



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

# 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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

<u>Please check one</u>	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer (1 to 5 yrs.)	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

## 2. APPLICANT INFORMATION

Name: Arrowhead Farms, Inc.; Westwood Farms, Inc.; and Echo Ridge Farms, Inc.  
First Last

Address: PO Box 127

Saint Paul OR 97137  
City State Zip

Phone: \_\_\_\_\_ (503) 932-3457 (Tom Coleman, Echo Ridge Farms, Inc.)  
Home Work Other

Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

## 3. AGENT INFORMATION

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

Name: Pacific Hydro-Geology Inc., Greg or Malia Kupillas  
First Last

Address: 18487 S. Valley Vista Road

Mulino OR 97042  
City State Zip

Phone: \_\_\_\_\_ (503) 632-5016 \_\_\_\_\_ (503) 632-5016 \_\_\_\_\_  
Home Work Other

Fax: (503) 632-5983 E-Mail address: phggek@bctonline.com

- 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.

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**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.	S-28286	S-22354	47856
2.	S-56052	S-43640	61435
3.			
4.			

- 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): We need a cleaner source of water to use for drip irrigation of hops.

**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.*

Water is withdrawn from either of two points of diversion on Deep Lake, each having a 30 Hp pump, and conveyed to places of use through buried 5- and 6-inch mainlines. Water is applied either through impact-type sprinklers on handlines for irrigation of row crops and grass seed, or through drip tape for irrigation of hops.

- System capacity: ~1.8 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Each of the two diversion points has a capacity of about 0.9 cfs.

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**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:*

Not applicable  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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).

Marion County Planning Department, PO Box 14500, Salem, OR 97309  
\_\_\_\_\_

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**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): \_\_\_\_\_  
First Last

Address: \_\_\_\_\_  
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)**

The proposed points of appropriation are located more than 500 feet from the original points of diversion in Deep Lake for Certificates 47856 and 61435. Therefore, in accordance with OAR 690-380-2130(2)(e), we are submitting an analysis prepared by Pacific Hydro-Geology Inc. to show that the use of ground water at the proposed points of appropriation will affect Deep Lake similarly to the authorized points of diversion (in Deep Lake only) specified in Certificates 47856 and 61435. This analysis is provided as Exhibit A to this transfer application.

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## 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:
- ① In EFU zone or irrigation district,
  - ② Change in place of use only,
  - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
  - ④ Irrigation only.

#### Fees:

- Amount enclosed: \$ 600.00  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://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*

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.

		4-20-08
applicant signature	name and title if applicable (print)	date
		4/20/08
applicant signature	name and title if applicable (print)	date
		4/20/08

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**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: _____ Certificate 47856 _____
---

**1. TYPE OF CHANGE(S) PROPOSED**

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> <b>Additional</b> (Both the old <b>and</b> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> <b>Historic Point of Diversion or Appropriation Change</b> (Unauthorized point of diversion or appropriation used for more than 10 years.) <input checked="" type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.) <input type="checkbox"/> <b>Point of Diversion Change due to Government Action</b> (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> <b>Exchange</b> (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) <input type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> <b>Irrigation</b> <input type="checkbox"/> <b>Municipal</b> <input type="checkbox"/> <b>Quasi-municipal</b> <input type="checkbox"/> <b>Commercial</b> <input type="checkbox"/> <b>Industrial</b> <input type="checkbox"/> <b>Instream</b> (complete and attach <i>Supplemental Form C</i> ) <input type="checkbox"/> <b>Domestic</b> (indicate number of households) _____ <input type="checkbox"/> <b>Other</b> _____  <input type="checkbox"/> <b>Substitution</b> (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> <b>Supplemental Use to Primary Use</b> (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <p style="font-size: 1.2em; margin: 0;"><b>RECEIVED</b></p> <p style="margin: 0;">APR 25 2008</p> <p style="margin: 0; font-size: 0.8em;">WATER RESOURCES DEPT SALEM, OREGON</p> </div>		<p style="font-size: 1.5em; margin: 0;">T 10602</p>





▪ Certificate Number or other identifying number: Certificate 47856

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)
Not applicable	Deep Lake 4/8/1953	6S	3W	W	2	NE SE	DLC 38	None specified in Certificate 47856

- 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
Not applicable									

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▪ Certificate Number or other identifying number: Certificate 47856

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)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Deep Lake 4/8/1953	6S	3W	W	2	SW NE	DLC 38	19.2
Deep Lake 4/8/1953	6S	3W	W	2	SE NE	DLC 38	2.0
Deep Lake 4/8/1953	6S	3W	W	2	SE NW	DLC 38	1.3
Deep Lake 4/8/1953	6S	3W	W	2	NE SW	DLC 38	0.8
Deep Lake 4/8/1953	6S	3W	W	2	NE SE	DLC 38	4.8
Deep Lake 4/8/1953	6S	3W	W	2	NW SE	DLC 38	27.3
Deep Lake 4/8/1953	6S	3W	W	2	SW SE	DLC 38	1.3
Deep Lake 4/8/1953	6S	3W	W	11	NE NE	DLC 38	0.4
Deep Lake 4/8/1953	6S	3W	W	11	NW NE	DLC 38	2.0
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▪ Certificate Number or other identifying number: Certificate 47856

**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 1	6S	3W	W	2	NW SE	DLC 38	1810 feet south and 260 feet west from the most northerly corner, DLC 38
Well 2	6S	3W	W	2	SW SE	DLC 38	2370 feet south and 120 feet west from the most northerly corner, DLC 38

- 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 (Proposed Well 1)	Not applicable	12"-16"	12"-16" steel	90	30'-90'	25'	20'	30'	Per OARs	90'
No (Proposed Well 2)	Not applicable	12"-16"	12"-16" steel	80	30'-90'	20'	15'	20'	Per OARs	80'

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## 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: Certificate 61435

### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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

<input checked="" type="checkbox"/> Certificated Right	61435 <small>Certificate Number</small>	S-43640 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	<small>Name of Decree</small>	<small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	<small>Permit Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	<small>Previous Transfer Number</small>	<small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: Philip H. Goulet
- County: Marion
- Authorized Use(s) to be Affected by Transfer: Irrigation of 76.5 acres
- Priority Date(s): June 10, 1977

*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: Deep Lake

Tributary to: Willamette 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?* NA

*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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▪ Certificate Number or other identifying number: Certificate 61435

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)
Not applicable	Deep Lake 6/10/1977	6S	3W	W	2	SE NE	DLC 38	970 feet south and 1280 feet east from the most northerly corner, DLC 38
Not applicable	Deep Lake 6/10/1977	6S	3W	W	2	NE SE	DLC 38	2240 feet south and 1170 feet east from the most northerly corner, DLC 38

▪ 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
Not applicable									

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WATER RESOURCES DEPT  
SALENS, OREGON Form A

T 10602





▪ Certificate Number or other identifying number: Certificate 61435

**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 1	6S	3W	W	2	NW SE	DLC 38	1810 feet south and 260 feet west from the most northerly corner, DLC 38
Well 2	6S	3W	W	2	SW SE	DLC 38	2370 feet south and 120 feet east from the most northerly corner, DLC 38

- 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 (Proposed Well 1)	Not applicable	12"-16"	12"-16" steel	90	30'-90'	25'	20'	30'	Per OARs	90'
No (Proposed Well 2)	Not applicable	12"-16"	12"-16" steel	80	30'-90'	20'	15'	20'	Per OARs	80'

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STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILLIP H. GOULET  
10612 WHEATLAND ROAD  
GERVALS, OREGON 97026

confirms the right to use the waters of DEEP LAKE, a tributary of WILLAMETTE RIVER, for the purpose of IRRIGATING 76.5 ACRES.

The right has been perfected under Permit 43640. The date of priority is JUNE 10, 1977. The right is limited to not more than 0.96 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 NE 1/4, NE 1/4 SE 1/4, BOTH AS PROJECTED WITHIN DLC 38, SECTION 2, T 6 S, R 3 W, W.M.; 970 FEET SOUTH AND 1280 FEET EAST, 2240 FEET SOUTH AND 1170 FEET EAST, BOTH FROM MOST NORTHERLY CORNER DLC 38.

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

The right 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, and to which such right is appurtenant, is as follows:

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SW 1/4 SW 1/4 3.8 ACRES  
AS PROJECTED WITHIN DLC 38  
SECTION 1

NE 1/4 SE 1/4 9.2 ACRES  
NW 1/4 SE 1/4 8.7 ACRES  
SW 1/4 SE 1/4 21.2 ACRES  
SE 1/4 SE 1/4 30.6 ACRES  
ALL AS PROJECTED WITHIN DLC 38  
SECTION 2

NE 1/4 NE 1/4 2.9 ACRES  
NW 1/4 NE 1/4 0.1 ACRE  
BOTH AS PROJECTED WITHIN DLC 38  
SECTION 11  
TOWNSHIP 6 SOUTH, RANGE 3 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date JUNE 6, 1989.

/s/ WILLIAM H. YOUNG  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61435

56052

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## STATE OF OREGON

COUNTY OF

MARION

## CERTIFICATE OF WATER RIGHT

*This Is to Certify, That* CREIGHTON B. JONES

of Rt. 1, Box 81, Gervais, State of Oregon, 97026, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Jones and Finney Lake and Deep Lake

a tributary of Willamette River for the purpose of irrigation of 132.2 acres

under Permit No. 22354 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 April 8, 1953

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 1.65 cubic feet per second, being 0.73 c.f.s. from Deep Lake and 0.92 c.f.s. from Jones and Finney Lake

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Jones DLC 61, Section 12, NE $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Beers DLC 38, Section 2, T. 6 S., R. 3 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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:

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From Deep Lake

19.2 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
2.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
1.3 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
0.8 acre NE $\frac{1}{4}$  SW $\frac{1}{4}$   
4.8 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
27.3 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
1.3 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 2  
0.4 acre NE $\frac{1}{4}$  NE $\frac{1}{4}$   
2.0 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$

Section 11

All as projected within Beers DLC 38  
T. 6 S., R. 3 W., W. M.

From Jones & Finney Lake

1.2 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
As projected within Beers DLC 38  
4.2 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
5.3 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
Both as projected within Jones DLC 61  
Section 1  
6.8 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
12.8 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
7.4 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
17.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
All as projected within Beers DLC 38  
Section 11  
16.4 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
1.4 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
0.6 acre SE $\frac{1}{4}$  NW $\frac{1}{4}$   
All as projected within Jones DLC 61  
Section 12  
T. 6 S., R. 3 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 34300, Volume 26, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on January 3, 1979.


The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.*

WITNESS the signature of the Water Resources Director, affixed

this date. April 23, 1979

T 10602

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41 , page 47856