

**CLAIM OF
BENEFICIAL USE
for Transfer Surface to
Groundwater POA**



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

A fee of \$345 must accompany this form for transfers where the application was submitted on July 9, 1987, or later.

Enter the date the transfer application was submitted:

11/15/2023

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 503-986-0900.

The Department has a Reimbursement Authority 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

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change from surface water point(s) of diversion to groundwater point(s) of appropriation. **YES**

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

1. File Information:

APPLICATION #

T-14351

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2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME David and Barbara Brazelton		PHONE NO. 541-954-5283	ADDITIONAL CONTACT NO.
MAILING ADDRESS PO Box 1566			
CITY Walterville	STATE OR	ZIP 97489	E-MAIL DaveB@fallcreeknursery.com
SITE ADDRESS 39938 McKenzie Highway			
CITY Springfield	STATE OR	ZIP 97478	E-MAIL DaveB@fallcreeknursery.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 David and Barbara Brazelton		
ADDRESS 39938 McKenzie Highway		
CITY Springfield	STATE OR	ZIP 97478

4. Date of Site Inspection:**6/19/2026****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
David Brazelton	6/19/2026	Landowner and water right holder

6. County:**Lane****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)): **N/A****

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

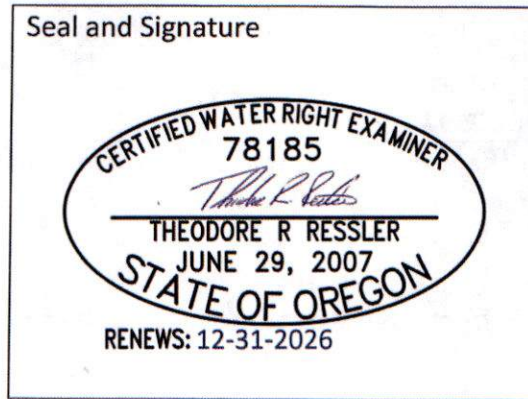
Add additional tables for owners of record as needed

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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

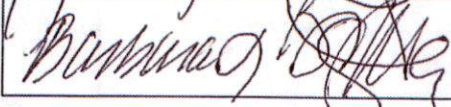


CWRE NAME Theodore R. Ressler	PHONE NO. 503-701-4535	ADDITIONAL CONTACT NO.
ADDRESS Summit Water Resources, LLC; 4784 SE 17th Ave, Suite 111		
CITY Portland	STATE OR	ZIP 97202
E-MAIL tressler@summitwr.com		

Transfer Holder(s) 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
	David Brazelton	Permit Holder & Landowner	7-14-2026
	Barbara Brazelton	Permit Holder & Landowner	7-14-2026

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SECTION 3

CLAIM DESCRIPTION

Note: The Claim only needs to describe the new point(s) of appropriation. This Claim does not need to provide information for the original point(s) of diversion involved in the transfer.

1. New point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP) WELL OR SUMP	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well 2	LANE 80598	L-157739	McKenzie River

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

2. Variations:

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

If yes, describe below.

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

Point of Appropriation

The transfer final order authorized the development of four new points of appropriation. The water user only developed one of the four points of appropriation (Well 2).

3. Claim Summary:

NEW POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Well 2	Cumulative rate of 0.459 cfs^A	0.64 cfs	0.53 cfs

Notes

^A Total of 0.159 cfs under former Certificate 75779 and 0.3 cfs under former Certificate 86849

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SECTION 4 SYSTEM DESCRIPTION

Are there multiple POAs?

NO

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

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

Well 2

A. Groundwater Source Information (Well)

1. Is the appropriation from a well?

YES

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

2. Describe the access port (type and location) or other means to measure the water level in the well:

A 1/2" threaded access port is located on the NW side of the split-sanitary seal.

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
Well log provided in Attachment 3						

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

N/A

B. Groundwater Source Information (Sump)

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

NO

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

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

C. 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
Wolf	6MM8V-5	804326	Submersible	N/A	6-inch

2. Motor Information:

MANUFACTURER	HORSEPOWER
Hitachi	25

3. Theoretical Pump Capacity – Pump at Well:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO GROUND SURFACE *THE DEPTH TO WATER FROM THE GROUND SURFACE MEASURED AT THE WELL DURING PUMPING	LIFT TO PLACE OF USE *THE LIFT FROM THE GROUND SURFACE AT THE WELL TO THE PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25	100*	19.65	1.6**	0.64***

Notes

* Pressure measured at wellhead

** Lift from ground surface to centerline of pump discharge (location of pressure measurement); additional lift is a component of the measured pressure.

***Well pump is operated on a VFD drive

4. Provide pump calculations:

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

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

$$Q_{\text{Pump}} = \frac{(25)(7.04)}{[(19.65 + 1.6) + (100 \times 2.54^*)]} = 0.64 \text{ cfs}$$

*Assumed minor frictional losses (pump column) accounted for by the 2.54 ft/psi conversion factor (versus 2.31 ft/psi). Frictional losses in the transmission pipeline and additional lift downstream of the well discharge are a component of the pressure measured at the wellhead.

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)
3.6653905 acre-feet	3.6704709 acre-feet	7 minutes	236 gpm = 0.53 cfs

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

6. Theoretical Pump Capacity – Pump at Sump:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO GROUND SURFACE *THE LIFT FROM THE WATER SURFACE TO THE PUMP	LIFT TO PLACE OF USE *THE LIFT FROM THE PUMP TO THE PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
NA – no sump				

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

7. Provide pump calculations:

NA – no sump

8. 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)
NA – no sump			

D. Additional notes or comments related to the system:

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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 POA(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	11/13/2025	
COMPLETENESS DATE FROM ORDER (C)	10/1/2027	May 2026; Use of water in compliance with all terms and conditions of the transfer final order

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

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

NO

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

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
Well 2	Seametrics	AG90-0400-BX-X-01-0000	Working	3.6704709 acre-feet	4/12/2026

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?
- b. Was submittal of a ground water monitoring plan required?
- c. Other conditions?

YES

NO

NO

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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) *The wells from which water is taken under these rights shall be constructed so that the use of the wells will affect the surface water source similarly to the use of the original authorized point of diversion.*
IN COMPLIANCE; Well 2 was constructed as proposed in the application and is developed in the unconfined alluvium in the McKenzie River alluvial floodplain that is hydraulically connected to the McKenzie River.

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

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

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.

In order to properly examine your claim, the Department must have an accurate map that meets the criteria described in OAR 690-014-0170 and OAR 690-305-0010, which are provided below for your convenience:

OAR 690-014-0170 Minimum Requirements for Maps for Permit or Transfer Final Order Claims of Beneficial Use

- (1) Maps submitted by a CWRE as part of the Claim of Beneficial Use shall meet the standards in OAR chapter 690, division 305. In addition, the map shall meet the following criteria:
 - (a) Horizontal accuracy is required only to ten feet for the purpose of locating and quantifying water rights. Maps shall be developed from any standard survey method. Traverse closures are not required.
 - (b) Maps shall clearly designate the place of use and point of diversion or appropriation for each source and use.
 - (c) The map shall indicate by description, in relation to the point of diversion or appropriation, the location of any fish screens, by-pass devices, and measuring devices required by the permit or transfer final order.
 - (d) The following statement shall be placed on the map: "This map is not intended to provide legal dimensions or locations of property ownership lines."
- (2) A CWRE may make a written request to the Director for a waiver of one or more mapping standards. The Director will determine whether the waiver shall be allowed and will respond to such requests in writing.

OAR 690-305-0010 General Map Criteria

Each map submitted to the Department shall meet the following general criteria in addition to any specific criteria identified in the rules for the relevant water right transaction:

- (1) Drawing
 - (a) The map shall be drafted on paper or polyester film with ink or otherwise printed in an indelible form with sufficient clarity so as to be easily reproduced or scanned. Maps may be submitted electronically in portable document format (pdf) and must be prepared consistent with, and include the same information as, a paper map.
 - (b) The preferred paper size is 8.5 inches by 11 inches and should be no larger than 30 inches by 30 inches. A map greater than 30 inches by 30 inches may be submitted if the Department grants, by mail or electronic means, advance approval of the larger size.

- (c) Beginning April 1, 2029, regardless of whether the map is submitted electronically, on paper, or on polyester film, for any map that OAR chapter 690 requires be prepared by a Certified Water Right Examiner, a digital file containing the coordinate system and geospatial features of the map as specified by the Department shall be submitted in addition to the map, unless the Department provides a waiver. The digital file shall be submitted as a shapefile or other approved format in a manner required by the Department.
 - (d) A platted and recorded subdivision map, deed description survey map, or county assessor map may be submitted as the application map if all of the required information included in sections (2) and (3) of this rule is clearly shown.
 - (e) An aerial image may be provided in addition to the map to aid the Department in understanding the proposal.
 - (f) The map submitted under subsection (a) shall be the official record of the water right. An aerial image or digital file shall not be the official record of the water right.
- (2) Scale
- (a) The map shall be drawn to a standard, even-numbered scale and one-inch shall not exceed 1320 feet.
 - (b) The map scale may exceed 1320 feet per inch if the Department grants, by mail or electronic means, advance approval of the requested scale.
 - (c) Notwithstanding subsection (a) and (b), for maps identifying the location of a municipal use place of use, one-inch can exceed 1320 feet; provided that the scale is sufficient to identify the quarter-quarters involved in the place of use.
- (3) Features: Features shall be clearly identified and labeled. Unless otherwise indicated in rule, the following features must be included in each map submitted to the Department:
- (a) Mapping scale.
 - (b) North directional symbol.
 - (c) Legend.
 - (d) General location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features used to transport water from the point(s) of diversion or appropriation to the place use and to include the delivery features at the place of use.
 - (e) Other topographical features such as rivers, creeks, streams, lakes, reservoirs, ponds, roads, or railroads that may be helpful to clarify and identify the location of points of diversion, wells, dams, and places of use.
 - (f) Location and flow direction of the water way if the source is surface water. If multiple water ways exist in the area of the proposed diversion and use, the map must identify the location and flow direction of the additional water ways.
 - (g) Township, range, section, quarter-quarter, and tax lot(s), donation land claims, or government lots where water will be or has been diverted, conveyed, and used. If the map is for municipal use the map:
 - (A) Must identify but does not need to label the quarter-quarters,
 - (B) Does not need to identify or label tax lots, donation land claims, or government lots.

- (h) Location of each proposed or developed diversion point, well (point of appropriation), or dam by reference to a recognized public land survey corner. For a reservoir without a dam, the center of the reservoir shall be referenced to a recognized public land survey corner.
 - (A) The locations shall be shown by distance and bearing, or by coordinates (distance north or south and distance east or west from the corner). In addition, they shall also include latitude and longitude as established by a global positioning system.
 - (B) Latitude and longitude coordinates shall be expressed as degrees-decimal with five or more digits after the decimal (e.g., 42.53764^o). The datum used to establish the coordinates shall be indicated on the map. Examples of datums include NAD 83, NAD 27 and WGS84.
- (i) Location of the proposed or developed place of use by township, range, section, and nearest quarter-quarter section.
 - (A) For irrigation or nursery use, the map shall additionally indicate the place of use in each quarter-quarter of a section by shading or hatchuring and indicate the number of acres in each quarter-quarter section, donation land claim, government lot, or other recognized public land survey lines.
 - (B) For places of use that are limited to a point, such as a stock watering tank, the location may also be identified by distance and bearing, or by coordinates (distance north or south and distance east or west from the corner). In addition, they shall include latitude and longitude as established by a global positioning system.
 - (C) Latitude and longitude coordinates shall be expressed as degrees-decimal with five or more digits after the decimal (e.g., 42.53764^o). The datum used to establish the coordinates shall be indicated on the map. Examples of datums include NAD 83, NAD 27 and WGS84.
 - (D) Where more than one point of diversion or well is included, the map must clearly identify the place(s) of use served by each point of diversion or well.
- (j) If for a supplemental irrigation application or claim of beneficial use, the location and water right reference number of the underlying primary right, registration or claim.
- (k) Any other information the Department requests and considers necessary to evaluate the water right transaction.

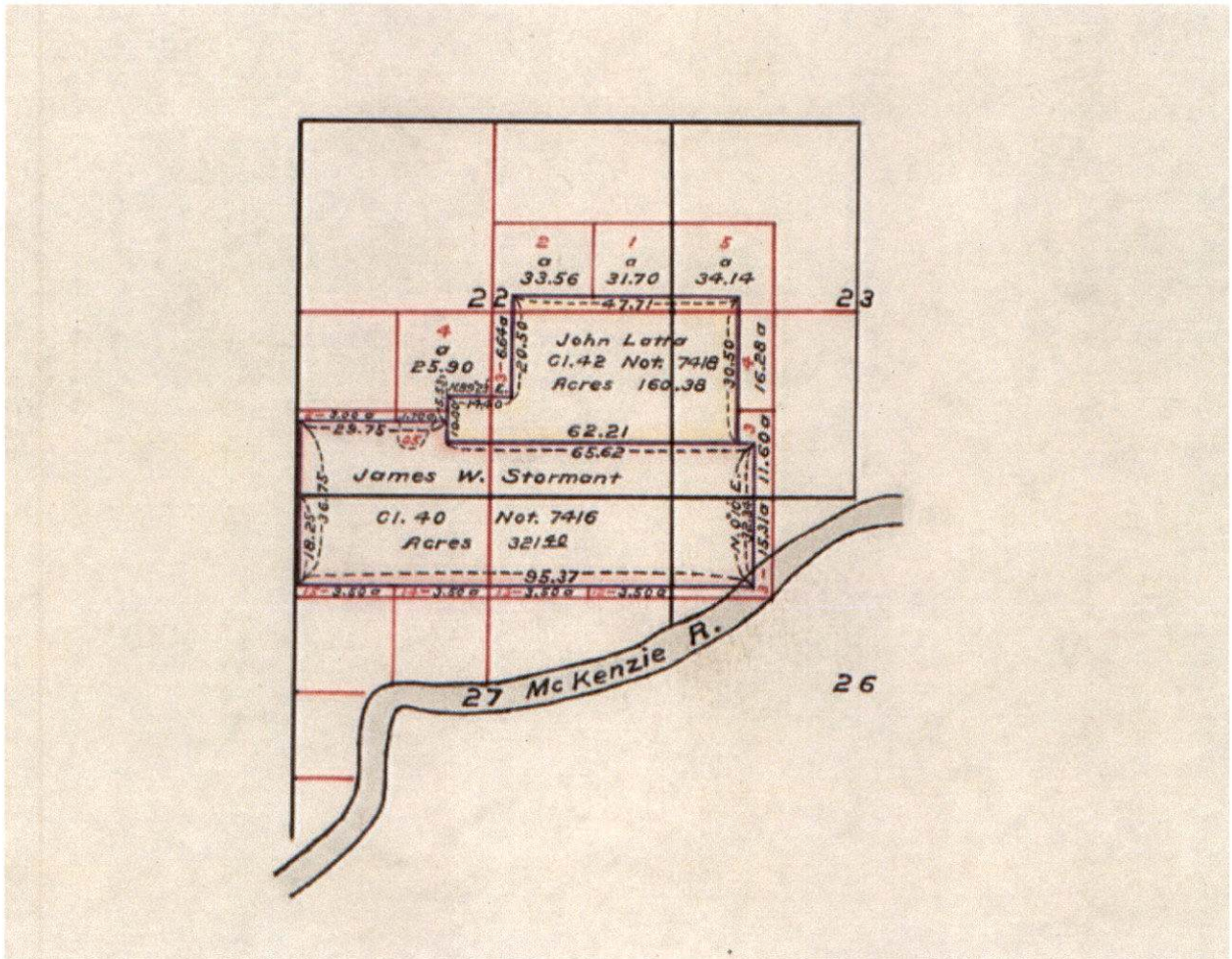
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Attachment 1
Claim of Beneficial Use Map

BLM Cadastral Survey

https://www.blm.gov/or/landrecords/landsurvey/gPlatView1_2.php?path=POR&name=t170s010w_004.jpg&tr=017-0S001-0W



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Attachment 2
Water Right Information

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David and Barbara Brazelton

Claim of Beneficial Use for Transfer T-14351

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING CHANGES
T-14351, Lane County	)	FROM A SURFACE WATER POINT OF
	)	DIVERSION TO GROUNDWATER POINTS
	)	OF APPROPRIATION AND PARTIAL
	)	CANCELLATION OF A WATER RIGHT

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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

DAVID AND BARBARA BRAZELTON
39938 MCKENZIE HIGHWAY
SPRINGFIELD, OR 97478

Findings of Fact

1. On November 15, 2023, David and Barbara Brazelton filed an application to change from a surface water point of diversion to groundwater points of appropriation under Certificates 75779 and 86849. The Department assigned the application number T-14351.
2. Notice of the application for transfer was published on November 28, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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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.

3. On July 16, 2025, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14351. The draft Preliminary Determination cover letter provided a deadline of August 15, 2025, for the applicants to respond and submit the required information. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
4. On September 30, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14351 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 30, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
5. The portion of the first right to be transferred is as follows:

Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 12.9 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.159 CUBIC FOOT 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, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	23	SW SW	3	6.1
17 S	1 W	WM	23	SE SW		2.4
17 S	1 W	WM	26	NE NW	2	2.0
17 S	1 W	WM	26	NW NW	3	2.4
Total						12.9

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6. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 75779, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

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

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)
Use: IRRIGATION of 24.1 ACRES
Priority Date: JULY 25, 1940
Rate: 0.30 CUBIC FOOT 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, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	6.7
17 S	1 W	WM	23	SW SW	40	16.2
17 S	1 W	WM	26	NW NW	40	1.2
Total						24.1

8. The Department has received information from the applicant that better describes the authorized point of diversion under Certificate 86849, as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
17 S	1 W	WM	26	NW NW	40	POD - 1030 FEET SOUTH AND 780 FEET EAST FROM THE NW CORNER OF SECTION 26

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9. Transfer Application T-14351 proposes to change from a surface water point of diversion to groundwater points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approximate distance from original point of diversion in feet (ft.)
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 1 - 480 FEET SOUTH AND 1190 FEET EAST FROM THE NW CORNER OF SECTION 26	686 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 2 - 430 FEET SOUTH AND 1270 FEET EAST FROM THE NW CORNER OF SECTION 26	775 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 3 - 150 FEET SOUTH AND 1030 FEET EAST FROM THE NW CORNER OF SECTION 26	915 ft. NE
17 S	1 W	WM	26	NW NW	3	PROPOSED WELL 4 - 160 FEET SOUTH AND 1070 FEET EAST FROM THE NW CORNER OF SECTION 26	917 ft. NE

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and 690-380-2130]

10. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14351.
12. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed points of appropriation meet the requirements of ORS 540.531 and OAR 690-380-2130(2).
14. The proposed changes, as conditioned, would not result in enlargement of the rights.
15. The proposed changes, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

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Partial Cancellation of a Water Right

17. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 75779 in the name of J. IRA MCNUTT (perfected under Permit S-18782)
Use: IRRIGATION of 1.2 ACRES
Priority Date: JUNE 15, 1949
Rate: 0.015 CUBIC FOOT 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, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	1 W	WM	26	NE NW	2	0.9
17 S	1 W	WM	26	NW NW	3	0.3
Total						1.2

18. On November 15, 2023, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from David and Barbara Brazelton. The portion of the right to be cancelled is as follows:

Certificate: 86849 in the name of J IRA MCNUTT (perfected under Permit S-14388)
Use: IRRIGATION of 1.4 ACRES
Priority Date: JULY 25, 1940
Rate: 0.018 CUBIC FOOT 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, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: MCKENZIE RIVER, tributary to WILLAMETTE RIVER

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Authorized Point of Diversion:

Twsp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

Authorized Place of Use:

IRRIGATION						
Twsp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	SE SE	40	1.0
17 S	1 W	WM	23	SW SW	40	0.4
Total						1.4

Conclusions of Law

The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights will be cancelled.

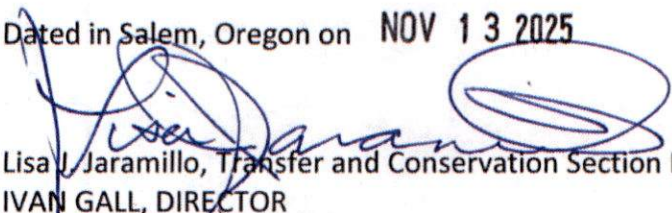
Now, therefore, it is ORDERED:

1. The changes from a surface water point of diversion to groundwater points of appropriation proposed in Transfer Application T-14351 are approved. The portion of the rights that have been abandoned are cancelled.
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 75779 and 86849, and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation.
4. Water right Certificates 75779 and 86849 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.
5. The quantity of water diverted at the new points of appropriation (Proposed Wells 1, 2, 3, and 4), shall not exceed the quantity of water lawfully available at the original point of appropriation (POD).
6. The wells from which water is taken under these rights shall be constructed so that the use of the wells will affect the surface water source similarly to the use of the original authorized point of diversion.
7. The use of water under these rights shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

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8. All applicable restrictions that existed at the original point of diversion shall apply to the proposed wells.
9. The original date of priority shall be retained. However, if within five years after approving the transfer, the Department finds that the transfer results in substantial interference with existing groundwater rights that would have occurred in the absence of the transfer, the proposed wells shall be subordinate to any existing right injured by the transferred water rights.
10. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation, with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
11. 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.
12. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **NOV 13 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: NOV 14 2025

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STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. IRA MCNUTT
ROUTE 2, BOX 350
SPRINGFIELD, OREGON 97477

confirms the right to use the waters of the MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 14.6 ACRES.

This right was perfected under Permit 18782. The date of priority is JUNE 15, 1949. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW¼ NW¼, AS PROJECTED WITHIN JAMES W. STORMENT DLC 40,
SECTION 26, T 17 S, R 1 W, W.M..

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

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

A description of the place of use to which this right is appurtenant is as follows:

LOT 3 (SW¼ SW¼) 6.1 ACRES
SE¼ SW¼ 2.4 ACRES
SECTION 23

LOT 2 (NE¼ NW¼) 2.9 ACRES
LOT 3 (NW¼ NW¼) 3.2 ACRES
SECTION 26

TOWNSHIP 17 SOUTH, RANGE 1 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 28872, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 31 1998, approving Transfer Application 7484.

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

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75779

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources

Director, affixed AUG 31 1998.

/s/ Thomas Paul (for)
Martha O. Pagel, Director

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Recorded in State Record of Water Right Certificates numbered 75779.

T-7484.PKS

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J IRA MCNUTT
351 1/2 EAST BROADWAY
EUGENE, OR 97401

confirms the right to use the waters of MCKENZIE RIVER, tributary to WILLAMETTE RIVER, for IRRIGATION of 68.7 ACRES.

This right was perfected under Permit S-14388. The date of priority is JULY 25, 1940. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.86 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
17 S	1 W	WM	26	NW NW	40

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

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	1 W	WM	22	NE SE	42	0.6
17 S	1 W	WM	22	SE SE	40	8.8
17 S	1 W	WM	22	SE SE	42	8.0
17 S	1 W	WM	23	NW SW	42	2.0
17 S	1 W	WM	23	SW SW	42	4.6
17 S	1 W	WM	23	SW SW	40	17.6
17 S	1 W	WM	26	NW NW	40	15.1
17 S	1 W	WM	27	NE NE	40	12.0

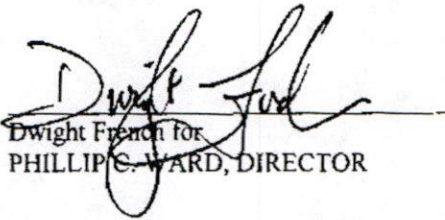
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This certificate describes that portion of the water right confirmed by Certificate 75778, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 04 2011 approving Transfer Application T-10908 and together with Certificate 86848 supersedes Certificate 75778.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed MAR 04 2011.


Dwight French for
PHILLIP C. WARD, DIRECTOR

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Attachment 3
Well Log

WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

LANE 80598

3/13/2026

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Map of Hole

STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301
(503)986-0900



LOCATION OF WELL

Latitude: 44.06945000 Datum: WGS84

Longitude: -122.77945900

Township/Range/Section/Quarter-Quarter Section:

WM17.00S1.00W26NWNW

Address of Well:

39938 MCKENZIE HWY. - SPRINGFIELD, OR 97478

Well Label: 157739

Printed: March 13, 2026

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor





July 22, 2026

Ms. Kerry Kavanagh
Reimbursement Authority
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: Claim of Beneficial Use for Transfer T-14351

Ms. Kavanagh:

On behalf of the permittee, please find enclosed Claim of Beneficial Use (COBU) report for Transfer T-14351. The water right holder would like to use Reimbursement Authority processing for the COBU and Reimbursement Authority Estimate Application is enclosed. Please also find enclosed as check in the amount of \$470 for payment of the \$345 filing for the COBU and \$125 for payment of the Reimbursement Authority Estimate fee.

Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC

Enclosures:

Check #2138 in the amount of \$470
Certificate Reimbursement Authority Estimate Application
Claim of Beneficial Use for Transfer T-14351

Cc: David and Barbara Brazelton

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