



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 | <input type="checkbox"/> Permanent
<input type="checkbox"/> Time-Limited |
| • total number of years: _____
(begin year: _____)
(end year: _____) | <input type="checkbox"/> Drought Transfer |
| | <input type="checkbox"/> Other |

COPY

2. APPLICANT INFORMATION

Name: Richard Hunsaker
First Last

Address: 88001 Heather Drive

Springfield OR 97478
City State Zip

Phone: 541-746-8446
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: EGR & Associates, Inc.
First Last

Address: 2535 "B" Prairie Road

Eugene OR 97402
City State Zip

Phone: 541-688-8322
Home Work Other

Fax: 541-688-8087 E-Mail address: _____

▪ 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.	530462	S-23994	28874
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 Additional Point of Diversion
 - Character of Use Point of Appropriation Additional Point of Appropriation
 - Instream Transfer Surface Water source to Ground Water source [McKenzie River]
- Reason(s) for change(s): Transferring 10-acres of existing water right to another property for irrigation.

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.

A 6T-225 20HP Berkeley Submersible pump is used to convey water from the POD, located in the McKenzie River, through approx. 1,150' of 6" PVC mainline and 1,200' of 4" PVC sub-main to approx. 1,600' of 40ml poly pipe where it is discharged via 33k-line
- System capacity: 0.22 cubic feet per second (cfs). If the transfer involves multiple sprinkler pods rights that have independent systems, describe the capacity for each system separately.

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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 AND LOCAL GOVERNMENTS

- 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:

Lane County - 125 E 8th Avenue, OR 97401

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).
- _____
- _____
- _____

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9. 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 Form:

- Enclosed; *or*
- Not Required if all of the following are met:
 - 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: \$ _____
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.

10. SIGNATURES

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

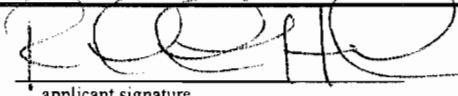
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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 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 the information contained in this application is true and accurate.

	Richard Hunsaker	7-2-07
applicant signature	name (print)	date
_____	_____	_____
applicant signature	name (print)	date

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Supplemental Information from Page 5 of the Transfer Application for Certificate 28874

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

A water well report is currently not available as a well has not been developed. The well is planned to be developed following the approval of this Transfer Application which proposes to add a point of diversion and transfer 10 acres of permitted use to another property. Following approval, the well will be constructed in the sands and gravels of the McKenzie River alluvial plain. Due to the proximity of the well to the McKenzie River, the well is considered to be connected to the surface water source. The well is planned to be constructed 20 to 100 feet deep and be able to supply approximately 30 gpm. Additional estimated well details are listed in the Supplemental Form A, page 5.

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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.

<p>▪ Certificate Number or other identifying number: <u>28874</u></p>

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<p><input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.)</p> <p><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.)</p> <p><input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)</p> <p><input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)</p> <p><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.)</p> <p><input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)</p>	<p><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.)</p> <p><input checked="" type="checkbox"/> 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.)</p>	<p>Proposed new use:</p> <p><input checked="" type="checkbox"/> Irrigation</p> <p><input type="checkbox"/> Municipal</p> <p><input type="checkbox"/> Quasi-municipal</p> <p><input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>)</p> <p><input type="checkbox"/> Domestic (indicate number of households) _____</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)</p> <p><input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)</p> <p align="center">RECEIVED</p> <p align="center">AUG 03 2007</p> <p align="center">WATER RESOURCES DEPT SALEM, OREGON</p>

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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	<u>28874</u> Certificate Number	<u>S-23994</u> 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: John E. Hamer
- County: Lane
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): December 6, 1955

*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: McKenzie River

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? N/A

*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: 28874

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	¼¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
NA	McKenzie River 12/6/1955	17S	2W	Will	26	SE, NW	NA	Not available

- 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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▪ Certificate Number or other identifying number: 28874

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	1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
McKenzie River/GW	17S	01W	Will	29	SE SE	800	1,201' E, 1,190 N of SW Section corner

- 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:

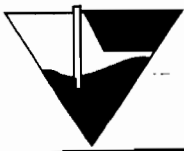
Construction of Proposed Point(s) of Appropriation or Well(s)

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	N/A	6"	250 gauge steel	200'	10'	25'	5-15'	5'		200'

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July 30, 2007

Water Rights Examiner
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Hunsaker Water Right Transfer Application

Dear Water Rights Examiner:

The proposed well site associated with the Hunsaker Transfer Application is estimated to be approximately 500 feet from the McKenzie River, near Walterville, Oregon (Section 29 of T17S, R1W). The location is within the central portion of the McKenzie River valley which is filled with sands and gravels deposited from floods and torrents since at least the end of the last ice age. These sands and gravels constitute an aquifer within the McKenzie River valley of relatively high permeability. This high permeability, coupled with the well's proximity to the river, leads to the obvious conclusion that this well will be hydraulically connected to the river.

If this were a groundwater right application, this well would be PRESUMED by the OWRD to be connected to the McKenzie River, since the proposed well site is located less than 1/4 mile (1,320 feet) from the river, and it is located in an alluvial, unconfined aquifer. To verify the nature of the aquifer, well logs located in the general vicinity of the subject property were examined.

Twenty one well logs from Sections 29 and 30 of Township 17 South, Range 1 West were examined. The logs were selected based on the reported geology and estimated yields of wells located in the general vicinity of the subject property. The well logs selected consisted of those reporting yields of 50 gpm or more and describing sand and gravels as the water producing materials. Well logs reporting of estimated yields less than 50 gpm and depicting bedrock as the water producing material were not considered as these well logs are not representative of the geology where the proposed extraction well is located. Gravel thicknesses reported from three of the twenty one well logs were 45.5, 48, and 50 feet above bedrock. The other 18 wells, ranging from 16 to 108 feet deep, and were completed in sand and gravel and did not intercept bedrock.

Transmissivity can be estimated from specific capacity estimates (taken from the well logs) using the formula $SC = T / (264 * \text{Log}((0.3 * T * t) / (r^2 * S)))$. Where SC=Specific Capacity, T=Transmissivity, t=time in minutes, r=radius to observation well, and S=Storage coefficient.

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When transmissivity is estimated from the 21 wells referenced above, a median specific capacity of 2.7 gpm/ft drawdown is obtained. This translates to a transmissivity of 12,465 gpd/ft. This in turn can be applied to a simple formula $[S=(0.3*T*t)/r_o^2]$ where S=Storage coefficient, T=Transmissivity, t=time in days, and r_o^2 =the square of the distance from the pumping well] to calculate the time it takes for a cone of depression to reach out 500 feet (the approximate distance of the river to the proposed well). If we assume a reasonable storage coefficient of 0.15 for the sand and gravel aquifer, and apply a value of 500 feet as the distance factor, it will take approximately 10 days of pumping the well before a cone of depression reaches the river. Thus, it is clear that the drawdown cone from the well will interact with the river in approximately 10 days or so, well short of the 90 to 120 days that irrigation can be expected to be applied. At 10 days we can reasonable assume that at least some reduction of groundwater flow into the river will begin to occur.

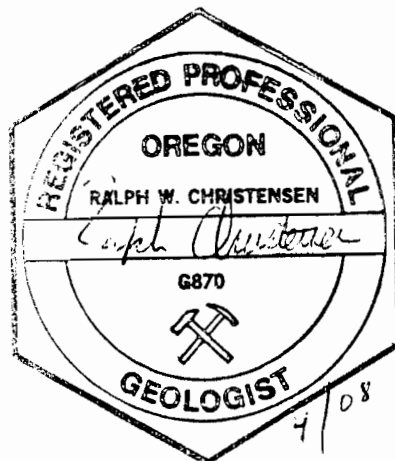
Therefore, we can conclude given the geologic materials, the hydrogeologic and aquifer characteristics, and the geographic proximity of the proposed well to the McKenzie River, the proposed well will be "drawing" water from the McKenzie River or diminishing flows to the McKenzie River. Thus, it is appropriate to transfer this surface water right from the McKenzie River directly to this "groundwater" source. As a benefit to the river, the direct impact on the river will be somewhat ameliorated relative to direct river withdrawal and screening and other physical intrusions into the river, associated with a point of diversion in the river, can be avoided. The groundwater component of the water right will lessen the immediate impact of the well withdrawal, even though over the course of the irrigation season the final impact to river in overall water flow may be nearly the same.

Feel free to contact us if there are any further questions, or a need for clarification.

Sincerely,



Ralph Christensen,
Senior Geologist,
EGR & Associates, Inc.



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