfer map originally submitted did not meet current mapping standards, and requesting submission of a revised map by April 15, 2009. Specifically, the acreage breakdown by quarter quarter section did not match the Claim of Beneficial Use map for this water right under Certificate 38516 and some elements, including Donation Land Claim lines and the remaining portion of the right were not shown as required by OAR 690-380-3100(2). On March 27, 2009 J. H. Greenman, CWRE and agent for the applicant, submitted a revised map that resolved these deficiencies.

Transfer Review Criteria (OAR 690-380-4010)

7. Water has been used within the last five years prior to the submittal of Transfer Application T-10515 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-1051510515.
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in points of appropriation proposed in Transfer Application T-10515 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved

If application T-10515 is approved, the final order will include the following:

1. *The change in points of appropriation proposed in application T-10515 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 38516 and any related decree.*
3. *Water right Certificate 38516 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.*
4. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
5. *The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*
6. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of 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.*
7. *The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2010. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

8. *When satisfactory proof of the completed change is received, a new certificate confirming the portion of the right transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2009.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrд.state.or.us.



HANER, ROSS & SPORSEEN, INC.

2895 Beaver Creek Rd. – Oregon City, OR 97045

Office – 503.657.1384 Fax: 503.657.1387

Designing and Defining Earth and Water Resources

TRANSMITTAL

March 26, 2009

Dorothy Pederson
Transfer Program Advisor
Oregon Water Resources Department
725 Summer St., NE, Ste. A

Re: 0834 – Grewal Water Rights
T-10515

RECEIVED

MAR 27 2009

WATER RESOURCES DEPT
SALEM, OREGON

No. of Copies	Description	Date Revised
1	Water Right Transfer Application Map	03-23-2009

Remarks: The attached T-10515 map reflects revisions requested per your letter of March 13, 2009 and Email of March 17, 2009.

Haner, Ross & Sporseen, Inc.


J. H. Greenman, P.E., P.L.S., C.W.R.E. *h*

✓ Cc: Jagdish Grewal

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, March 17, 2009 10:32 AM
To: 'Jim Greenman'
Cc: 'grwal41@hotmail.com'
Subject: RE: T-10515 letter of request

Mr. Greenman,

Thank you for responding so quickly. Below I have inserted comments related to your points. Don't hesitate to call or email me if you have further questions.

Dorothy

-----Original Message-----

From: Jim Greenman [<mailto:jgreenman@csace.com>]
Sent: Friday, March 13, 2009 5:09 PM
To: Dorothy Pedersen
Cc: grwal41@hotmail.com
Subject: RE: T-10515 letter of request

Ms. Pederson:

In response to your email -

The total acreage of the properties affected by the transfer varies by 0.01 acre (58.1 acres on the 1971 proof survey and 58.09 acres on the application map). The differences in the quarter-quarter section acreages arise from the calculations done for the two surveys. I believe ours to be correct and cannot explain how earlier ones were done. **We generally retain the same number of decimal places in the acreage descriptions of the place of use unless parcels have been split into such small pieces that finer precision is needed. If the new description were to be rounded to one decimal place there would be no change in the total acreage. If you will give us a brief description of the surveying method you used, we can build into the transfer document a finding to "re-describe" this portion of the water right by quarter quarter, based on your survey.**

Government lot lines are shown on the drawing. They are the lines with one long and two short dashes. Would you like to see all the quarter-quarters noted in order to emphasize the lines demarcation purpose? **The long and short dashed lines are adequate to show the section and quarter quarter divisions. What we would like added are the DLC lines, and then label the remaining portions within a quarter quarter outside of the DLC by government lot numbers, consistent with the Public Land Surveys. Images of those original Government Land Office surveys can be accessed from <http://www.blm.gov/or/landrecords/survey/ySrvy1.php>.**

The property lines are the lines that bound the cross-hatching. We will annotate the drawing by labeling those lines as property lines. **Thank you.**

OAR 690-380-3100(2)(h)) allows for the acceptance of the location of points of diversion or appropriation upon concurrence with Department.

Do you concur? **This subsection requires the location of main water features such as canals, ditches, pipelines, etc., but refers back to OAR 690-380-3100(1)(g) to indicate that depiction of these features will not be held to the level of survey accuracy required for the other features of the map. OAR 690-380-3100(1)(h), however, requires the map to include the distance and bearing or coordinates from a recognized survey corner for points of diversion/appropriation. If you will add the text descriptions of the authorized well locations that are on the original water right map for wells 3, 4 and 5, that will satisfy this rule.**

The applicant proposes changes in the points of diversion for lands he owns that are a portion of the original water right. He cannot speak to the intent of the owner of the remaining places of use. We can show the remaining places of use on the Application drawing but have no basis on which to comment regarding the status of that portion of the water right. **Yes, that**

3/17/2009

is understood. You are not responsible for making any claim in regard to the remaining lands, but having them shown on the map with a different hatching pattern referenced as "remaining" in the legend, shows the accounting breakdown of the transferred vs. remaining portions of the right. Where you are requesting a re-description only of the portion of the right that is owned by Mr. Grewal, we will probably structure the transfer document to identify the portion to be transferred as it is described on the certificate and Final Proof Survey map. A remaining right certificate will be issued for the portion of the right minus those acres (and pro-rated quantity of water). We will then re-describe the portion being transferred, so that when that portion of the right is "proved up on" with the new wells, the Claim of Beneficial Use and map for the transfer can be based on your description of the lands.

We will add the transfer application number to the drawing but note that at the time of original submittal, that number was unknown. You are correct that the transfer number is not known when a transfer application is originally submitted, however, it is helpful for a revised map to include the transfer number to eliminate any confusion and ensure that it makes its way to the appropriate file.

J. H. (Jim) Greenman
Haner, Ross & Sporseen, Inc.
2895 Beavercreek Rd.
Oregon City, OR 97045
v: 503-657-1384
f: 503-657-1387
m: 503-970-3769

-----Original Message-----

From: Dorothy Pedersen [mailto:]
Sent: Thursday, 2009 March 12 17:10
To: grwal41@hotmail.com; Jim Greenman
Subject: T-10515 letter of request

Mr. Grewal and Mr. Greenman,

I'm putting into the mail tomorrow morning a letter requesting some revisions to the T-10515 map. In order to give you an opportunity to start work on your response, I've attached the letter and final proof map to this email.

If you have questions, please do not hesitate to call or email me.

Sincerely,
Dorothy

Dorothy I. Pedersen
Transfer Program Advisor
(503) 986-0890
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Dorothy Pedersen

From: Jagdish Grewal [grewal41@hotmail.com]

Sent: Sunday, March 15, 2009 1:51 PM

To: Dorothy Pedersen

Subject: T-10515

I hope that Jim Greenman has addressed the questions to your satisfaction about the survey and will provide you with the additional information as he indicated to me.

It appears from Mr Greenman's email to you that there is a question about use of the water rights by other parties. Perhaps this explanation will be of some help. When I purchased the land in 1995 through a bankruptcy court, I asked McKenzie Cook to go halves with me. Mr Cook took the tax lot 100 and I took the 203. The wells were all situated in tax lot 100 and were in state of disrepair. Mr. Cook felt he did not need the irrigation for Christmas tree farming and did not wish to take part in the cost of repairs. I had the new wiring, pipes and motors replaced at a considerable cost. The ownership of the wells was transferred to my name even though they remain on Mr. Cook's parcel. Since then we have operated with the understanding that I will continue to use the system. We have had no problems with this arrangement but I feel with our advancing age we need to make matters clear for the future generation, hence the request for transfer. Mr. Cook has expanded his operation exponentially since then and still only uses one well for filling up his spraying equipment. I am the only one who has used the irrigation system since the land purchase. The owners of the third parcel shown on the water rights map have never come forward or shown any interest. I am not sure where their claim will stand at this point if they have not used the water for the last fourteen years and who knows how long before that. Jagdish S. Grewal

3/17/2009



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

March 13, 2009

Mr. Jagdish Grewal
17465 SE Sunnyside Road
Damascus, OR 97089-9226

REFERENCE: Transfer Application T-10515

We are examining your water right transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. The acreages shown on the application map do not match the acreages by quarter quarter shown on the final proof survey map or in Certificate 38516. Please either correct the acreages on the transfer map to match the official right of record, as listed on the certificate and final proof map (enclosed), or provide an explanation for the differences. If the footprint of the water right has not changed, but the current understanding of how the Public Land Survey lines overly the land has changed since the final proof survey in 1971, then please submit information to explain the new survey description in relation to changes in survey corners, differences in survey techniques, etc.
2. The application map does not include all features required by Oregon Administrative Rules. The following items should be included in a revised map:
 - Donation Land Claim or government lot lines, as appropriate (OAR 690-380-3100(2)(g))
 - Approximate location of property lines (OAR 690-380-3100(2)(j))
 - Distances of existing points of appropriation from survey corner (OAR 690-380-3100(2)(h))
 - Portions of the right NOT included in the transfer (if there are any remaining portions in the quarter quarters affected by the transfer), shown with a different shading/fill pattern
 - The transfer application number (T-10515)

Please submit a revised map by April 15, 2009, to Dorothy Pedersen, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0890.

Sincerely,

Dorothy I. Pedersen
Water Rights Transfer Specialist

cc: Sabrina White-Scarver, Watermaster, District 20
J. H. Greenman, CWRE, Haner, Ross & Sporseen, Inc.

Enclosure (Final Proof Map for Certificate 38516)

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, March 09, 2009 11:41 AM
To: 'Marsha Walker'
Cc: 'Sandra Jones'
Subject: RE: Transfer Application T-10515

Hi Marsha,

I had a chance to look over the deficiency letter for T-10515 and think we can simplify it quite a bit. As I see it, the biggest issue that keeps us from being ready to issue the draft preliminary determination, is that the transfer map and application descriptions of the place of use do not match. I suggest that you revise the letter to make the resolution of that issue as the primary focus. Below are some suggestions and comments, arranged in numbered order to correspond with the points in the letter. Perhaps it would be helpful to discuss this one before finalizing the letter. I should be available by phone at (503) 986-0890 in the mornings this week.

1. OAR 690-380-3100(2)(f) does require the remaining right to be shown, in general. However, since in this case less than 67% of the right is proposed for transfer, technically they could get by with mapping only the remaining portions that would be left in the SE NE and NE SE of Section 33 and the SW NW and NW SW of Section 34. If there is not a re-description of the right, and the acreage listed in Supplemental Form A, page 4 is transferred, then there would not be any remaining right in those quarter quarters. I suggest just integrating this request, if applicable, into the list you have in #7.
2. When we are evaluating a transfer application that proposes to affect only a portion of the right, we are really only concerned with that portion, not with what the other owner is doing with the remaining portion of the right, so this becomes a non-issue and can be dropped out of the letter.
3. The capacity of the new wells #6 and #7 that are proposed is something that they will have to prove up on later. Our order would allow them to deliver 0.39 cfs from the new wells for the 58.1 acres involved in the transfer, and they would need to show us at time of completion that they have wells and a delivery system that are capable of using that full amount. I suggest deleting this point in the deficiency letter.
4. This is related to the primary concern. I don't understand your statement about the 0.01 acre overage. When I add up the map acreage, I come up with 58.09 acres, which is 0.01 acre less than the original description of 58.1 acres. I suggest re-wording this statement to indicate that the description of the place of use in the transfer map does not match the description in Supplemental Form A and on the certificate. They need to either revise the map to match the right of record, or submit an explanation of how the alternate description by quarter quarter was arrived at (based on what type of survey method, tied to what monuments, etc) and request that the place of use of the right be re-described. If the difference is due to a current different understanding of how the Public Land Survey lines overlay the place of use, then possibly this will affect the rest of the right also, so a re-description of the entire right might be called for. Of course, in any case, the total number of acres under the right cannot be increased, though the breakdown by quarter quarter, DLC and Section may shift.
5. This is not needed. We are only concerned with the ownership of the portion of the right involved in the transfer.
6. The applicant is not responsible for measuring the distance between the authorized and proposed POAs. That is our responsibility to determine, from the positions they give us, whether the distance is more or less than $\frac{1}{4}$ mile. My map scale indicates that the distance between the closest authorized POA and proposed POA is greater than $\frac{1}{4}$ mile, so in the DPD cover letter we'll give them the heads up that they will be required to publish notice in a newspaper. So, this numbered item can be deleted from the deficiency letter also.
7. These items need to be included in the revised map (regardless of whether a re-description is involved):

3/9/2009

- Donation Land Claims or government lots (OAR 690-380-3100(2)(g))
- Approximate location of property lines (ORA 690-380-3100(2)(j))
- Distances of existing points of appropriation from survey corner (OAR 690-380-3100(1)(h))
- Suggest remaining portion of the right be shown with a different shading pattern (though technically not required if the right is not being re-described and/or there will not be any remaining portion in the quarter quarters in the transfer)
- Transfer application number, to be sure the map is put with the correct transfer application file

We should set a date for response that is at least 30 days from when we anticipate the letter will go out (I'll adjust the date, if needed when we actually mail the letter).

Please call if you have questions or wish to discuss any of these points, and then submit a revision of the letter.

Thank you,

Dorothy

From: Marsha Walker [mailto:marsha_walker@pbsenv.com]

Sent: Tuesday, March 03, 2009 2:30 PM

To: Dorothy Pedersen

Subject: Transfer Application T-10515

Hi, Dorothy -

Attached please find the scanned marked up application, application checklist (scanned with the application) and Deficiency Letter for the Jagdish Grewal application.

I initially thought there was a problem with ownership of the water rights, but apparently water rights ARE transferred when property is sold unless specifically excluded.

Let me know if you have questions.

Thanks for your help!

Marsha Walker, RG

Senior Geologist

marsha@pbsenv.com

503-417-7600

PBS Engineering + Environmental

Engineering | Natural Resources | Environmental | Health and Safety

www.pbsenv.com

4412 SW Corbett Avenue

Portland, Oregon 97239

Phone: 503-248-1939; Fax: 503-248-0223

DISCLAIMER:

This message and any attachments are considered privileged and confidential and are intended for the sole use of the individual or entity to whom the message is addressed. If you have received this message in error, please immediately advise the sender and permanently delete the message and any attachments.

3/9/2009



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

January 15, 2008

JAGDISH GREWAL
17465 SE SUNNYSIDE ROAD
DAMASCAS, OR 97089

Reference: Transfer 10515

On January 2, 2008 we received your water right transfer application requesting point of appropriation. The application was accompanied by \$400.00. Our receipt 91084 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 change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. 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 transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #20
CWRE #056
J.H. Greenman, Agent
Files

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 1/22/2008

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: CLACKAMAS
Transfer: 10515
Water Right: CERT 38516
Priority Date: 1969
Name: JAGDISH GREWAL
Address: 17465 SE SUNNYSIDE RD, DAMASCAS, OR 97089
Change: POA
Source: CLEAR CREEK
Authorized POA: T2S, R3E, 33
Proposed POA: T2S, R3E, 33

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

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. Comments should be sent to the Transfers Section at the Department's Salem office.

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Grewal Jagdish

(Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- OK
- ☐ 1) an adjudication with a court decree; *or*
 - ☐ 2) a certificate that is not cancelled; *or*
 - ☐ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Transfer process?

[ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

OK
If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 400

OK
~~Fee Schedule – ORS 536.050(1)(h)~~

Base fee (1st change and 1st CFS of water)

Total Fees Paid: 400

- Each additional type of change requested

Fees Due (if any): 0

- For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Refund Due (if any): 0

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Transfer application complete?

All required elements necessary for a complete transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

- OK • Type of transfer application Req

(Page 1)

- OK • Applicant's name, mailing address and contact information.

(Page 1)

- OK • Agent's name, mailing address and contact information, *if applicable*.

(Page 1)

- OK • Are the water rights to be affected by this transfer listed?

(Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

	Checklist for Supplemental Form A – (Attachments)	
OK	• Certificate # filled in on each page?	(Page 1)
OK	• Type of change(s) proposed clear?	(Page 1)
OK	• Current Water Right information is complete?	(Page 2)
N/A	• If for a change in POU or USE..... (Page 2) Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). If layered with GR, must submit a GR Modification application as well as this application. Are they included in application? If not, contact applicant or agent.	
OK	• Location description of the authorized POA/POD to be changed. (Page 3) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: <u>OK</u> 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.	
OK	• Location description of the existing authorized POU and associated acres (if applicable). (Page 4) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
OK	• Location description of the proposed POA/POD. (Page 5) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> <u>OK</u> 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.	
N/A	• Location description of the proposed POU and associated acres (if applicable). (Page 6) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
Return back to Page 2 of transfer application		
OK	• The type of changes being proposed. <u>POA</u>	(Page 2)
OK	• Reason for the transfer.	(Page 2)
OK	• Description of current water delivery system.	(Page 2)
OK	• System Capacity.	(Page 2)

	Checklist for Supplemental Form B – (Attachments)	
OK	• Is there a box checked in #1?	(Page 1)
OK	• Is there a box checked in #2? NO	(Page 1)
OK	• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
OK	• In question #4 and #5 are they filled out. 2)	(Page 2)
OK	• Is there a box checked in #6?	(Page 2)
OK	• Is the #6 supporting documentation included with application? 2)	(Page 2)
OK	• Is there an original signature of the notary and notary stamp? 2)	(Page 2)
	Return back to Page 3 of transfer application	
None	• Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided.	(Page 3)
Yes	• Is the applicant the Landowner of the “from” and “to” Lands? YES NO If NO..... The applicant must list current landowner name & address.	(Page 4)
OK	• Who will be responsible for completion of the changes? applicant Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	• Map..... (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map ___ if more than 3 rights are included in transfer, is there a separate map for each water right? ___ If larger than 8 ½ X 14 than 3 copies of map is needed & an electronic pdf file of map ___ north arrow ___ size & scale ___ other: _____ ___ authorized acreage per ¼ ¼ matches the water right ___ authorized POD/POA and POU (clearly shown, labeled & matches application listing) ___ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR ___ proposed POD/POA and/or POU (clearly shown, labeled & matches application “proposed” listing) ___ location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
OK	• Land Use form, if applicable. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
OK	• If a groundwater right is involved, are the well logs or a description included.	(Page 5)
N/A	• If this is an instream water right transfer, is there a form C included and filled out.	(Page 5)

OK

- Signature(s) of applicant(s):

(Page 6)

Are one of the boxes checked?

All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name: S. Henderson

Date: 1-4-07

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation



HANER, ROSS & SPORSEEN, INC.

ENGINEERS

CONSULTANTS

SURVEYORS

~~XXXXXXXXXXXX~~ 2895 Beaver Creek Road
~~XXXXXXXXXXXX~~
657-1384 Oregon City, OR 97045

REGISTERED ENGINEERS
OREGON • WASHINGTON • IDAHO
NEVADA • MONTANA



TO: Oregon Department of Water Resources
725 Summer Street, N.E., Suite A
Salem, OR 97301-1271

TRANSMITTAL NOTICE

December 31, 2007

DATE:

RE: Water Right Transfer Application
Certificate No. 38516

PROJECT NO: 0834/E

TRANSMITTED HEREWITH: by Mail

NO. OF COPIES	DATED	TITLE
1 original	N/A	✓ Application for Water Right Transfer
1 copy	07/12/21	✓ Land Use Information Form
	07/12/16	✓ Ground Water Right Transfer Map
	N/A	✓ Supplemental Form A - Description of Proposed Change(s) to a Water Right
	N/A	✓ Supplemental Form B - Affidavit Attesting to the Use of Water
	2008/7	✓ Copies of irrigation pump electric bills
	69/04/03	✓ Well Log, State Well No. 2/3-33Abc (Clac 05180)
	69/04/18	✓ Well Log, State Well No. 2/3-33ab (Clac 05275)
	69/04/15	✓ Well Log, State Well No. 2/3-33ab (Clac 05276)
	07/12/27	✓ STATUS OF RECORD TITLE (Lot Book Report)

REMARKS

Please forward questions or comments to the Applicant with a copy of the communication to the undersigned.

- ☒ FOR APPROVAL
- ☒ FOR REVIEW
- ☐ FOR INFORMATION
- ☐ FOR QUOTATION
- ☐ PER YOUR REQUEST
- ☐ RETURN ONE SET BY:
- ☐

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WATER RESOURCES DEPT
SALEM, OREGON

BY:

J.H. Greenman, PE, PLS, CWRE

TRANSMITTAL

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 # 91084

INVOICE # _____

RECEIVED FROM: JAGDISH S. & A ALLISON
BY: GREWAL

APPLICATION
PERMIT
TRANSFER T-10515

CASH: ☐ CHECK:# ☒ 1094 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 400.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES PIA 46111 \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 \$
0203 GROUND WATER EXAM FEE 0204 \$
0205 TRANSFER EXAM FEE 400.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE
OBJ. CODE VENDOR #
DESCRIPTION \$

RECEIPT: 91084

DATED: 1/2/08 BY: [Signature]

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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

☒ Permanent Transfer	☐ Instream Transfer
☐ Temporary Transfer (1 to 5 yrs.) • total number of years: _____ (begin year: _____) (end year: _____)	☐ Permanent ☐ Time-Limited ☐ Drought Transfer ☐ Other

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SALEM, OREGON

2. APPLICANT INFORMATION

Name:	Grewal	Jagdish	SALEM, OR
	First	Last	
Address:	17465 SE Sunnyside Road		
	Damascas	OR	97089-9226
	City	State	Zip
Phone:	503-658-4715		
	Home	Work	Other
Fax:	E-Mail address: grewal41@hotmail.com		

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: <u>J. H. Greenman</u>		<u>Haner, Ross & Sporseen, Inc.</u>	
First		Last	
Address: <u>2895 Beaver creek Road</u>			
<u>Oregon City</u>		<u>OR</u>	<u>97045</u>
City		State	Zip
Phone: _____		<u>503-657-1384</u>	
Home		Work	Other
Fax: <u>503-657-1387</u>		E-Mail address: <u>jimg@hrs-engrs.com</u>	

- If an agent is listed above, please check one of the following:
 - ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	G-4901	G-4619	Vol. 30, Page 38516
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☐ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion
 - ☐ Character of Use ☒ Point of Appropriation (POA, or well) ☐ Additional POA
 - ☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
 - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
 - ☐ Historic POD change ☐ Other
- Reason(s) for change(s): A division of real property after perfection of existing water right has resulted in a divorce in ownership between POA and Place of Use.
Proposed relocation of POA's will place both back in same ownership.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Wells 4 & 5 have 7.5 hp motors, the horsepower of well 3 is unknown. Lines of unknown diameter feed a surge pond. The pond pump is 5 hp. It feeds 1200' of 6" and 400' of 4" plastic pipe that feeds a distributor where 3" lines feed the berry rows.

- System capacity: 0.746 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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SALEM, OREGON**

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is 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? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Clackamas County Planning/Zoning/Economic Development

9101 SE Sunnybrook Blvd., Clackamas, OR 97015

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SALEM, OREGON FS

9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

*If "No", provide the following information. For Temporary Transfers, also include a **notarized statement granting consent** to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)):*

Names of Current Landowner(s): Jagdish Grewal
First Last

Address: 17465 SE Sunnyside Road

Damascus OR 97089-9226
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

- ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- ☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

10. Other Remarks (optional)

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SALEM, OREGON**

11. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☒ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☒ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

- ☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (For instream transfers a Land Use Information Form is not required.)

For All Other Transfers:

- ☒ Land Use Information Form is enclosed; or
- ☐ All of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, and
 - ❹ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 400.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

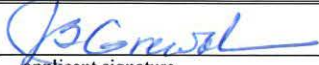
- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

12. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

- ☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:
- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.
- ☐ I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.
- ☐ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.
- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.
- ☐ I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

 applicant signature	JAGDISH S. GREWAL name and title if applicable (print)	12/31/07 date
 applicant signature	 name and title if applicable (print)	 date

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**WATER RESOURCES DEPT
SALEM, OREGON**

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 38516

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☒ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	38516 Certificate Number	G-4619 Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐ Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Elmore Mostul
- County: Clackamas
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): June 4, 1969

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Wells 3, 4 & 5 in the Clear Creek Basin

Tributary to: Clackamas River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: Marsha Walker [marsha_walker@pbsenv.com]
Sent: Tuesday, March 03, 2009 2:30 PM
To: Dorothy Pedersen
Subject: Transfer Application T-10515
Attachments: Deficiency Letter T 10515.doc; Scanned marked up application.pdf

(Marsha)
Contractor revising
deficiency letter

Hi, Dorothy -

Attached please find the scanned marked up application, application checklist (scanned with the application) and Deficiency Letter for the Jagdish Grewal application.

I initially thought there was a problem with ownership of the water rights, but apparently water rights ARE transferred when property is sold unless specifically excluded.

Let me know if you have questions.

Thanks for your help!

Marsha Walker, RG

Senior Geologist

marsha@pbsenv.com

503-417-7600

PBS Engineering + Environmental

Engineering | Natural Resources | Environmental | Health and Safety

www.pbsenv.com

4412 SW Corbett Avenue

Portland, Oregon 97239

Phone: 503-248-1939; Fax: 503-248-0223

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3/9/2009

March 3, 2009

Mr. Jagdish Grewal
17465 SE Sunnyside Road
Damascus, OR 97089-9226

REFERENCE: Transfer Application T-10515

We are examining your water right transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. A remaining right will exist, but this is not illustrated on the application map. Please submit a corrected application map that includes the remaining right ($54.8 \text{ acres} \times 0.00643 \text{ cfs/acre} = 0.3524 \text{ cfs}$). *- Not needed, since no RR in affected 1/4s + transfer involves C6778 or dist later (#7)*
2. Proposed wells 6 and 7 will deliver 0.3860 cfs to irrigate 58.1 acres, based on the original certificated right for 0.75 cfs to irrigate a total of 112.9 acres. The application does not include sufficient pump information to support the ability to deliver the full use and duty of the remaining rights. The apportionment of the transferred and remaining rights between each new and existing well should be provided. *not an issue - only concerned with portion being transferred*
3. The application does not include sufficient pump information to evaluate the ability of Wells 6 and 7 to support the full use and duty of the transferred rights. *NA, since these are proposed, not built*
4. The acreage shown on the application map is 0.01 acre larger than is listed on the original certificate. This would constitute an enlargement of the right. A new map showing the corrected acreage should be prepared and submitted. *yes - need to limit to auth # of acres, but if diff. divided into 1/4s, need explanation for redescription*
5. Please submit a new title report that includes ownership information for the acreage in the remaining right. *No*
6. If the distance between the existing POA and the proposed POA is greater than 1/4 mile, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. This distance appears to be approximately 1/4 mile, based on the application map. Please indicate on a revised application map the true distance between the existing and proposed POA. *Not needing measurements - just require notice*
7. The application map is incomplete. The following items should be included in a revised map (this list includes items mentioned above):
 - Donation Land Claims or government lots (the proposed POA lies within the Arthur DLC 39)
 - Tax lots
 - Distances from 1/4 1/4 Section to existing Point(s) of Appropriation *OK*
 - Distance(s) from existing POA to proposed POA
 - The transfer application number
 - The remaining right, shown with different shading/fill pattern

Marsha Walker (503) 417-7600

Biggest issue = description of the right - either keep as original auth. POA or support redescription. + need to add DLCs + property boundaries + app + map need to match

Please submit corrected map and pump information **by [date]** to Dorothy Pedersen, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0890.

Sincerely,

Dorothy I. Pedersen
Water Rights Transfer Specialist

cc: Sabrina White-Scarver, Watermaster, District 20
J. H. Greenman, CWRE, Haner, Ross & Sporseen, Inc.

Enclosures
Review Checklist (marked up)
Transfer Application T-10515 (markup)

▪ Certificate Number or other identifying number: 38516

The following information **must be provided** only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Clack 05180	Well # 3 June 4, 1969	2 South	3 East	WM	33	NE/NE	100	N 400' & E 630' from SW Cor. DLC #37
Clack 05275	Well # 4 June 4, 1969	2 South	3 East	WM	33	NE/NE	100	N 940' & E 50' from SW Cor. DLC #37
Clack 05276	Well # 5 June 4, 1969	2 South	3 East	WM	33	NE/NE	100	N 580' & E 320' from SW Cor. DLC #37

- Does the water right being transferred involve a ground water source(s)?

☒ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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SALEM OREGON**

▪ Certificate Number or other identifying number: 38516

Will the ENTIRE water right be affected by this transfer? ☐ Yes ☒ No

If “Yes”, the remainder of this page does not need to be completed. Go on to the next page.

If “No”, the following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.)

Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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SALEM, OREGON

▪ Certificate Number or other identifying number: 38516

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #6	2 South	3 East	WM	33	SE / NE	203	N 2651.7' & E 1846.6' from South 1/4 Cor, Section 33
Well #7	2 South	3 East	WM	33	NE / SE	203	N 1762.0' & E 2019.2' from South 1/4 Cor, Section 33

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☒ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No	Well #6	12"	8" Steel	125'	3'	30'	10'	55'	Air Line	175'
No	Well #7	12"	8" Steel	125'	3'	30'	10'	55'	Air Line	175'

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▪ Certificate Number or other identifying number: 38516

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

[illegible]

Remarks: _____

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Clackamas)

I, Jagdish Grewal, in my capacity as Owner,
 mailing address 17465 SE Sunnyside Road, Damascas, OR 97089-9226
 telephone number (503) 658-4715, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **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.

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

- ☐ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
2	S	3	E	WM	33	SE / NE	TL 203	21.5
2	S	3	E	WM	33	NE / SE	TL 203	20.2
2	S	3	E	WM	34	SW / NW	TL 203	7.7
2	S	3	E	WM	34	NW / SW	TL 203	8.7

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(continues on reverse side)

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

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Most recent crop year (2007), raspberries and black caps.

5. The water delivery system used to apply water as authorized by the right is described below:
Buried main lines run to the head of each berry row. Above ground lines along the rows feed drip emitters serving each plant.

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☒ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

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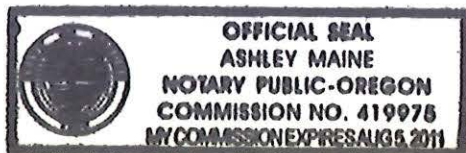
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SALEM, OREGON**

JB Crowl
Signature of Affiant

12/31/07
Date

Signed and sworn to (or affirmed) before me this 31 day of December, 2007.



dm *M*

Notary Public for Oregon

My Commission Expires: Aug. 5, 2011

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



(503)228-6322 or 1-800-542-8818
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Portland General Electric

Service Address:
JAGDISH GREWAL
17202 S SPRINGWATER RD
OREGON CITY, OR 97045

1491.78

Cycle: 1308
Feeder Line Code: RL1

Account #

Previous Amount Due	1.33
Payments/Adjustments	1.33 ^{CR}
Balance Forward	0.00
Current Charges	4.21

AMOUNT DUE \$ 4.21
Due date for current bill 01/05/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (58 kWh)	6.24
Adjustments	2.17 ^{CR}

Taxes and Fees	4.07
	0.14

Current Charges 4.21

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

Thank you for your excellent bill payment record.
We appreciate having you as a customer and we look forward to serving your energy needs in the years ahead.

Point of Delivery Identification (PODID) number for meter number AB01615229 is 576646856.

12-26-06

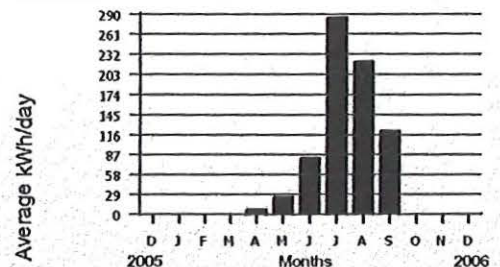
Your energy use

Meter # AB01615229

Schedule 49

Service Period	Meter Reading
12/14/06	63479
11/14/06	63421
30 days of service	58 kWh

Period Ending	Average kWh Per Day	Average Cost Per Day
Dec 2006	1.9	0.13
Dec 2005	0.7	



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OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	0.55
Payments/Adjustments	0.00
Balance Forward	0.55
Current Charges	9.38

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 9.93

Due date for current bill 03/08/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (131 kWh)	10.58
Adjustments	1.51 CR

Taxes and Fees	9.07
	0.31

Current Charges 9.38

Point of Delivery Identification (PODID) number for meter number AB01615229 is 576646856.

pd
2-24-07

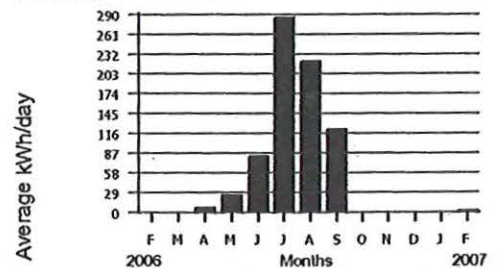
Your energy use

Meter # AB01615229

Schedule 49

Service Period	Meter Reading
02/15/07	63617
01/17/07	63486
29 days of service	131 kWh

Period Ending	Average kWh Per Day	Average Cost Per Day
Feb 2007	4.5	0.31
Feb 2006	1.4	



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Portland General Electric

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17202 S SPRINGWATER RD
OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	0.58
Payments/Adjustments	0.00
Balance Forward	0.58
Current Charges	40.88

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 41.46
Due date for current bill 05/07/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (571 kWh)	46.11
Adjustments	6.60 CR

Taxes and Fees	39.51
	1.37

Current Charges 40.88

Point of Delivery Identification (PODID) number for meter number AB01615229 is 576646856.

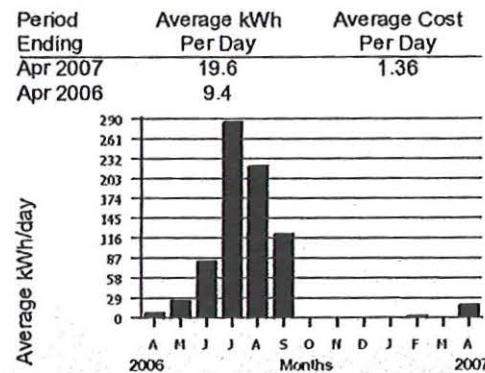
pd
4-22-07

Your energy use

Meter # AB01615229

Schedule 49

Service Period	Meter Reading
04/17/07	64196
03/19/07	63625
29 days of service	571 kWh



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OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	41.46
Payments/Adjustments	41.46 ^{CR}
Balance Forward	0.00
Current Charges	54.82

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 54.82
Due date for current bill 06/06/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (334 kWh)

Adjustments

56.97
3.86^{CR}

53.11

Taxes and Fees

1.71

Current Charges

54.82

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

Point of Delivery Identification (PODID) number for
meter number AB01615229 is 576646856.

pd
6-1-07

Your energy use

Meter # AB01615229

Schedule 49

Service Period

Meter Reading

05/16/07

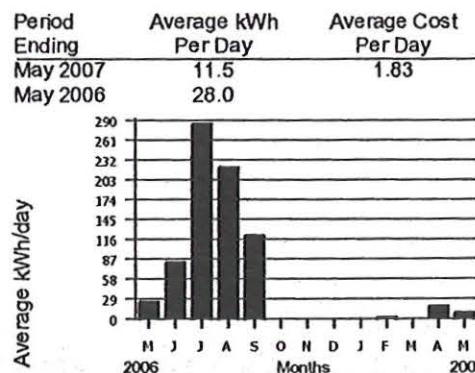
64530

04/17/07

64196

29 days of service

334 kWh



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Service Address:
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OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	54.82
Payments/Adjustments	54.82 ^{CR}
Balance Forward	0.00
Current Charges	270.64

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 270.64
Due date for current bill 07/06/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Prorated Charges

Taxes and Fees

261.60

9.04

Current Charges

270.64

Your energy use

Meter # AB01615229

Schedule 49

Service Period

Meter Reading

06/15/07

68114

05/16/07

64530

30 days of service

3584 kWh

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

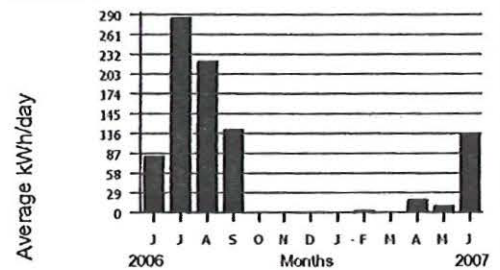
A price change took effect during this billing period. Part of your bill was calculated at the old rate and the remainder was calculated at the new rate. Bill details are available upon request.

Many of our customers will experience a price increase in June, due to the suspension of the BPA residential exchange credit. PGE takes this seriously and is fighting to restore this important benefit as quickly as possible.

Point of Delivery Identification (PODID) number for meter number AB01615229 is 576646856.

pd
6-21-07

Period Ending	Average kWh Per Day	Average Cost Per Day
Jun 2007	119.4	8.72
Jun 2006	83.5	



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Service Address:
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OREGON CITY, OR 97045

Cycle: 1308
Feeder Line Code: RL1

Account #

Previous Amount Due	270.64
Payments/Adjustments	270.64 ^{CR}
Balance Forward	0.00
Current Charges	661.45

AMOUNT DUE \$ 661.45
Due date for current bill 08/06/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (9071 kWh)	637.84
Adjustments	1.45

	639.29
Taxes and Fees	22.16

Current Charges 661.45

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

Point of Delivery Identification (PODID) number for
meter number AB01615229 is 576646856.

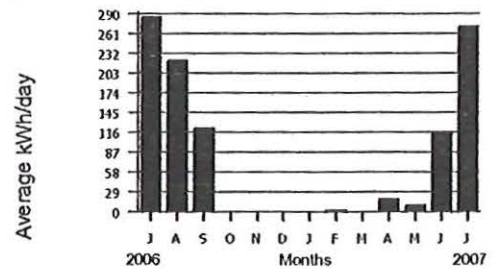
*pd 7-24-07
computer*

Your energy use

Meter # AB01615229
Schedule 49

Service Period	Meter Reading
07/18/07	77185
06/15/07	68114
33 days of service	9071 kWh

Period Ending	Average kWh Per Day	Average Cost Per Day
Jul 2007	274.8	19.37
Jul 2006	288.2	



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OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	661.45
Payments/Adjustments	661.45 ^{CR}
Balance Forward	0.00
Current Charges	191.48

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 191.48

Due date for current bill 09/06/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (1982 kWh)	184.95
Adjustments	0.32

185.27

Taxes and Fees	6.21
----------------	------

Current Charges 191.48

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

Thank you for your excellent bill payment record.
We appreciate having you as a customer and we look forward to serving your energy needs in the years ahead.

Point of Delivery Identification (PODID) number for meter number AB01615229 is 576646856.

pd
9-2-07

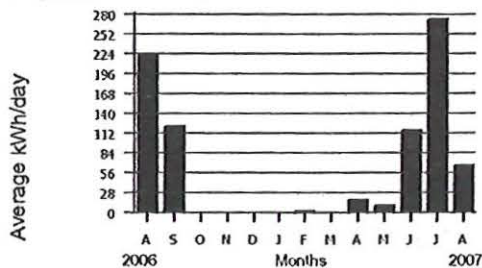
Your energy use

Meter # AB01615229

Schedule 49

Service Period	Meter Reading
08/16/07	79167
07/18/07	77185
29 days of service	1982 kWh

Period Ending	Average kWh Per Day	Average Cost Per Day
Aug 2007	68.3	6.38
Aug 2006	223.6	11.28



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OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	191.48
Payments/Adjustments	191.48 ^{CR}
Balance Forward	0.00
Current Charges	100.50

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 100.50
Due date for current bill 10/05/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49
Energy Charges (809 kWh)
Adjustments

97.18
0.13

97.31
3.19

Taxes and Fees

Current Charges

100.50

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

Point of Delivery Identification (PODID) number for
meter number AB01615229 is 576646856.

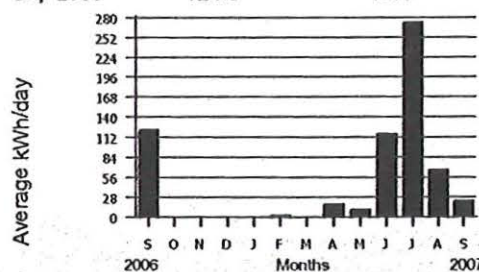
Your energy use

Meter # AB01615229
Schedule 49

Service Period	Meter Reading
09/18/07	79976
08/16/07	79167
33 days of service	809 kWh

*pd
9-29-07
via computer*

Period Ending	Average kWh Per Day	Average Cost Per Day
Sep 2007	24.5	2.94
Sep 2006	124.8	7.15



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Portland General Electric

Service Address:
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17202 S SPRINGWATER RD
OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	100.50
Payments/Adjustments	100.50 ^{CR}
Balance Forward	0.00
Current Charges	33.83

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 33.83
Due date for current bill 11/05/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (34 kWh)	32.82
Adjustments	0.01

Taxes and Fees	32.83
	1.00

Current Charges 33.83

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

Point of Delivery Identification (PODID) number for meter number AB01615229 is 576646856.

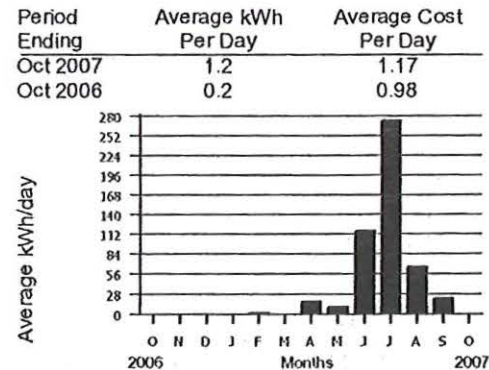
Your energy use

Meter # AB01615229

Schedule 49

Service Period	Meter Reading
10/16/07	80010
09/18/07	79976
28 days of service	34 kWh

*pd
10-21-07
computer*



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WATER RESOURCES DEPT
SALEM, OREGON



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PortlandGeneral.com

Portland General Electric

Service Address:
JAGDISH GREWAL
17202 S SPRINGWATER RD
OREGON CITY, OR 97045

Cycle: 1308
Feeder Line Code: RL1

Account # [REDACTED]

Previous Amount Due	33.83
Payments/Adjustments	33.83 ^{CR}
Balance Forward	0.00
Current Charges	48.95

AMOUNT DUE \$ 48.95
Due date for current bill 12/06/07

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (569 kWh) 47.25

Adjustments 0.09

Taxes and Fees 47.34

1.61

Current Charges 48.95

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

Point of Delivery Identification (PODID) number for
meter number AB01615229 is 576646856.

Your energy use

Meter # AB01615229

Schedule 49

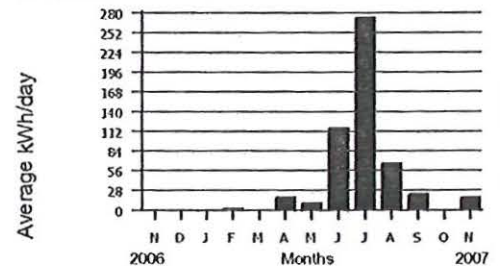
Service Period	Meter Reading
----------------	---------------

11/14/07	80579
----------	-------

10/16/07	80610
----------	-------

29 days of service	569 kWh
--------------------	---------

Period Ending	Average kWh Per Day	Average Cost Per Day
Nov 2007	19.6	1.63
Nov 2006	0.6	0.04



pd
11-23-07

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WATER RESOURCES DEPT
SALEM, OREGON



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

Portland General Electric

Service Address:
JAGDISH GREWAL
17202 S SPRINGWATER RD
OREGON CITY, OR 97045

Account # [REDACTED]

Previous Amount Due	48.95
Payments/Adjustments	48.95 ^{CR}
Balance Forward	0.00
Current Charges	75.11

Cycle: 1308
Feeder Line Code: RL1

AMOUNT DUE \$ 75.11
Due date for current bill 01/07/08

This month's charges (turn over for details)

Meter # AB01615229, Schedule 49

Energy Charges (873 kWh)	72.50
Adjustments	0.14

	<u>72.64</u>
Taxes and Fees	<u>2.47</u>

Current Charges 75.11

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

Thank you for your excellent bill payment record.
We appreciate having you as a customer and we look forward to serving your energy needs in the years ahead.

Point of Delivery Identification (PODID) number for meter number AB01615229 is 576646856.

pd
12-28-07

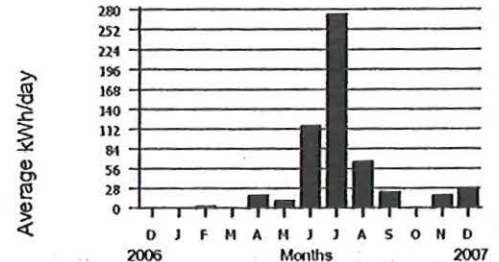
Your energy use

Meter # AB01615229

Schedule 49

Service Period	Meter Reading
12/14/07	81452
11/14/07	80679
30 days of service	873 kWh

Period Ending	Average kWh Per Day	Average Cost Per Day
Dec 2007	29.1	2.42
Dec 2006	1.9	0.13



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**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Jagdish Grewal
Mailing Address: 17465 SE Sunnyside Road
City: Damascas State: OR Zip: 97089-9226 Day Phone: 503-658-4715

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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:
2 South	3 East	33	SE/NE	203	EFU	☒ Diverted ☒ Conveyed ☒ Used	Row Crops
2 South	3 East	33	NE/SE	203	EFU	☒ Diverted ☒ Conveyed ☒ Used	Row Crops
2 South	3 East	34	SW/NW	203	EFU	☒ Diverted ☒ Conveyed ☒ Used	Row Crops
2 South	3 East	34	NW/SW	203	EFU	☒ Diverted ☒ Conveyed ☒ Used	Row Crops

List all counties and cities where water is proposed to be diverted, conveyed, or used. Clackamas

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 326 ☐ 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: Prior land partition has divorced original source of water from the lands owned by applicant and itemized in item A. Applicant plans to drill two new wells on its land.

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

Receipt for Request for Land Use Information

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

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SALEM, OREGON

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 401.

- ☐ Land uses to be served by 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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SALEM, OREGON**

Name: Clayton G. Glasgow Title: Planner
Signature: [Signature] Phone: 503 353 4528 Date: 12.21.07
Government Entity: Clackamas County Planning Department

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

Receipt for Request for Land Use Information

✓ Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



Chicago Title Insurance Company of Oregon

© 10135 SE Sunnyside Road, Suite 200
Clackamas, OR 97015
Phone No: (503)653-7300

STATUS OF RECORD TITLE

December 27, 2007

Order No.: 450587

TO: Haner Ross & Sporseen
2895 Beaver Creek Road
Oregon City, OR 97045

ATTN.: Jim Greenman

Customer Ref.: Grewal Trust

Charge: \$200.00

We have searched our Tract Indices as to the following described real property:

See Legal Description Attached Hereto

Vestee: Jagdish S. Grewal, Trustee of the Jagdish S. Grewal Trust u/a/d 9/12/97

Dated as of: December 19, 2007 at 08:00 AM

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**WATER RESOURCES DEPT
SALEM, OREGON**

**CHICAGO TITLE INSURANCE COMPANY OF
OREGON**

By: 

Authorized Officer

THIS REPORT IS TO BE UTILIZED FOR INFORMATION ONLY. ANY USE OF THIS REPORT AS A BASIS FOR TRANSFERRING, ENCUMBERING OR FORECLOSING THE REAL PROPERTY DESCRIBED WILL REQUIRE PAYMENT IN THE AMOUNT EQUIVALENT TO APPLICABLE TITLE INSURANCE PREMIUM AS REQUIRED BY THE RATING SCHEDULE ON FILE WITH THE OREGON INSURANCE DIVISION.

The liability of Chicago Title Insurance Company of Oregon is limited to the addressee and shall not exceed the fee paid therefor.

Order No.: 450587

Said property is subject to the following on record matters:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied, in addition thereto a penalty may be levied if notice of disqualification is not timely given.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of S. Springwater Road.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of unnamed creek.
4. An easement created by instrument, including terms and provisions thereof;
Dated: July 12, 1955
Recorded: July 25, 1955
Recorder's Fee No.: 11424
Book: 498
Page: 598
In Favor Of: United States of America
For: Electric transmission lines
Affects: A strip of land 250 feet in width at the Northwest corner
5. An easement created by instrument, including terms and provisions thereof;
Dated: December 2, 1963
Recorded: December 9, 1963
Book: 632
Page: 547
In Favor Of: United States of America
For: Electric transmission lines
Affects: An area at the Northwest corner
6. State of Oregon Well Ownership Information Form, including the terms and provisions thereof;
Recorded: October 11, 1996
Recorder's Fee No.: 96-076058
7. The terms and provisions of the Jagdish S. Grewal Trust dated September 12, 1997.

NOTE: Taxes for the fiscal year 2007-2008, paid in full;

Amount: \$415.03
Levy Code: 062-004
Account No.: 00640159
Map No.: 23E33
Tax Lot No.: 00203

END OF REPORT

dn/grs
December 27, 2007

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SALEM, OREGON

LEGAL DESCRIPTION:

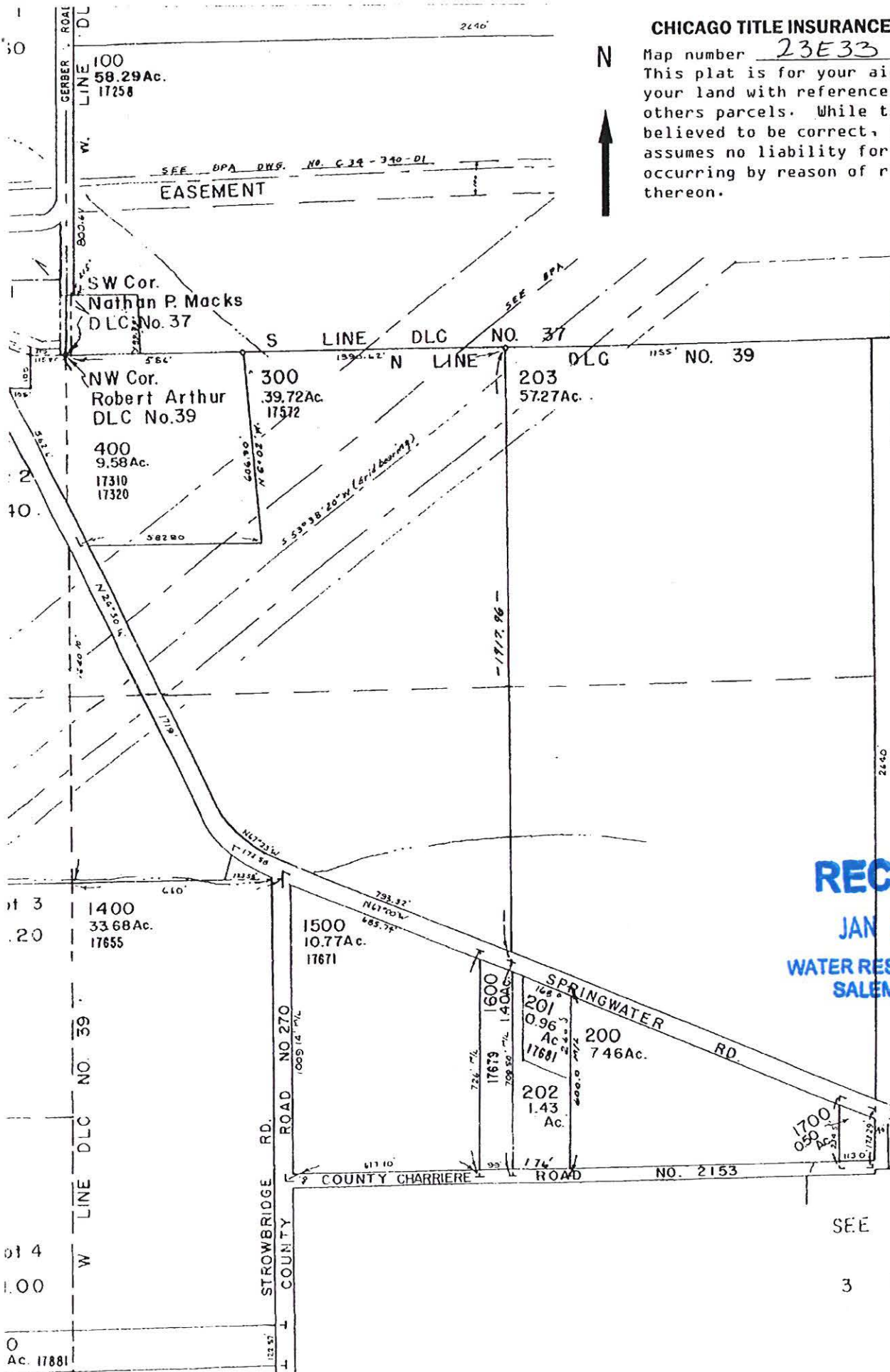
A part of the Robert Arthur Donation Land Claim No. 39 in Section 33, Township 2 South, Range 3 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point 1386 feet (21.07 chains) East from the Northwest corner of the Robert Arthur and wife Donation Land Claim No. 39 in Township 2 and 3 South of Range 3 East of the Willamette Meridian; thence East 1155 feet (17 and one-half chains); thence South to the centerline of Market Road No. 28; thence Northwesterly to the Northeast corner of that certain tract of land conveyed to the trustees of the German Zion Methodist Episcopal Church of Logan by deed recorded December 17, 1903 in Book 89, Page 121; thence North 1914 feet (29 chains) more or less, to the place of beginning.

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**WATER RESOURCES DEPT
SALEM, OREGON**



CHICAGO TITLE INSURANCE COMPANY

Map number 23E33

This plat is for your aid in locating your land with reference to streets and others parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon.

SITE

SEE MAP 2 3E 34
17500

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WATER RESOURCES DEPT
SALEM, OREGON

SEE MAP

3 3E 3

WATER RESOURCES DE
SALEM, OREGON

5-
STATE OF OREGON
WELL OWNERSHIP INFORMATION FORM

STATE OF OREGON 96-076058
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 43848 \$5.00
DATE AND TIME: 10/11/96 02:52 PM
JOHN KAUFFMAN, COUNTY CLERK

Pursuant to ORS 537.788, owners of property on which a well is located shall, within 60 days following the construction of a new well or upon property transfer, record the following information in the property deed records at the appropriate County Clerks Office. Either the deed recording number or legal description of the property may be used to identify the property.

1. Property Owner Name(s): Jagdish S. and A. Allison Grewal
2. Mailing Address: 1746 S.E. Sunnyside Rd. Boring, OR 97009
3. Deed Recording Number (or legal description): 95-030225
4. Well Identification Number(s): L01014, L 01013

The well identification number is recorded on a label attached to the well casing. If no label is attached to the well, please contact the Water Resources Department for assignment of a well identification number.

Rights and Responsibilities: Oregon law finds that ownership and the rights to reasonable control of water within this state belongs to the public to be managed by the Water Resources Department. Most uses of water require a water right issued by the Water Resources Department. However, state law allows some uses of groundwater without benefit of a water right. Contact the Department for more information. The Water Resources Department cannot guarantee the presence of water in the desired amount on a specific property.

In addition to the above, owners of properties on which a well is located are responsible for maintaining that well in a proper manner. Some basic requirements are listed below:

1. All wells shall be maintained in a condition where they are not a threat to public health or safety, a source of contamination, or a waste of the groundwater resource.
2. All wells shall be securely covered to prevent any foreign substance from entering the well.
3. All wells shall be equipped with an access port or airline so that static water level information can be determined at any time.
4. Well casing must be protected from damage and meet minimum extension requirements.
5. Wells may only be permanently abandoned by a licensed and bonded well constructor or a landowner with a valid permit and bond. Well abandonment must be carried out in accordance with state rules.

If you would like further information about water rights, maintaining / abandoning your well, or wish to receive a copy of the administrative rules concerning well construction, please contact the Oregon Water Resources Department by phone at (503) 378-8455, or by mail at 158 12th Street NE, Salem, OR 97310.

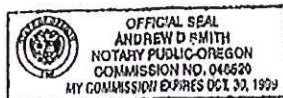
I have read the above describing my basic rights and responsibilities related to well ownership.

Property Owner Signature(s): Jagdish S. Grewal — A Allison Grewal

State of Oregon, County of CLACKAMAS

Signed or attested before me this 11th day of OCTOBER, 19 96

by JAGDISH S. AND ALLISON GREWAL
(Property owner name)



Andrew D. Smith
(Signature of Notary Public)
My Commission Expires: OCTOBER 30, 1999
form date: 1-96

(Recording office use - After recording, return to person listed in 1 and 2, above)

96-076058

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF CLATSOP
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ELMORE MOSTIL**

of 19755 S. Bakers Ferry Road, Oregon City, 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 three wells

a tributary of Clear Creek
irrigation of 112.9 acres

for the purpose of

under Permit No. G-4619 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 4, 1969

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.75 cubic foot per second, being 0.14 cubic foot per second from well No. 3, 0.22 cubic foot per second from well No. 4 and 0.39 cubic foot per second from well No. 5

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Mack DLC 37, Section 33, T. 2 S., R. 3 E., W. 4. Wells located: #3 - 400 feet North and 630 feet East; #4 - 940 feet North and 50 feet East; #5 - 580 feet North and 320 feet East, all from SW Corner, Mack DLC 37.

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

and shall

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

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

8.2 acres Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
27.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
3.0 acres Lot 2 (NW $\frac{1}{4}$, SE $\frac{1}{4}$)
12.4 acres Lot 1 (SW $\frac{1}{4}$, SE $\frac{1}{4}$)
Section 28

2.6 acres Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
21.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Arthur DLC 39
1.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
20.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
As projected within Arthur DLC 39
Section 33

7.7 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
8.7 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Both as projected with Arthur DLC 39
Section 34

T. 2 S., R. 3 E., W. 4.
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. September 28, 1972

CHRIS L. WHEELER

State Engineer

State Permit No.

Contractor's License No. 1 Date 4-4 1969

(USE ADDITIONAL SHEETS IF NECESSARY)

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM, OREGON 97310

within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No.

State Permit No.

2/3-33 ab

(1) OWNER:

Name Elmore MostulAddress Route 5, Box 715, Oregon City, Or. 97045

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

 Rotary ☐ Driven ☐
 Cable ☒ Jetted ☐
 Dug ☐ Bored ☐

(4) PROPOSED USE (check):

 Domestic ☐ Industrial ☐ Municipal ☐
 Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

 Threaded ☐ Welded ☒
 8" Diam. from 3 1/2 ft. to 151 ft. Gage 0.250
 " Diam. from _____ ft. to _____ ft. Gage _____
 " Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? ☒ Yes ☐ No.Type of perforator used Mills Knife
 Size of perforations 1/4 in. by 2 in.
360 perforations from 40 ft. to 140 ft.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.
 _____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WATER LEVEL: Completed well.

Static level 7 ft. below land surface Date 4-16-69

Artesian pressure _____ lbs. per square inch Date _____

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Steinman Bros.Yield: 100 gal./min. with 88 ft. drawdown after 6 hrs." 75 " " 58 " " 7 "" 50 " " 33 " " 8 "

Ballot test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water 53° Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used BentoniteDepth of seal _____ 25 ft.Diameter of well bore to bottom of seal _____ 12 in.Were any loose strata cemented off? ☐ Yes ☒ No Depth _____Was a drive shoe used? ☒ Yes ☐ NoDid any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(11) LOCATION OF WELL:

County Clackamas

Driller's well number

22-69NW 1/4 NE 1/4 Section 33 T. 2S R. 3E W.M.

Bearing and distance from section or subdivision corner _____

(12) WELL LOG:

Diameter of well below casing 8"Depth drilled 160 ft. Depth of completed well 151 ft.
 Formation: Describe color, texture, grain size and structure of materials;
 and show thickness and nature of each stratum and aquifer penetrated,
 with at least one entry for each change of formation. Report each change
 in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Clay, brown	0	3	
Cement-gravel and boulders, Brown	3	75	
Loosely cemented gravel	75	95	
Loose gravel	95	105	
Cemented gravel, gray	105	121	7
Clay, brown	121	160	

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WATER RESOURCES DEPT
SALEM, OREGONWork started Mar. 25 19 69 Completed Apr. 16 19 69Date well drilling machine moved off of well April 17 19 69

Drilling Machine Operator's Certification:

 This well was constructed under my direct supervision. Materials
 used and information reported above are true to my best
 knowledge and belief.

 [Signed] Jack Duns Date Apr. 18, 1969
 (Drilling Machine Operator)
Drilling Machine Operator's License No. 67

Water Well Contractor's Certification:

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

 NAME Steinman Bros.
 (Person, firm or corporation) (Type or print)
Address 5112 S.E. McLoughlin, Milwaukie, Or. 97222
 [Signed] Robert E. McConnell
 (Water Well Contractor)
Contractor's License No. I Date Apr. 18, 1969

(USE ADDITIONAL SHEETS IF NECESSARY)

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM, OREGON 97310

within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

Do not write above this line)

State Well No.

State Permit No.

CLAC

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APR 21 1969

Well #5
CLAC
05276

G-4901

2/3-33ab

(1) OWNER:

Name Elmore MostulAddress Route 5, Box 715, Ore. City, Or. 97045

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☒8" Diam. from -3 1/2 ft. to 1 1/2 ft. Gage 0.250

" Diam. from _____ ft. to _____ ft. Gage _____

" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? ☒ Yes ☐ No.Type of perforator used Mills KnifeSize of perforations 1/4 in. by 2 in.300 perforations from 40 ft. to 130 ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WATER LEVEL: Completed well.

Static level 7 ft. below land surface Date 4-15-69

Man pressure _____ lbs. per square inch Date _____

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Steinman Bros.Yield: 175 gal./min. with 123 ft. drawdown after 6 hrs.150 " 63 " 7 "125 " 49 " 8 "

Ballor test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water 53° Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used BentoniteDepth of seal _____ 24 ft.Diameter of well bore to bottom of seal _____ 12 in.Were any loose strata cemented off? ☐ Yes ☒ No Depth _____Was a drive shoe used? ☒ Yes ☐ NoDid any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(11) LOCATION OF WELL:

County Clackamas Driller's well number 21-69NW 1/4 NE 1/4 Section 33 T.2S R.3E W.M.

Bearing and distance from section or subdivision corner _____

(12) WELL LOG:

Diameter of well below casing 8"Depth drilled 175 ft. Depth of completed well 165 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Clay, brown	0	3	
Gravel and boulders, cemented	3	57	
Gravel, loosely cemented	57	124	7
Clay, brown	124	175	

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WATER RESOURCES DEPT
SALEM OREGONWork started April 1 1969 Completed April 15 1969Date well drilling machine moved off of well April 15 1969

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Robert E. McConnell Date Apr. 15, 1969
(Drilling Machine Operator)

Drilling Machine Operator's License No. 68

Water Well Contractor's Certification:

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

NAME Steinman Bros.
(Person, firm or corporation) (Type or print)

Address 15112 S.E. McLoughlin, Milwaukie, Or. 97222

[Signed] Robert E. McConnell
(Water Well Contractor)

Contractor's License No. I Date Apr. 15, 1969

(USE ADDITIONAL SHEETS IF NECESSARY)

**Chicago Title Insurance Company of Oregon**

® 10135 SE Sunnyside Road, Suite 200
Clackamas, OR 97015
Phone No: (503)653-7300

**First Supplemental
STATUS OF RECORD TITLE**

May 19, 2009

Order No.: 450587

TO: Haer Ross & Sporseen
2895 Beavercreek Road
Oregon City, OR 97045

ATTN.: Jim Greenman

Customer Ref.: Grewal Trust

Charge: \$200.00

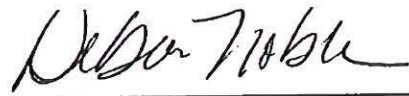
We have searched our Tract Indices as to the following described real property:

See Legal Description Attached Hereto

Vestee: Jagdish S. Grewal, Trustee of the Jagdish S. Grewal Trust u/a/d 9/12/97

Dated as of: May 12, 2009 at 08:00 AM

**CHICAGO TITLE INSURANCE COMPANY OF
OREGON**

By: 

Authorized Officer

THIS REPORT IS TO BE UTILIZED FOR INFORMATION ONLY. ANY USE OF THIS REPORT AS A BASIS FOR TRANSFERRING, ENCUMBERING OR FORECLOSING THE REAL PROPERTY DESCRIBED WILL REQUIRE PAYMENT IN THE AMOUNT EQUIVALENT TO APPLICABLE TITLE INSURANCE PREMIUM AS REQUIRED BY THE RATING SCHEDULE ON FILE WITH THE OREGON INSURANCE DIVISION.

The liability of Chicago Title Insurance Company of Oregon is limited to the addressee and shall not exceed the fee paid therefor.

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MAY 20 2009
WATER RESOURCES DEPT
SALEM, OREGON

9014710055.rdw

Order No.: 450587

Said property is subject to the following on record matters:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied, in addition thereto a penalty may be levied if notice of disqualification is not timely given.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of S. Springwater Road.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of unnamed creek.
4. An easement created by instrument, including terms and provisions thereof;
Dated: July 12, 1955
Recorded: July 25, 1955
Recorder's Fee No.: 11424
Book: 498
Page: 598
In Favor Of: United States of America
For: Electric transmission lines
Affects: A strip of land 250 feet in width at the Northwest corner
5. An easement created by instrument, including terms and provisions thereof;
Dated: December 2, 1963
Recorded: December 9, 1963
Book: 632
Page: 547
In Favor Of: United States of America
For: Electric transmission lines
Affects: An area at the Northwest corner
6. State of Oregon Well Ownership Information Form, including the terms and provisions thereof;
Recorded: October 11, 1996
Recorder's Fee No.: 96-076058
7. The terms and provisions of the Jagdish S. Grewal Trust dated September 12, 1997.

NOTE: Taxes for the fiscal year 2008-2009, paid in full;

Amount: \$425.11
Levy Code: 062-004
Account No.: 00640159
Map No.: 23E33
Tax Lot No.: 00203

END OF REPORT

dn/ml

May 19, 2009

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SALEM, OREGON

LEGAL DESCRIPTION:

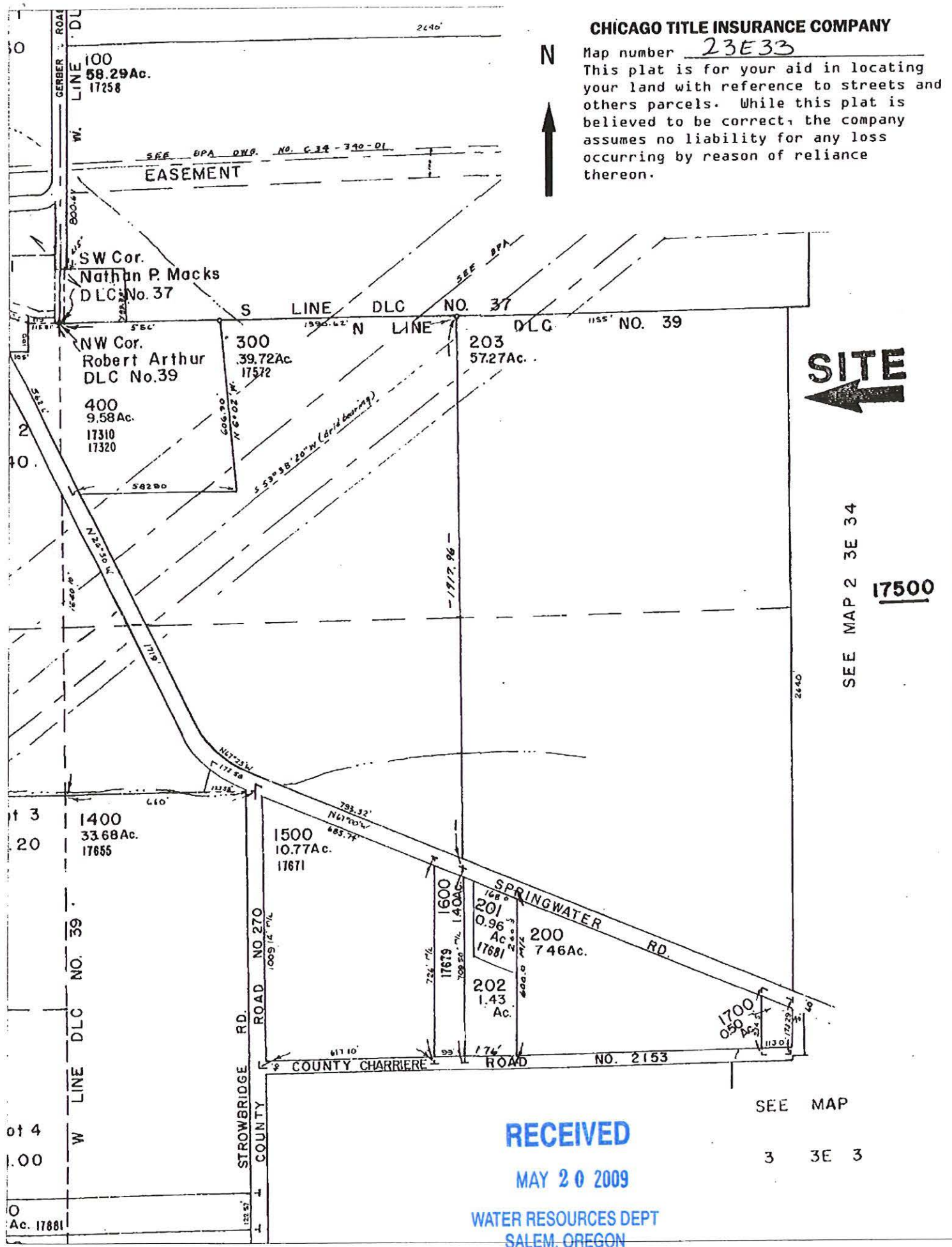
A part of the Robert Arthur Donation Land Claim No. 39 in Section 33, Township 2 South, Range 3 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point 1386 feet (21.07 chains) East from the Northwest corner of the Robert Arthur and wife Donation Land Claim No. 39 in Township 2 and 3 South of Range 3 East of the Willamette Meridian; thence East 1155 feet (17 and one-half chains); thence South to the centerline of Market Road No. 28; thence Northwesterly to the Northeast corner of that certain tract of land conveyed to the trustees of the German Zion Methodist Episcopal Church of Logan by deed recorded December 17, 1903 in Book 89, Page 121; thence North 1914 feet (29 chains) more or less, to the place of beginning.

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MAY 20 2009

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: Jagdish Grewal
Date: 1/5/09
From: Kelly Starnes

Fax Number: 503-658-4715
Pages: 2, including cover sheet
Phone: 503-986-0886

Comments:

RA Estimate Application

Fax
503-658-4715

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

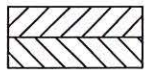
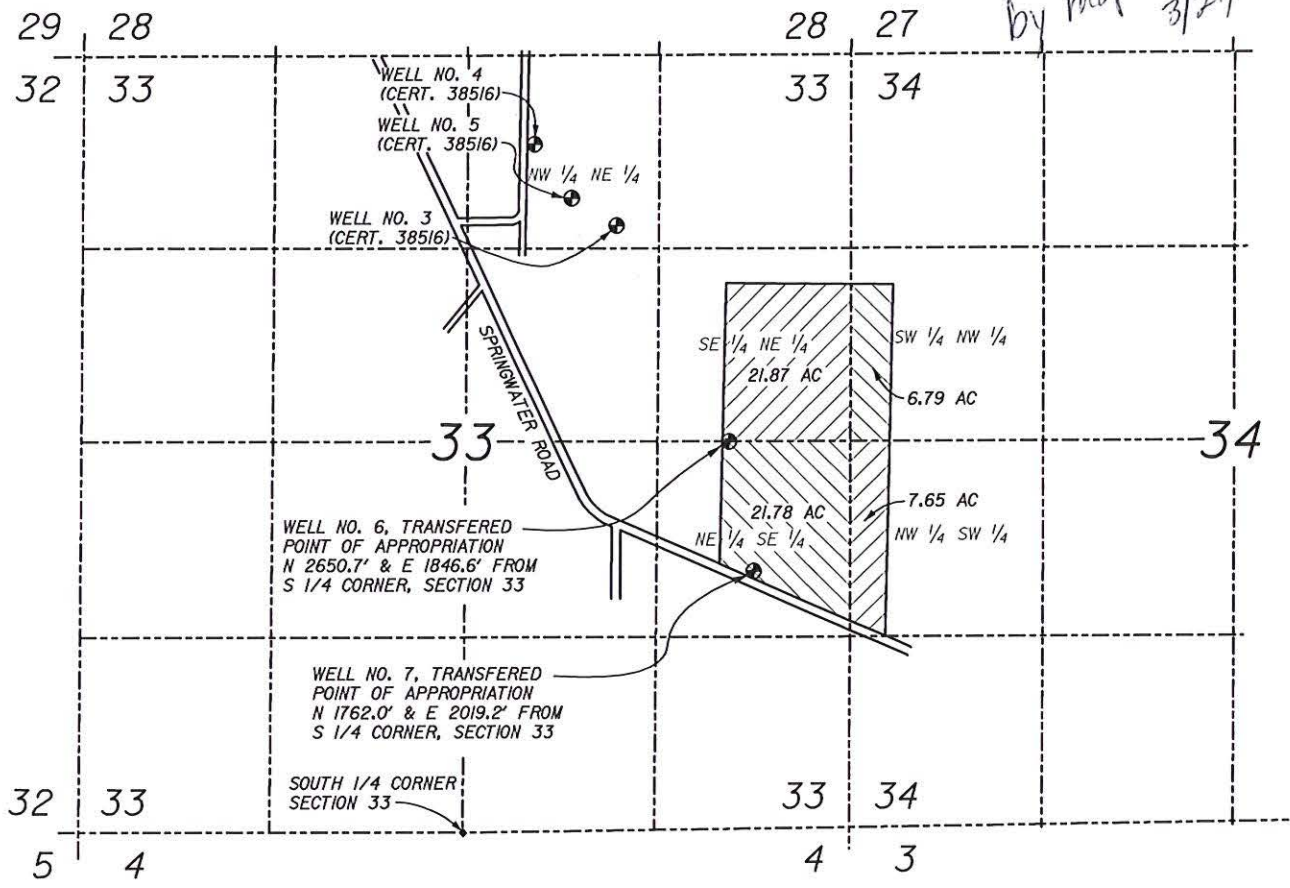
WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Superseded
by map received
3/27/09



CERTIFICATE 38516



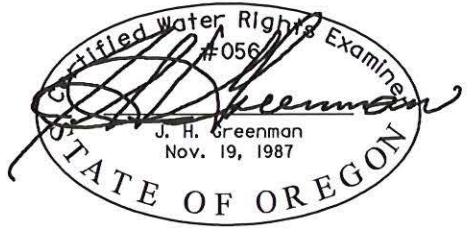
SCALE: 1"= 1320'

This drawing is an exhibit for a Water Right Transfer Application. It is not a Land Survey. Property lines and/or other lines of occupation shown hereon are not represented by the undersigned to meet accuracy standards of Land Surveys.

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JAN 02 2008

**WATER RESOURCES DEPT
SALEM, OREGON**



SECTION 33 & 34, T.2S., R.3E., W.M.
CLACKAMAS COUNTY, OREGON

TRANSFER No. _____



**HANER, ROSS &
SPORSEEN, INC.**
2895 BEAVERCREEK ROAD
OREGON CITY, OREGON 97045

**JAGDISH GREWAL
WATER RIGHT TRANSFER
APPLICATION MAP**

2007/12/16

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