

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: remarks

Attachments:

-
- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
 - Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
 - Fees - Amount enclosed: \$ 930.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

-
- Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot clearly identified
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
 - Other:

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SALEM, OR

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME DAVE GRIFFITH, MEMBER DAE-LEE LLC		PHONE (HM) 503-939-9797	
PHONE (WK)	CELL		FAX
ADDRESS 11383 NW 195TH			
CITY HILLSBORO	STATE OR	ZIP 97124	E-MAIL * DAVEG43@YAHOO.COM

Organization Information

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate.

[Signature] DAVE GRIFFITH / DAE-LEE LLC 5/26/16
Applicant Signature Print Name and title if applicable Date

Applicant Signature

Print Name and title if applicable

Date

Revised

For Department Use		
App No. <u>5-00263</u>	Permit No. _____	Date _____

If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Reservoir 1	Nursery	year round	0.50 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Reservoir 2	Nursery	year round	0.25 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 0.46 Acres Supplemental: Acres
 List the Permit or Certificate number of the underlying primary water right(s): Certificate 69327, T-12216
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1.15 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type): 3/4 HP Gould, and 1/2 HP Gould

Other means (describe): May use gravity flow from Reservoir #2

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water from two reservoirs will be pumped into storage tanks near Reservoir #1, water will then move by gravity flow into 1 inch PVC pipe to each of the irrigated areas. High efficiency drip or small rotary sprinklers will be used.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

High efficiency drip system or small rotary sprinklers will be utilized.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

A meter could be installed to measure use, all irrigation will be conducted using automatic timers. Utilization of high efficiency drip system or small rotary irrigators will be used.

SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: Pump will be screened to keep debris and aquatic animals out of the system.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Diversion points may require the removal of some vegetation. Any disturbed riparian areas will be replanted with plants native to the drainage.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: Installation of the pump and diversion system will be done primarily by hand with hand tools. Any power equipment used will be hand held.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Erosion control will include seeding any disturbed areas with a fast growing grass seed and then it will be covered with straw.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: Spring 2017, depending on permit and site conditions.

Date construction will be completed: Summer 2017 depending on permit.

Date beneficial water use will begin: Possibly Fall 2017.

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SECTION 8: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

Water will be pumped from the 2 reservoirs and stored in two storage tanks of 2500 to 5000 gallons. Most irrigation will be provided through a gravity fed, high effeicient drip system with timers.

Land Use Information Form



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

Applicant(s): Dave Griffith

Mailing Address: 11383 NW 195th

City: Hillsboro

State: Or

Zip Code: 97124

Daytime Phone: 503-939-9797

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>1N</u>	<u>2W</u>	<u>01</u>	<u>SE of NW</u>	<u>3600</u>	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Washington County.

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B. Description of Proposed Use

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Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: 0.75
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

Owner plans on commercial plant production inside and outside.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Farm Use	CDC 201-24	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Tom Harry Title: Senior Planner
 Signature: [Signature] Phone: 503-648-8761 Date: 7/6/16
 Government Entity: Washington County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

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Applicant name: _____
 City or County: _____ Staff contact: _____ Date: JUL 18 2016
 Signature: _____ Phone: _____ Date: SALEM, OR

BLS

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED

Washington County, Oregon 2015-086073
D-DBS 10/12/2015 10:29:43 AM
Stn=71 REED
\$15.00 \$11.00 \$5.00 \$20.00 \$51.00

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio

SPACE RESERVED FOR RECORDER'S USE

David W Griffith
11383 NW 195th Ave
Hillsboro, OR 97124
Grantor's Name and Address
DAE-LEE, LLC, an Oregon limited liability company
11383 NW 195th Ave, Hillsboro
Grantor's Name and Address OR 97124
After recording, return to (Name and Address):
DAE-LEE, LLC, an Oregon limited liability company
11383 NW 195th Ave Hillsboro OR
If requested otherwise, send all tax statements to (Name and Address):
same as above
Tax account # B2054359

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that David W Griffith

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto DAE-LEE, LLC, an Oregon limited liability company hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Washington County, State of Oregon, described as follows (legal description of property):

See Exhibit "One" attached hereto and made part thereof

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols &, if not applicable, should be deleted. See ORS 93.030.)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on September 24, 2015; any signature on behalf of a business or other entity is made with the authority of that entity.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.205 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS OR LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

David W Griffith

STATE OF OREGON, County of Washington) ss. This instrument was acknowledged before me on September 24, 2015

by David W Griffith

This instrument was acknowledged before me on



Notary Public, Oregon
My commission expires 6-4-19

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PUBLISHER'S NOTE: If using this form to convey real property subject to ORS 92.027, include the required reference.

WFG Title 15016012

center line of the present right of way of United Railways Company, and on the Southerly side thereof, thence parallel to and 40 feet distant from said railway company's center line and on a course North 68°26' East, a distance of 17.3 feet to the true point of beginning; thence South 51°42' East, a distance of 66 feet; thence South 63°13' West, parallel with and 80 feet Southeasterly from, when measured at right angles to, the center line of the revised location of the main line track of United Railways Company as the same is now staked out and is about to be reconstructed, a distance of 1188 feet, more or less, to a point on the South line of the Northeast quarter of the Northwest quarter of said Section 1; thence Westerly along the South line of said subdivision, a distance of 70 feet, more or less, to a point which is 40 feet Southeasterly from, when measured at right angles to, the present center line of main track of the United Railways Company; thence Northeasterly parallel with and distant 40 feet Southeasterly from, when measured at right angles to, the present center line of the United Railways Company's main track, a distance of 1233 feet, more or less, to the true point of beginning.

The parcel of land herein described lies contiguous to and on the Southeasterly side of that certain tract of land conveyed to the United Railways Company and described in the second paragraph of description in Warranty Deed executed on August 18, 1911, and recorded in Book 90 at Page 80, Records of Deeds for Washington County, Oregon.

ALSO TOGETHER WITH THE FOLLOWING DESCRIBED TRACT:

A strip 76 feet in width adjacent to the right of way of United Railways Company, a corporation, and off the Northerly ends of Lots 8, 9, 10 and 11, VALLEY VISTA NO. 2, as the same appears platted and of record in the office of the Recorder of Conveyances in and for the County of Washington and State of Oregon, the said strip being bounded on the Southerly side by a line parallel with the Southerly boundary of said right of way, said distance of 76 feet being measured on a line at right angles with said Southerly boundary of said right of way, and the ends of said 76 foot strip being bounded and defined by the boundaries of the said Lots 8 and 11.

ALSO TOGETHER WITH THE FOLLOWING DESCRIBED TRACT:

A tract of land in the North one-half of Section 1, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC." on the South line of the North one-half of the Southeast one-quarter of the Northwest one-quarter of Section 1, that is N 00°02'44" W 645.85 feet and N 88°59'52" W 234.89 feet from a 5/8" iron rod at the Center of Section 1; thence N 18°18'02" W 664.55 feet to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC."; thence N 66°36'51" E 227.07 feet to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC."; thence N 15°41'19" E 121.93 feet to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC."; thence continuing N 15°41'19" E 44.29 feet to the center of Rock Creek; thence along the center of Rock Creek N 68°08'00" W 28.20 feet; thence N 27°21'00" W 71.00 feet; thence N 39°34'00" W 56.07 feet to the South line of the tract of land described in Deed Document No. 98-72264, Washington County Records; thence Southwesterly following said South line 1240 feet more or less to a 5/8" iron rod with a yellow plastic cap marked "KEENON LAND SERVICES INC." on the West line of the Southeast one-quarter of the Northwest one-quarter; thence S 88°59'52" E 363.00 feet to a 5/8" iron rod with yellow plastic cap marked "KEENON LAND SERVICES INC."; thence S 00°13'19" E 322.84 feet to a 5/8" iron rod with yellow plastic cap marked "KEENON LAND SERVICES INC." on the South line of the North one-half of the Southeast one-quarter of the Northwest one-quarter; thence S 88°59'52" E along said South line 703.59 feet to the point of beginning.

TOGETHER WITH easement rights over the South half of the Southeast quarter of the Northwest quarter of Section 1, Township 1 South, Range 2 West of the Willamette Meridian, as set forth in Deed Recorded March 17, 1908 in Book 79, Page 49.

EXCEPTING FROM THE ABOVE TRACTS any portion thereof lying with a tract of land described in Deed Recorded July 6, 1998 as Recording No. 98072260.

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SALEM, OR

STATE OF OREGON
COUNTY OF Washington

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

DAVE GRIFFITH
11383 NW 195TH *AVE*
HILLSBORO, OR 97124

confirms the right to store the waters of
RUNOFF, A TRIBUTARY OF COLUMBIA SLOUGH IN TWO UNNAMED RESERVOIRS
for LIVESTOCK AND WILDLIFE.

The right to store and use these waters was perfected under Reservoir Application R-74893.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 0.75 ACRE-FOOT, BEING
0.50 AF IN RES 1 AND 0.25 AF IN RES 2

Located as follows:

1/4 1/4 SECTION 1, TOWNSHIP 1 NORTH, RANGE 2 EAST WM.
1/4 1/4 SECTION 1, TOWNSHIP 1 NORTH, RANGE 2 EAST WM.

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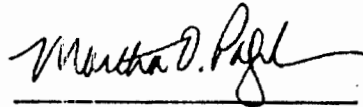
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The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with
a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary
for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of
use listed above.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 27, 1996.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 69327

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

In the Matter of Transfer Application) **FINAL ORDER APPROVING A**
T-12216, Washington County) **CHANGE IN CHARACTER OF USE**

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, 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

DAE-LEE LLC
11383 NW 195TH AVE
HILLSBORO, OR 97124

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Findings of Fact

1. On December 11, 2015, DAE-LEE LLC filed an application to change the character of use under Certificate 69327. The Department assigned the application number T-12216.
2. Notice of the application for transfer was published on December 22, 2015, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 10, and 11, 2016, the Department contacted the applicant and Certified Water Right Examiner (CWRE) by telephone and email for clarification regarding some discrepancies on the application.
4. On February 11, and 16, 2016, the CWRE submitted amended documents resolving the questions.
5. On February 17, 2016, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12216 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 18, 2016, for the applicant to respond. The applicant requested that the Department extend the date for completion to October 1, 2018, and proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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.

6. On April 13, 2016, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12216 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on April 19, 2016, and in the Hillsboro Argus newspaper on April 27 and May 4, 2016, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

7. The right to be transferred is as follows:

Certificate: 69327 in the name of DAVE GRIFFITH (perfected under Reservoir Application R-74893)

Use: STORAGE in Unnamed Reservoir for LIVESTOCK and WILDLIFE

Priority Date: JANUARY 1, 1993

Limit/Duty: The amount of water entitled to be stored and used each year under this right is not more than 0.75 ACRE-FEET (AF), BEING 0.50 AF IN RES 1 AND 0.25 AF IN RES 2

Source: RUNOFF, a tributary of the COLUMBIA SLOUGH

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The Reservoirs are Located As Follows:

Twp	Rng	Mer	Sec	Reservoir
1 N	2 E	WM	1	1
1 N	2 E	WM	1	2

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8. There is a scrivener's error in the description of the authorized location of the reservoirs in Certificate 69327. Based on the original reservoir application, the property deed and the transfer map, the reservoirs are actually located in Range 2 West, not Range 2 East. This in turn changes the tributary from the Columbia Slough to Rock Creek.

9. Certificate 69327 does not describe the quarter quarter or the measured distances, however additional information is available from the applicant and CWRE further describing the location of the reservoirs, including the correction of the Range, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	2 W	WM	1	SE NW	RESERVOIR 1: 1460 FEET SOUTH AND 650 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 1
1 N	2 W	WM	1	SE NW	RESERVOIR 2: 1500 FEET SOUTH AND 1200 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 1

10. Transfer Application T-12216 proposes to change the character of use to multipurpose.

Transfer Review Criteria [OAR 690-380-4010(2)]

11. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

12. A reservoir structure sufficient to store the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-12216.
13. The proposed change would not result in enlargement of the right.
14. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in character of use proposed in Transfer Application T-12216 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in character of use proposed in Transfer Application T-12216 is approved.
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 Certificate 69327 and any related decree.
3. Water right Certificate 69327 is cancelled.
4. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. 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 change and full beneficial use of the water.
5. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 7 day of June, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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JUL 18 2016

SALEM, OR

Mailing Date: JUN 10 2016



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COOS BAY - FOREST GROVE - DALLAS - JUNCTION CITY

July 14, 2016

Oregon Water Resources Department
725 Summer Street NE, Ste. A
Salem, OR 97301-1266

To Whom It May Concern:

An *Application for a Permit to Use Surface Water* has been completed. You will find the following enclosed:

1. Check #2227 in the amount of \$930 to cover application fee.
2. The completed and signed *Application for a Permit to Use Surface Water*
 - Land Use Information Form
 - Property Deed
 - Copy of Transfer T-1221
 - Surface Water Application Map

If you have any questions on this submitted material, please contact Jeffrey Kee at 503-357-5717 or jkee@stuntzner.com

Sincerely,
Stuntzner Engineering & Forestry LLC

Carol Taylor
Office Assistant

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SALEM, OR