



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.

1. TYPE OF TRANSFER APPLICATION

Please check one

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

2. APPLICANT INFORMATION

Name: Sherwood School District
First Last

Address: 23295 SW Main Street

Sherwood Oregon 97140
City State Zip

Phone: 503-825-5000
Home Work Other

Fax: 503-825-5001 E-Mail address: wlowry@sherwood.k12.or.us

Name: _____
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: None E-Mail address: None

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3. AGENT INFORMATION

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

Name: Martha Pagel, Schwabe, Williamson & Wyatt

First

Last

Address: 530 Center St. NE, Suite 400

Salem

Oregon

97301

City

State

Zip

Phone: 503-540-4260

Home

Work

Other

Fax: 503-796-2900 E-Mail address: mpagel@schwabe.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.	G-12586	G-11787	85185
2.			

- 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): Discontinue irrigation of nursery and commence irrigation of elementary and middle school grounds.

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.

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Former Water Delivery System

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General

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The following description is for the water delivery system that was in place up until approximately September 2007. At that time, the Sherwood School District purchased a portion of the irrigated area under this certificate. All of the water delivery system was dismantled or abandoned except the well itself.

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Well Data

The original well was drilled sometime in the fall of 1959 by an unknown well drilling company from Milwaukie, Oregon, to a depth of 315 feet. An 8-inch diameter steel casing was installed from approximately 1 foot above ground to 236 feet deep with the remainder an open hole through a basalt formation.

The well was deepened by Schneider Drilling Co. from October 2 to October 5, 1993, to a depth of 408 feet. No additional casing was installed. As result from this work, the total open hole portion of the well in the basalt formation is from 236 feet to 408 feet deep.

The well casing extends 7.5 inches above the concrete floor of the well house. It is sealed with a well seal. A 3-inch galvanized tee is threaded onto the well seal and supports the 3-inch discharge column, pump and motor. An air line and a direct reading gauge are provided to measure water level in the well. There are no other access ports or casing vent.

A pump test of the well was performed on November 26, 1997 by Schneider Drilling Co. Prior to pumping, the static water level was 27 feet. After pumping for five (5) hours, the water level was 81 feet 7 inches. A copy of the pump test report was submitted to the Oregon Water Resources Department.

Pump Data

The pump is a Goulds submersible, Model 90L10 (10 HP), set at 315 feet, with a 3-inch discharge column.

Motor Data

The motor is a Franklin submersible, Model 2336029020, 10 HP, 3450 rpm, 230V, 3-phase unit.

Piping

Wellhead: The pump discharge is 3-inch diameter steel. It passes through a 3-inch Micrometer turbine meter which totalizes flow in gallons and measures instantaneous flow in gallons per minute (gpm). The line then is connected to a 3-inch diameter steel header with three (3) 2-inch outlets connected to three (3) Well-x-Trol, 119 gallon capacity each, pressure tanks. From the manifold, the 3-inch diameter steel discharge piping is connected to a 3-inch diameter gate valve. After the gate valve, the piping changes to 3-inch diameter PVC as it leaves the well house. Outside the well house, the 3-inch diameter PVC main is connected to a buried tee west of the well house with buried 3-inch diameter PVC piping going north and buried 2-inch diameter PVC piping going south.

Permanent Pipe: Permanent and buried pipe includes 3-, 2- and 1½-inch PVC mains in the locations (shown on the final proof survey map. The 3-inch and 2-inch mains contain risers for connection of portable pipe.

Portable Pipe: Portable pipe consists of the following:

- 30 lengths of 3-inch diameter by 40 feet long aluminum pipe = 1,200 feet
- 40 lengths of 1½-inch diameter by 30 feet long aluminum pipe = 1,200 feet

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Sprinkler Heads: The sprinkler heads used on the portable piping consist of 12 Rainbird Model 30, 3/4" full circle brass impact units with 3/16" nozzle (6.8 gpm each at 45 psi), and approximately 30 Rainbird Model 20JH, 1/2" full circle impact units with 5/32-inch nozzle (4.7 gpm each at 45 psi). The 3/4" sprinklers are used with the 3" diameter portable piping and the 1/2" sprinklers are used with the 1 1/2" diameter portable piping.

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Proposed (Current) Water Delivery System

The Sherwood School District is presently constructing a new water delivery system to serve a new facility consisting of an elementary school and a middle school. As part of that project, the District will use the existing well for irrigation of the grounds for the two schools.

The proposed new water facilities are as follows:

Pump and Motor Data

The new pump is proposed to be a Sta-Rite Berkeley submersible turbine, L6TS Series, rated at 215 gallons per minute (gpm) at 390 feet of total dynamic head (TDH). The pump will be set at approximately 380 feet and will have a 4-inch discharge column. The pump will have a submersible motor estimated to be 30 to 40 HP. The pump is proposed to be equipped with a variable frequency drive (VFD) to control pressure and flow.

Piping

Wellhead: The wellhead will consist of a precast vault. The well head will be within the vault. The vault will include a 119 gallon Amtrol WX 350 hydropneumatic tank, power supply and pump controls, a pressure sensor and a flow meter. The meter will indicate instantaneous flow in gpm and will totalize flow in gallons. The pump discharge will be 4-inch diameter.

Distribution: The pump will supply a looped 4-inch irrigation water distribution main which will distribute water throughout the school grounds. The main will be Class 200 PVC. The irrigated zones will be connected to this main.

System Capacity: 0.47 cfs (215 gpm) maximum

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).

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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).

City of Sherwood, 22560 SW Pine Street, Sherwood, OR 97140

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

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- Does the applicant own the lands **TO** which the right is being transferred?
 Yes No N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

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If "No", provide the following information:

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Names of Receiving Landowner(s): _____
First

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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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11. ATTACHMENTS

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

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.</p> <p>Supplemental Form B – Evidence of Use Affidavit(s)</p> <p><input checked="" type="checkbox"/> 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</p> <p><input checked="" type="checkbox"/> The Evidence of Use Affidavit must be accompanied by supporting documentation.</p> <p>Map T 10780</p>	<p>Land Use Information For Proposed Changes:</p> <p><i>For Instream Transfers:</i></p> <p><input type="checkbox"/> 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.)</p> <p><i>For All Other Transfers:</i></p> <p><input checked="" type="checkbox"/> Land Use Information Form is enclosed; or</p> <p><input type="checkbox"/> All of the following criteria are met, therefore a Land Use Information Form is not required:</p> <ul style="list-style-type: none"> 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.
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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.)

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.

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.

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12. SIGNATURES

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

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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*

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(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.

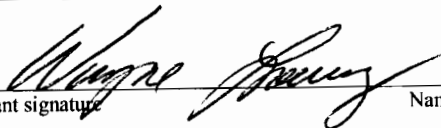
I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized 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.

	Wayne Lowry, CPA, Director of Finance and Operations
Applicant signature	Name and title if applicable (print) Date
	1/29/09
_____	_____
Applicant signature	Name and title if applicable (print) Date

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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.



1. TYPE OF CHANGE(S) PROPOSED

(Check ***all*** that apply.)

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

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

<input checked="" type="checkbox"/> Certificated Right	85185	G-11787
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Walter W. LaBahn & Sherwood School District
- County: Washington
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): June 21, 1991

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: Existing well

Tributary to: Chicken Creek

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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Certificate Number or other identifying number: 82185

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)

Wash 3521	Groundwater, June 21, 1991	T2S	R1W	WM	30	NW1/4 SW 1/4	101	795 feet south and 1015 feet east of the NW corner of the SW ¼ of Section 30.

- 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.

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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.

• Certificate Number or other identifying number: 85183

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.

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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)

Groundwater June 21, 1991	T2S	R1W	WM	30	NW1/4 SW1/4	101	9.36
Groundwater June 21, 1991	T2S	R1W	WM	30	NE1/4 SW1/4	101	0.82

• Certificate Number or other identifying number: 85183

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.)

- 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.

Certificate Number or other identifying number

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.

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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.)

Groundwater June 21, 1991	T2S	R1W	WM	30	NE1/4 SW1/4	101	6.05
Groundwater June 21, 1991	T2S	R1W	WM	30	SW1/4 SW1/4	100	4.13

Remarks: _____

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