

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



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

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

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

Transfer T-13369 involved water rights with a priority date of 12/4/1956 (former Certificate 30638) and 4/20/1998 (former Certificate 89896); therefore, the \$230 fee is required and is included.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

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

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

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

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

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

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

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

**SECTION 1
GENERAL INFORMATION**

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Type of Authorized Change

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This Claim is being submitted for a transfer where the only authorized change was a change in point(s) of appropriation or additional point(s) of appropriation, or a combination of both. **YES**

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION # T-13369

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME John and Linda Vandree Trustees Revocable Living Trust of John C. Vandree and Linka K. Vandree, 1998		PHONE NO. 425-252-0790	ADDITIONAL CONTACT No.
ADDRESS 812 Grand Avenue			
CITY Everett	STATE WA	ZIP 98201	E-MAIL john.linda.vandree@gmail.com

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

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

TRANSFER HOLDER OF RECORD John and Linda Vandree Trustees Revocable Living Trust of John C. Vandree and Linka K. Vandree, 1998		
ADDRESS 812 Grand Avenue		
CITY Everett	STATE WA	ZIP 98201

4. Date of Site Inspection:

9/21/2023

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Tom Williams	9/21/2023	Tenant Farm Operator

6. County:

Umatilla

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

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

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



CWRE NAME Theodore R. Ressler		PHONE No. 503-701-4535	ADDITIONAL CONTACT No.
ADDRESS Summit Water Resources, LLC; 4784 SE 17th Avenue, Suite 111			
CITY Portland	STATE OR	ZIP 97202	E-MAIL tressler@summitwr.com

Transfer Holder of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>John Vandree, Trustee Revocable Living Trust of John C. Vandree and Linda K. Vandree 1998</i>	<i>John Vandree Trustee Revocable Living Trust of John & Vandree and Linda K. Vandree 1998</i>		<i>11/22/2023</i>
<i>Linda Vandree Trustee Revocable Living Trust of John C. Vandree & Linda K. Vandree 1998</i>	<i>Linda K. Vandree Trustee</i>		<i>11/22/2023</i>

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SECTION 3
CLAIM DESCRIPTION

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

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

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Vandree Well 1	UMAT 58842	L-144482	

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

If well logs are available, items A and B below can be deleted

2. Variations:

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

If yes, describe below.

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

Point of Appropriation. The location of the point of appropriation has been re-described slightly from that stated on the transfer final order to more accurately locate the well.

3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Vandree Well 1	0.497 cfs (former Certificate 89896)	3.0 cfs	2.9 cfs
	1.24 cfs (former Certificate 30638)		

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SECTION 4
SYSTEM DESCRIPTION

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

NO

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

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

A. POA System Information

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

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Flowise	11MC-0L8	82220300	Line shaft turbine	--	8-inch

2. Motor Information

MANUFACTURER	HORSEPOWER
NIDEC Motor Corporation	100

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
100	60 ^A	83 ^B	0 ^C	3.0

Notes

^A Operational pressure measured on pump discharge just downstream of wellhead

^B Pumping water level measured at the well during the site inspection

^C The lift from the pump discharge to the place of use is a component of the measured operational pressure.

4. Provide pump calculations:

$$Q_{\text{pump}} = \frac{(\text{Hp})(\text{conversion factor})}{(\text{lift} + \text{pressure}) \text{ total head in feet}} = \text{cfs}$$

Conversion factor: Turbine & Submersible Pumps, 80% eff. $\frac{(550 \text{ ft lb/sec/Hp})(.80)}{(62.4 \text{ lb/cu ft})} = 7.04 \text{ ft}^4/\text{sec}/\text{Hp}$

$$Q_{\text{pump}} = \frac{(100)(7.04)}{[83 + (60 \times 2.54)]} = 3.0 \text{ cfs}$$

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Note: minor frictional losses upstream of the pressure gauge (pump column, etc.) accounted for by the 2.45 ft H2O/psi conversion factor (versus 2.31 ft H2O/psi).

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
29126.9 × 1000 gal	29131.1 × 1000 gal	3.2 minutes	2.9 cfs

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

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)? NO

If "NO", items 2 through 4 relating to this section may be deleted.

C. Additional notes or comments related to the system:

**SECTION 5
CONDITIONS**

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

1. Time Limits:

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

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POA(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	9/8/2021	
COMPLETENESS DATE FROM ORDER (C)	10/1/2027	Irrigation season of 2023

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

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2. Is there an extension final order(s)? NO

If "NO", you may delete the following table.

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3. Measurement Conditions:

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

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

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

b. Has a meter been installed? YES

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Vandree Well 1	Growsmart	GT21085068	Working	29126.9 × 1000 gal (9/21/2023 10:25 am)	2023

If a meter has been installed, items d through f relating to this section may be deleted.

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **NO**

If "NO", item b relating to this section may be deleted.

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

a. Were there special well construction standards? **YES**

b. Was submittal of a ground water monitoring plan required? **NO**

c. Other conditions? **NO**

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

5(a)

To ensure the new well uses the same source of water as the original well (UMAT 4177), the new well shall be completed to access the same aquifer as the existing well. The replacement well shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). Following well completion, the well shall be thoroughly developed to remove cuttings and drilling fluids. After drilling but before placement of the final casing and seal, the applicant shall consult with a Department hydrogeologist and the Well Construction Section to determine the final construction. Substantial evidence of a single aquifer completion may be collected by video log, downhole flowmeter, water chemistry and temperature, or other downhole geophysical methods approved by the Department. These methods shall characterize the nature of the basalt rock and assess whether water is moving in the borehole. Any discernable movement of water within the well bore when the well is not being pumped shall be assumed as evidence of the presence of multiple aquifers in the open interval.

Drill cuttings shall be collected at 10-foot intervals and at changes in formation in the well and a split of each sampled interval shall be provided to the Department.

IN COMPLIANCE – Refer to OWRD correspondence provided in Attachment 4

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SECTION 6
ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Attachment 1	Maps
Attachment 2	Water Right Information
Attachment 3	Well Log
Attachment 4	OWRD Correspondence Regarding Well Construction

SECTION 7
CLAIM OF BENEFICIAL USE MAP

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

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

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

The new point of appropriation added by Transfer T-13369 and visible system components were visited during the site inspection. The location of the point of appropriation was obtained from a field survey completed during the site inspection. The map was created using Geographic Information System (GIS) software and spatial datasets obtained from Bureau of Land Management (BLM), ESRI, Oregon Water Resources Department (OWRD), United States Geological Survey (USGS), and Umatilla County. Additional data and information specific to the property appurtenant to the water right and the use water of under the water right described in this Claim of Beneficial Use report were obtained from the water user.

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Map Checklist

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

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

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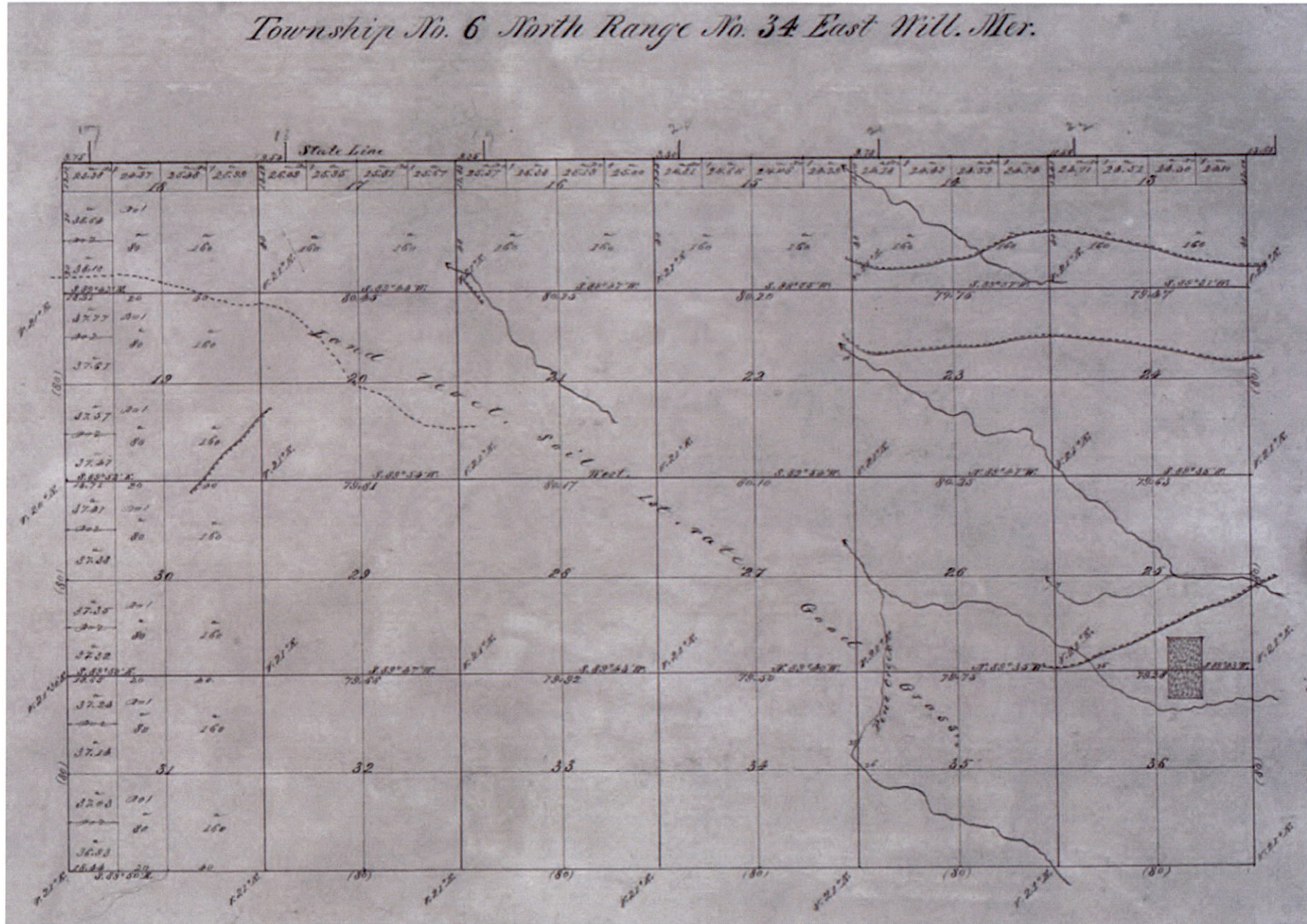
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Attachment 1
Maps

Township No. 6 North Range No. 34 East Will. Mer.



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Attachment 2
Water Right Information

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A CHANGE IN
T-13369, Umatilla County)	POINTS OF APPROPRIATION AND PARTIAL
)	DIMINUTION OF CERTAIN WATER RIGHTS
)	
)	

Authority

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

Applicant

JOHN AND LINDA VANDREE,
TRUSTEES REVOCABLE LIVING TRUST
OF JOHN C. VANDREE AND
LINDA K. VANDREE, 1998
812 GRAND AVENUE
EVERETT, WASHINGTON 98201

Agent

JASON MELADY, CWRE
GSI WATER SOLUTIONS, INC.
55 SW YAMHILL ST., SUITE 300
PORTLAND, OR 97204

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Findings of Fact

1. On February 14, 2020, John and Linda Vandree filed an application to change the point of appropriation n under a portion of Certificate 89896. The Department assigned the application number T-13369.
2. Notice of the application for transfer was published on February 25, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On October 9, 2020, the Department sent a letter to the applicant addressing multiple issues including the need to amend the application to include an additional layered right, multiple stacked primaries and mapping errors. The letter set forth a deadline of November 8, 2020, for the applicant to respond.

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

4. On December 7, 2020, the agent for the applicant requested an additional 14 days to address the mapping problems and to complete the transfer and submit the needed items requested. The Department approved an additional 14 days in which to complete the needed revisions and gave the applicant until December 21, 2020, to submit the items necessary to continue processing the application.
5. On December 24, 2020, the agent for the applicant submitted a revised application and associated map amending the application to include a change in point of appropriation for Certificate 30638 and submitted the appropriate filing fees. This revision remedies a conflict with an existing right that was revealed in the Department's initial review.
6. On February 12, 2021, the applicant submitted a revised application amending the place of use for Certificate 89896.
7. Also on February 12, 2021, the applicant submitted two voluntary diminution affidavits to diminish portions of Certificates 89896 and 30638 from primary irrigation to supplemental irrigation. The revisions and diminishment affidavits together resolve the multiple stacked primary water right issues noted in the Department's October 9, 2020, letter to the applicant. See Findings of Fact #23 and 24 below for further details on the diminutions.
8. On February 16, 2021, the Department issued a Draft Preliminary determination proposing to approve Transfer Application T-13369; following the issuance of the Draft Preliminary Determination for T-13369 the Department received a request from the applicant to extend the time to develop the proposed well to October 1, 2027.
9. The applicant also requested that the new wells' conditions be amended, to include language that give the applicants additional and more feasible guidance to attain compliance with the Departments' requirements.
10. On April 20, 2021, the Department issued a Revised Draft Preliminary Determination amending the conditions and allowing extra time for the applicants to develop the well in accordance with the Departments revised conditions. The applicant was given 30 days to respond to the Revised Draft Preliminary Determination, the applicant accepted the revised conditions and requested the Department proceed with the Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
11. On June 14, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13369 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on June 15, 2021, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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12. The portion of the first right to be transferred is as follows:

Certificate: 89896 in the name of T. O. WILLIAMS & ASSOCIATES (C/O) RAY WILLIAMS;
JOHN C. & LINDA K. VANDREE (perfected under Permit G-13697)

Use: IRRIGATION of 42.8 ACRES and SUPPLEMENTAL IRRIGATION
of 115.4 ACRES

Priority Date: APRIL 20, 1998

Rate: 0.497 CUBIC FOOT PER SECOND (cfs) for PRIMARY IRRIGATION OF 42.8
ACRES, 0.09 CFS for SUPPLEMENTAL IRRIGATION OF 115.4 ACRES to make
up a deficiency in rate from the Basalt aquifer

Period of Use: March 1 through October 31

Limit/Duty: The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, is limited to a
diversion of ONE-EIGHTIETH of one cubic foot per second (or its
equivalent) and 3.0 ACRE-FEET per acre for each acre irrigated during the
irrigation season of each year.

Source: WILLIAMS WELL 4 within the SWARTZ SPRING CREEK and PINE CREEK
BASINS

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
6 N	34 E	WM	35	NE* NW	WILLIAMS WELL 4 (UMAT 4177/ BASALT) 1290 FEET SOUTH AND 1710 FEET EAST FROM NW CORNER OF SECTION 35

* **Note:** a scrivener's error was found in the POA description for Williams Well #4. See finding #10 below
for correction.

Authorized Places of Use:

PRIMARY IRRIGATION (IR)					
Twp	Rng	Mer	Sec	Q - Q	Acres
6 N	34 E	WM	26	SE SW	11.8
6 N	34 E	WM	26	SW SE	27.5
6 N	34 E	WM	35	NW NE	3.5
TOTAL:					42.8

* **Note:** a portion of the above described 42.8 acres is requested to be diminished to supplemental
irrigation to existing Hudson Bay District Improvement Company primary rights. See Finding #23 below.

SUPPLEMENTAL IRRIGATION FROM BASALT AQUIFER TO MAKE UP A DEFICIENCY IN RATE					
Twp	Rng	Mer	Sec	Q - Q	Acres
6 N	34 E	WM	26	SE SW	25.2
6 N	34 E	WM	26	SW SE	12.5
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
TOTAL:					115.4

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13. Transfer Application T-13369 proposes to change the point of appropriation for the above described acres East approximately 110 feet to:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
6 N	34 E	WM	35	NE NW	VANDREE WELL 1 - 1290 FEET SOUTH AND 1760 FEET EAST FROM NW CORNER OF SECTION 35

14. Certificate 89896 contains a scrivener's error in its quarter-quarter description for the point of appropriation (POA) for Williams Well #4 described above in Finding #10. The certificate incorrectly lists the quarter-quarter as the SE¼ NW¼ within Section 35. Based on the Claim of Beneficial Use map for Certificate 89896 and the applicant's Certified Water Rights Examiner's current map (Cook/2020) based on a recent field visit, the Department is led to conclude that Certificate 89896 should be corrected to reflect the correct quarter-quarter description within the NE¼ NW¼, Section 35.

15. The portion of the second right to be transferred is as follows:

Certificate: 30638 in the name of L.M. MARLATT (perfected under Permit G-464)

Use: IRRIGATION of 108.02 ACRES

Rate: 1.24 CUBIC FEET PER SECOND

Limit/Duty: 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, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL (aka -WILLIAMS WELL #4) within the PINE CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
6 N	34 E	WM	35	NE NW	20½ CHAINS SOUTH AND 25 CHAINS EAST FROM THE NW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
6 N	34 E	WM	26	SE SW	17.82
6 N	34 E	WM	26	SW SE	12.50
6 N	34 E	WM	35	NW NE	37.10
6 N	34 E	WM	35	NE NW	40.60
TOTAL:					108.02

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* **Note:** a portion of the above described 108.02 acres is requested to be diminished to supplemental irrigation to existing Hudson Bay District Improvement Company primary rights. See Finding #25 below.

16. Transfer Application T-13369 proposes to change the point of appropriation east approximately 110 feet to:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
6 N	34 E	WM	35	NE NW	VANDREE WELL 1 - 1290 FEET SOUTH AND 1760 FEET EAST FROM NW CORNER OF SECTION 35

17. The Department has determined that four primary water rights exist on the lands identified in this transfer, causing them to be "layered rights" under Oregon Administrative rule OAR 690-380-2240. However, the Department shall consider the right with the oldest priority date as the primary water right unless the landowner/applicant designates otherwise (OAR 690-380-5120). All other rights shall be diminished to supplemental water rights. The applicant has submitted voluntary diminution affidavits for portions of Certificates 89896 and 30638 which remedies the conflicts and are further described below in Findings #24 and #25.
18. The diminishment and proposed use of water for supplemental irrigation under Certificates 89896 and 30638 together with the existing water right Certificates 83953, 93399 and 83956 and shall be limited to an appropriation of no more than the allowable rate and duty per each acre as specified as follows:

Certificate*	Amount of water authorized in each Certificate	Acres under Vandree lands
30638	1.33 cfs for 115.6 acres - <i>(0.0115 cfs per acre per growing season)</i>	108.02 @ 1.24 cfs
89896	PRIMARY IRRIGATION (IR) - 2.77 cfs for 238.4 ac. <i>(0.0116 cfs per acre per growing season)</i> SUPPLEMENTAL IRRIGATION (IS) for a deficiency from Basalt Aquifer – 0.338 cfs for 433.0 acres <i>(0.0008 cfs per acre per growing season)</i>	<u>Primary:</u> 42.8 acres @ 0.497 cfs <u>Suppl. Irr.:</u> 115.4 acres @ 0.09 cfs

19. The portions of water right Certificates 89896 and 30638 proposed for transfer appropriate water by means of a common well (Williams Well #4) that is not capable of simultaneously supplying water to the rest of the original permit G-13697 (Certificate 89896) when the Department approved the proof of beneficial use under the right. Consequently, this right carries a condition that further limits what can be appropriated under the right to an aggregate total of what specifically can be appropriated from the basalt aquifer. That portion of Certificate 89896 not modified by the transfer will continue to carry the condition that together limits them to the capacity of the other original wells at the time of perfection of the permit.

Transfer Review Criteria (OAR 690-380-4010)

20. Water has been used within the last five years prior to the submittal of Transfer Application T-13369 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
21. A well, pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13369.
22. The proposed change as conditioned would not result in enlargement of the rights.
23. The proposed change as conditioned would not result in injury to other water rights.

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24. All other application requirements are met.

Partial Diminishment of a Water Right

25. On February 12, 2021, the applicant submitted an affidavit for the partial diminishment of water right Certificate 89896. The following portion of an irrigation right is appurtenant to the same lands as the authorized place of use under existing Hudson Bay Improvement District Co. water right Certificates 83953, 83956, and 93399. The portion of the irrigation right to be diminished to supplemental irrigation is as follows:

Certificate: 89896 in the name of T. O. WILLIAMS & ASSOCIATES (C/O) RAY WILLIAMS; JOHN C. & LINDA K. VANDREE (perfected under Permit G-13697)

Use: IRRIGATION of 37.95 ACRES

Priority Date: APRIL 20, 1998

Rate: 0.441 cfs

Period of Use: March 1 through October 31

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year.

Source: WILLIAMS WELL 4 within the SWARTZ SPRING CREEK and PINE CREEK BASINS

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
6 N	34 E	WM	35	NE NW	WILLIAMS WELL 4 (UMAT 4177/BASALT) - 1290 FEET SOUTH AND 1710 FEET EAST FROM NW CORNER OF SECTION 35

Authorized Place of Use to be Diminished to Supplemental Irrigation:

SUPPLEMENTAL IRRIGATION (IR)					
Twp	Rng	Mer	Sec	Q - Q	Acres
6 N	34 E	WM	26	SE SW	9.45
6 N	34 E	WM	26	SW SE	25.00
6 N	34 E	WM	35	NW NE	3.50
TOTAL:					37.95

Partial Diminishment of a Water Right

26. On February 12, 2021, the applicant submitted an affidavit for the partial diminishment of water right Certificate 30638. The following portion of an irrigation right is appurtenant to the same lands as the authorized place of use under existing Hudson Bay Improvement District Co. water right Certificates 83953, 83956 and 93399. The portion of the irrigation right to be diminished to supplemental irrigation is as follows:

Certificate: 30638 in the name of the name L. M. MARLATT (perfected under Permit G-464)

Use: IRRIGATION of 102.4 ACRES

Rate: 1.18 CUBIC FEET PER SECOND

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Priority Date: DECEMBER 4, 1956

Limit/Duty: 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, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL (aka -WILLIAMS WELL #4) within the PINE CREEK BASIN

Authorized Place of Use to be Diminished to Supplemental Irrigation:

SUPPLEMENTAL IRRIGATION (IR)					
Twp	Rng	Mer	Sec	Q - Q	Acres
6 N	34 E	WM	26	SE SW	13.0
6 N	34 E	WM	26	SW SE	11.7
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
TOTAL:					102.4

Conclusions of Law

The change in points of appropriation proposed in Transfer Application T-13369 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the diminished portions of Certificates 89896 and 30638 are diminished.

Now, therefore it is ORDERED:

1. The change in points of appropriation proposed in Transfer Application T-13369 is approved, the portions of the rights requested to be diminished are diminished.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 30638 and 89896 and any related decree.
3. Water right Certificates 30638 and 89896 are cancelled. New certificates will be issued describing those portions of Certificate 89896 and 30638 not affected by this transfer and the diminishments.
4. The quantity of water diverted at the new point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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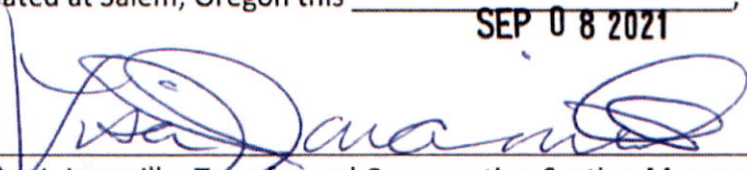
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6. To ensure the new well uses the same source of water as the original well (UMAT 4177), the new well shall be completed to access the same aquifer as the existing well. The replacement well shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). Following well completion, the well shall be thoroughly developed to remove cuttings and drilling fluids. After drilling but before placement of the final casing and seal, the applicant shall consult with a Department hydrogeologist and the Well Construction Section to determine the final construction. Substantial evidence of a single aquifer completion may be collected by video log, downhole flowmeter, water chemistry and temperature, or other downhole geophysical methods approved by the Department. These methods shall characterize the nature of the basalt rock and assess whether water is moving in the borehole. Any discernable movement of water within the well bore when the well is not being pumped shall be assumed as evidence of the presence of multiple aquifers in the open interval.
7. Drill cuttings shall be collected at 10-foot intervals and at changes in formation in the well and a split of each sampled interval shall be provided to the Department.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at the new point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this _____ **SEP 08 2021**



 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
 THOMAS M BYLER, DIRECTOR
 Oregon Water Resources Department

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Mailing date: _____ **SEP 09 2021**

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Attachment 3
Well Log

STATE OF OREGON
WATER SUPPLY WELL REPORT

UMAT 58842

WELL I.D. LABEL# L 144482
START CARD # 1055783
ORIGINAL LOG #

(as required by ORS 537.545 & 537.765 and OAR 690-205-0210)

4/5/2022

(1) LAND OWNER

Owner Well I.D. VANDREE #1
First Name JOHN C & LINDA K Last Name VANDREE
Company
Address 812 GRAND AVE
City EVERETT State WA Zip 98201

(2) TYPE OF WORK

New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION

Dia + From To Gauge Stl Plstc Wld Thrd
Casing: Material From To Amt sacks/lbs
Seal:

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE

Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 612.00 ft. Special Standard (Attach copy)

BORE HOLE SEAL sacks/lbs

Dia	From	To	Material	From	To	Amt	lbs
19	0	88.5	Cement	0	88.5	125	S
12	88.5	612			Calculated	84.22	
					Calculated		

How was seal placed: Method A B C D E
 Other

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Actual Amount

(6) CASING/LINER

Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd

Casing	Liner	Dia	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12	<input checked="" type="checkbox"/>	1.5	88.5	.25	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s)

Temp casing Yes Dia From + To

(7) PERFORATIONS/SCREENS

Perforations Method

Screens Type Material

Perf/ Screen	Casing/ Screen	Liner	Dia	From	To	Scrns/slot width	Slot length	# of slots	Tele/ pipe size

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

Pump Bailer Air Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

2000		612	4

Temperature 68 °F Lab analysis Yes By

Water quality concerns? Yes (describe below) TDS amount 150 ppm
From To Description Amount Units

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County UMATILLA Twp 6.00 N N/S Range 34.00 E E/W WM
Sec 35 NE 1/4 of the NW 1/4 Tax Lot 2601

Tax Map Number Lot

Lat " or 45.95855261 DMS or DD

Long " or -118.53058004 DMS or DD

Street address of well Nearest address

SCHUBERT RD UMAPINE OR

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)

Existing Well / Pre-Alteration	Date	SWL(psi)	+ SWL(ft)
Completed Well	3/31/2022		43

Flowing Artesian? Dry Hole?

WATER BEARING ZONES

Depth water was first found 112.00

SWL Date From To Est Flow SWL(psi) + SWL(ft)

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
3/17/2022	112	135	75		43
3/18/2022	180	210	300		43
3/18/2022	235	262	200		43
3/18/2022	275	296	250		43
3/18/2022	317	349	500		43

(11) WELL LOG

Ground Elevation

Material From To

Material	From	To
SOIL	0	24
BLUE CALY	24	37
BROWN CLAY & GRAVEL	37	58
BROKEN BROWN BASALT	58	65
BLACK BASALT	65	112
BLACK W/SOME GREEN BLUE CLAYSTONE	112	135
BLACK BASALT	135	180
BLACK SCORIA W/ GREEN CLAYSTONE	180	210
BLACK BASALT	210	235
BLACK BASALT W/ GREEN CLAYSTONE	235	262
BLACK & GRAY BASALT	262	275
BROWN SCORIA W/ GREEN CLAYSTONE	275	289
BLACK BASALT W/GREEN CLAYSTONE	289	296
BLACK BASALT	296	317
BLACK & BROWN SCORIA W/GREEN CLAYSTONE	317	349
BLACK SCORIA W/ GREEN CLAYSTONE	349	360
BLACK SCORIA W/BLUE & GREEN CLAYSTONE	360	420
BLACK SCORIA W/ BLUE CLAYSTONE	420	462
BLACK BASALT	462	480

Date Started 3/1/2022 Completed 3/31/2022

(unbonded) Water Well Constructor Certification

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

License Number 1963 Date 4/5/2022

Signed JOHN KLINE (E-filed)

(bonded) Water Well Constructor Certification

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

License Number 1881 Date 4/5/2022

Signed GARRY ZOLLMAN (E-filed)

Contact Info (optional) GARRY ZOLLMAN

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Attachment 4
OWRD Correspondence Regarding Well Construction

Ressler, Ted

From: WOODY Jennifer L * WRD <Jennifer.L.WOODY@water.oregon.gov>
Sent: Monday, October 2, 2023 8:32 AM
To: Ressler, Ted
Subject: RE: John Vandree - UMAT 58842, Transfer T-13369

Hi Ted,
Yes, we did communicate during drilling and OWRD received the cuttings.
Thanks and good to hear from you.
Jen

Jen Woody, R.G.
Hydrogeologist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301
503-437-5173

From: Ressler, Ted <tressler@summitwr.com>
Sent: Monday, October 2, 2023 8:25 AM
To: WOODY Jennifer L * WRD <Jennifer.L.WOODY@water.oregon.gov>
Subject: John Vandree - UMAT 58842, Transfer T-13369

Hi Jen

Good morning. It's been a while, I hope all is well with you.

I'm preparing a claim of beneficial use for Transfer T-13369, which involved adding a new well to a portion of two water rights held by John and Linda Vandree. The transfer included the conditions listed below. Based on my discussion with John, he said that he communicated with you during the design, drilling, and construction of well and that OWRD staff were periodically on-site during the drilling of the well (per Condition #6), and that the driller collected the cuttings and the cuttings were picked up from the driller by OWRD (per Condition #7). According to John, his communications with OWRD took place by phone and so he does not have any written record of the communications. Can you confirm that John communicated with you as he indicated and that OWRD received the cuttings as required by the conditions below?

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7. Drill cuttings shall be collected at 10-foot intervals and at changes in formation in the well and a split of each sampled interval shall be provided to the Department.

If you have questions, or if further discussion is needed, please give me a call at 503-701-4535.

Thanks
Ted

Theodore R. Ressler, RG, CWRE, PG
Hydrogeologist and Water Resources Consultant

Summit Water Resources, LLC
a Geo-Logic Company
4784 SE 17th Avenue, Suite 111, Portland, OR 97202
Office: 503-967-7050 | Mobile: 503.701.4535
tressler@summitwr.com

www.summitwr.com | www.geo-logic.com

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