



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION

EXHIBIT 12

Exhibit A.24



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Staff before submitting this request, as the application fee of \$125.00 per request is non-refundable.

Checks submitted for this application must be separate from Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number: Not Yet Assigned Cert. 34919

	Applicant Information	Applicant's Representative/Contact
Name:	Metro	Bob Long, CWRE (CwM-H2O, LLC)
Address:	600 NE Grand Avenue Portland, OR 97232-2736	1319 SE MLK Jr Blvd, Suite 204 Portland, OR 97214
Phone:	(503) 797-1797	(503) 954-1326
Fax:		
E-Mail Address:	Gary.Shepherd@oregonmetro.gov (Gary Shepherd, Senior Metro Attorney)	Bob.Long@cwmh2o.com

By signing this application, I understand:

- That upon receipt of my non-refundable application fee of **\$125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate, I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- That an incomplete or inaccurate application may delay the process and increase the cost to process my request.
- That expedited processing does not guarantee a favorable review of my request.

I certify that I am the (check one):

☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: Gary Shepherd, Metro Senior Attorney

Signature: 

Send completed Application and payment to:

**Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271**

OWRD USE ONLY: Reimbursement Authority Number: R11-_____-25

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☐ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. **\$3,340**
- ☐ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 34919**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☐ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) (A portion of the Park is on BLM lands, though none of the proposed changes are related to or effect the BLM lands in any way).
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- ☐ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, **11 x 17 inches**, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, **1 inch = 1,320 feet**, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged. **N/A (not IRR)**
- ☐ ☒ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2</u> (2a) Subtract 1 from the number in line 2a = <u>1</u> (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »	2	\$1,090
3	Number of water rights included in transfer <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3	\$0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480</u> (4a) Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$410</u> (4b) Add line 4a to line 4b and enter »	4	\$890
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.3</u> (5a) Subtract 1.0 from the number in 5a above: <u>0</u> (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$410, then enter on line 5 »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$890
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	7	\$0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$3,340

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each water right involved as follows:
 - Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
- Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$990.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i> Multiply line 2b by \$480 and enter »	2	_____
3	Add entries on lines 1 through 2 above » » » » » » » » » » Fee for Substitution:	3	_____

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Metro			PHONE NO. (503) 797-1700	ADDITIONAL CONTACT NO.
ADDRESS 600 NE Grand Avenue			FAX NO. (503) 797-1797	
CITY Portland	STATE OR	ZIP 97232-2736	E-MAIL GARY.SHEPHERD@OREGONMETRO.GOV (Gary Shepherd, Senior Metro Attorney)	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Bob Long, CWRE (CwM-H2O, LLC)			PHONE NO. (503) 954-1326	ADDITIONAL CONTACT NO.
ADDRESS 1319 SE Martin Luther King Jr. Blvd., Suite 204			FAX NO.	
CITY Portland	STATE OR	ZIP 97214	E-MAIL bob.long@cwmh2o.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:

This transfer aims to add two points of appropriation and clarify the type of use by changing it to Municipal Use at Oxbow Regional Park.

Metro operates Oxbow Regional Park, a 792-acre park located in the Sandy River canyon, on its river terraces, and on the canyon uplands. Since 1964, the Park has been served by a single groundwater source which is the sole point of appropriation (POA) on Certificate 34919 (certificated 1968). This well is described as "Well-3" in the certificate, although the Park refers to it as Well-1 (the original Wells 1 & 2 were never drilled). This transfer application will continue to refer to this POA as Well-3 to remain consistent with the water right documents.

The original permit lists the use as "park use in Oxbow Park". "Park Use" is not defined by Oregon Administrated Rules. This use was understood to include domestic supply to the Park admin and maintenance facilities, day use areas, and campgrounds, as well as any other Park maintenance uses. The Park use was categorized as Recreational Use in the OWRD database, the definition of which does not match the intended use for the Park as described above. For this reason, this transfer proposes to change the character of use from Recreation to Municipal Use, which best describes the use at Oxbow Regional Park per OAR 690-500-0020(7).

Metro is currently in the process of planning and implementing upgrades to transportation and water distribution infrastructure within the Park. Part of this project involves the removal of a section of the mainline leading from Well-3 along SE Oxbow Park Road to the visitor center and maintenance facilities. Metro is proposing the construction of an additional well at the visitor center complex to serve that portion of the Park. Well-3 will continue to act as the source for the bulk of the Park area, including most of the day use and campground areas. The purpose of this transfer is to add a second POA at the proposed location of this new visitor center well, Well-4. Two additional POA locations are proposed near the visitor center (Wells 4 & 5), though only one will be developed.


Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor;
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: The Gresham Outlook.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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


Applicant signature

Gary Shepherd, Metro Senior Attorney 10/18/23
Print Name (and Title if applicable) Date

Applicant signature

Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No

**The place of use for Certificate 34919 includes some areas that are Bureau of Land Management lands. The existing point of appropriation, Well-3, is located on BLM lands. However, the proposed transfer, which only includes the addition of two new POAs at the visitor center, only affects lands that are part of the Metro Parks system. The BLM lands within the Park will experience no change as part of the proposed transfer.*

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (**Tip: Complete and attach Supplemental Form D.**)

IRRIGATION DISTRICT NAME _____	ADDRESS _____	
CITY _____	STATE _____	ZIP _____

☐ Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME _____	ADDRESS _____	
CITY _____	STATE _____	ZIP _____

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Multnomah County (Land Use Planning)	ADDRESS 1600 SE 190th Avenue	
CITY Portland	STATE OR	ZIP 97233

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 34919

Description of Water Delivery System

System capacity: **0.314** cubic feet per second (cfs) **OR**
141 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use:

-Oxbow Regional Park is currently served by Well-3, located roughly at the center of the Park. The well pumps through treatment and into a 27,000-gal subsurface storage tank adjacent to the well. Jockey pumps then lift water from the tanks and push it throughout the Park distribution system, which includes several booster pumps. The water distribution system mainlines convey water westward from Well-3 towards the Park entrance and Visitor Center as well as eastward towards the primary day-use areas, boat ramp, and campground. Various day-use areas are served along the distribution system. Metro Parks plans to upgrade the distribution system. However, a section of the mainline between Well-3 and the Visitor Center will be abandoned. The proposed new well will then serve the area around the Park entrance and Visitor Center.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well-3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MULT-2527	1	S	4	E	15	NE	NW	0200	2,140 ft E and 490 ft S of the NW Corner, Sec 15
Well-4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	<i>(proposed)</i>	1	S	4	E	10	SW	NW	0400	1,110 ft E and 1,710 ft S of the NW Corner, Sec 10
Well-5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	<i>(proposed)</i>									1,290 ft E and 1,650 ft S of the NW Corner, Sec 10

Check all type(s) of change(s) proposed below (change “CODES” are provided in parentheses):

- | | |
|--|--|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- ☒ **Yes** Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- ☐ **No** Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 34919

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the “from” or “off” lands)										Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands)									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
										APOA / USE	1	S	4	E						
													10	SW	NW					
														SE	NW					
														NE	SW					
														NW	SW					
														SW	SW					
														NE	SE					
														SE	SE					
														SW	SE					
													11	NE	SW					
														NW	SW					
													15	NW	NE					
														SW	NE					
														NE	NW					
														NW	NW					
TOTAL ACRES:											TOTAL ACRES:						N/A			

Additional remarks: The area described in Table 2 includes the area described in Certificate 34919 with no changes. No acreage is designated for the certificate because of its original Park Use, which is not proposed as Municipal Use.

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☐ Yes ☒ No

If YES, list the certificate, water use permit, or ground water registration numbers: N/A

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

~~Ground water supplemental Permit or Certificate # _____;~~

~~Surface water primary Certificate # _____;~~

For a change from Supplemental Irrigation Use to Primary Irrigation Use

~~Identify the primary certificate to be cancelled. Certificate # _____~~

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

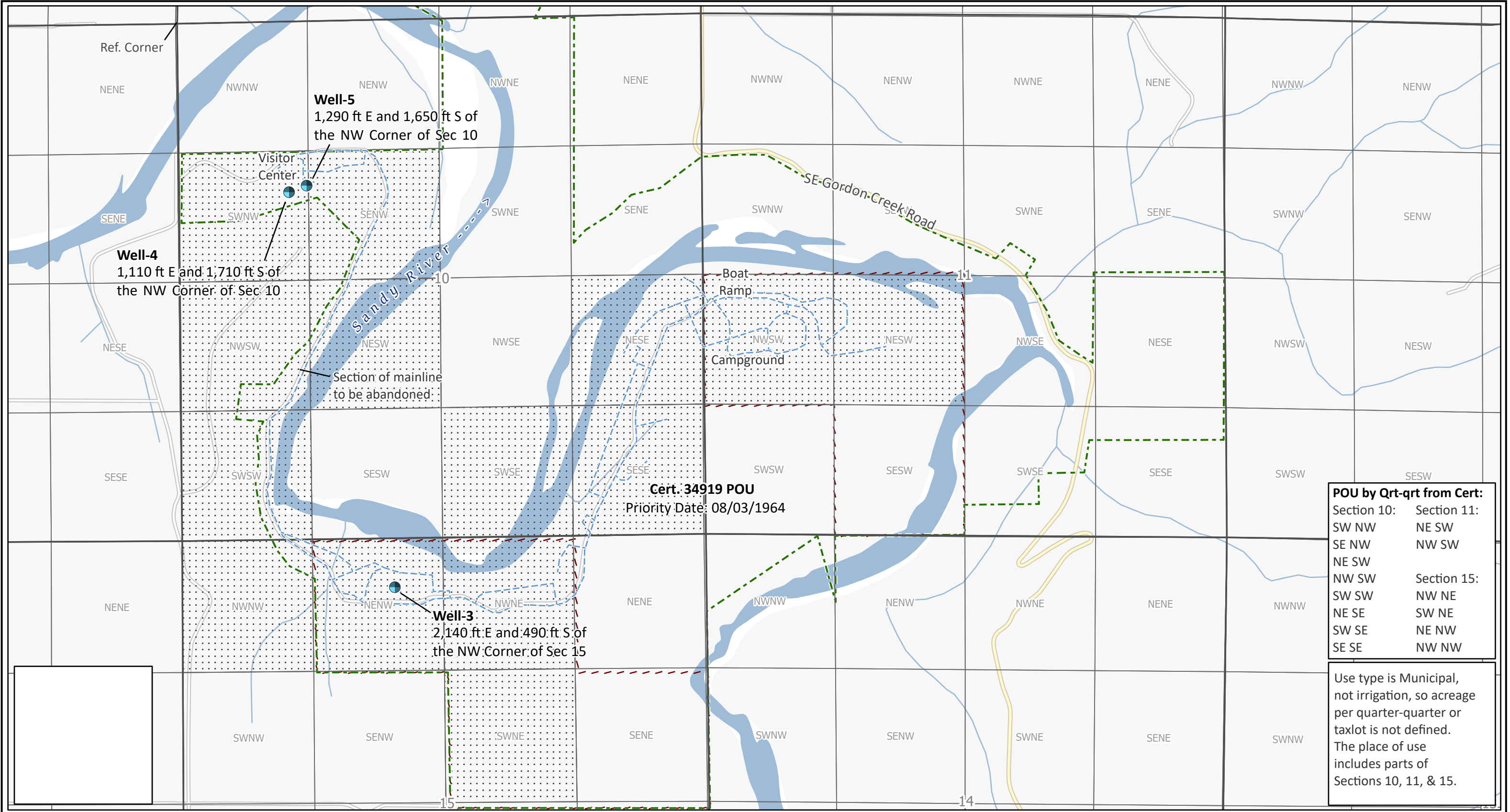
- ☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm).
Well-3	YES	MULT-2527	107 ft	12"	0-107 ft	0-28 ft	99-105 ft	57.1 ft (7/11/22)	Troutdale Aquifer	0.3 cfs
Well-4	NO*	-	100-150 ft	8-10"	Fully cased	0-75 ft	100-150 ft	~50 ft	Troutdale Aquifer	0.3 cfs
Well-5										

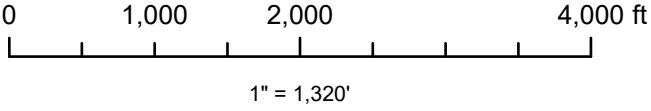
*Approximate proposed construction based on Well-3 design and local hydrogeology. Exact depth of well, casing, seal, and screen will depend on conditions encountered while drilling. Only one new well (either Well-4 or Well-5) will be constructed.



1319 SE MLK Jr. Blvd, Suite 204
Portland, Oregon 97214
(503) 954-1326

Application for Permanent Transfer
APOA for Certificate 34919
T1S, R4E, Sections 10, 11 & 15

1	DATE	AUTHOR	DRAFT



Proj#: 2209002
Oxbow Regional Park Visitor Center Water System: New Well
Metro Parks
600 NE Grand Avenue
Portland, OR 97323

- Proposed APOA
- Cert. 34919 POU (Cert. Description)
- Approx. Park Boundary
- BLM Lots
- Water System Lines

Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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

Applicant(s): Metro

Point of contact: Gary Shepherd, *Senior Metro Attorney* (gary.shepherd@oregonmetro.gov)

Mailing Address: 600 NE Grand Avenue

City: Portland

State: OR

Zip Code: 97232-2736

Daytime Phone:

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	Water to be:			Proposed Land Use:
1S	4E	10	SW NW	0400	CFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	CFU
			SE NW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			NE SW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			NW SW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			SW SW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			NE SE			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			SE SE	<input type="checkbox"/> Diverted		<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used		
								SW SE	
		11	0200, 0300, 0400, 0500	<input type="checkbox"/> Diverted		<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used		
				NW SW					
		15	0200	NW NE		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				NE NW		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				SE NE		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				NW NW		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				0400					

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

Multnomah County

B. Description of Proposed Use

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: 0.30 ☒ 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:

Proposed transfer to add two additional points of appropriation (wells) to Certificate 34919 to allow the Park to construct a new supply well at the Park visitor center complex. Change of use from Recreation to Municipal.

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:	
		<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
		<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: _____ Title: _____

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

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

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Application for Water Right Transfer Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Oregon)
) ss

County of MULTNOMAH

I, GARY SHEPHERD, in my capacity as SENIOR ATTORNEY FOR METRO,

mailing address 600 NE GRAND AVENUE, PORTLAND, OR 97232-2736

telephone number (503) 797 - 1700, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

☐ Personal observation ☒ Professional expertise

2. I attest that:

☒ Water was used during the previous five years within the boundaries of Oxbow Regional Park as described as the place of use of **Certificate 34919** and its accompanying map; **OR**

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): MUNICIPAL WATER SUPPLY FOR PARK USE (OPERATIONS, FACILITIES, AND PARK VISITORS)

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this ____ day of _____, 20____.

Notary Public for Oregon

My Commission Expires: _____

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">● Power usage records for pumps associated with irrigation use● Fertilizer or seed bills related to irrigated crops● Farmers Co-op sales receipt
<input checked="" type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers Attached: <ul style="list-style-type: none">● 1995-2020 monthly water usage – Well-1● Copy of the OHA water system record for the Oxbow Regional Park Well	<ul style="list-style-type: none">● District assessment records for water delivered● Crop reports submitted under a federal loan agreement● Beneficial use reports from district● IRS Farm Usage Deduction Report● Agricultural Stabilization Plan● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a “date stamp” or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

Water Use Report Based on Water Right



Cert:34919 OR *
COUNTY OF MULTNOMAH PARKS SERVICES 2115 SE MORRISON ST PORTLAND,
OR 97214

Records per page: [View All](#)

Acre-feet (AF) of Water Used

Water Year*	Report ID	Facility	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total Water Used	Irrigated Acres
2020	12522	OXBOW	0.30	0.19	0.14	0.29	0.21	0.23	0.21	0.20	0.24	0.55	0.39	0.13	3.07	
2019	12522	OXBOW	0.20	0.15	0.14	0.13	0.11	0.22	0.21	0.37	0.52	0.83	0.69	0.45	4.00	
2018	12522	OXBOW	0.15	0.09	0.11	0.13	0.08	0.13	0.14	0.35	0.35	0.65	0.49	0.36	3.03	
2017	12522	OXBOW	0.39	0.22	0.09	0.04	0.08	0.28	0.38	0.48	0.79	1.93	1.65	1.62	7.95	
2016	12522	OXBOW	0.26	0.03	0.01	0.02	0.01	0.02	0.04	0.02	0.11	0.25	0.28	0.08	1.14	
2015	12522	OXBOW	0.03	0.05	0.02	0.02	0.02	0.05	0.23	0.28	0.23	0.31	0.17	0.07	1.48	
2014	12522	OXBOW	0.20	0.32	0.13	0.07	0.13	0.16	0.20	0.26	0.34	0.61	0.75	0.31	3.48	
2013	12522	OXBOW	0.05	0.19	0.37	0.17	0.41	0.22	0.12	0.21	0.30	0.44	0.34	0.20	3.01	
2006	12522	OXBOW	0.17	0.19	0.26	0.33	0.34	0.41	0.38	0.28	0.95	4.62	4.60	2.16	14.69	
2005	12522	OXBOW	0.55	0.27	0.21	0.23	0.15	0.16	0.09	0.35	0.24	1.20	4.37	1.64	9.46	
2004	12522	OXBOW	0.76	0.47	1.22	0.67	0.85	0.84	1.56	0.74	2.12	5.25	3.83	0.49	18.80	
2003	12522	OXBOW	0.26	0.18	0.21	0.20	0.13	0.24	0.26	0.38	3.87	6.38	5.23	1.00	18.34	
2002	12522	OXBOW	0.55	0.43	0.18	0.22	0.34	0.24	0.27	0.63	1.38	5.25	5.37	1.62	16.47	
2000	12522	OXBOW	0.67	0.15	0.04	0.07	0.35	0.31	0.14	0.20	2.73	5.16	8.60	1.28	19.70	
1999	12522	OXBOW	0.09	0.07	0.09	0.10	0.04	0.18	0.11	0.12	0.24	4.03	5.72	3.68	14.45	
1998	12522	OXBOW	0.08	0.04	0.10	0.03	0.03	0.09	0.13	0.11	0.12	5.32	6.49	2.41	14.95	
1997	12522	OXBOW	2.63	0.65	0.15	0.03	0.06	0.06	0.09	0.08	0.16	4.07	5.23	0.21	13.42	
1996	12522	OXBOW	0.06	0.38	0.18	0.07	0.32	0.38	0.11	0.09	4.91	9.82	8.72	3.96	29.02	
1995	12522	OXBOW	0.60	0.13	0.26	0.10	0.16	0.19	0.09	0.29	4.23	6.13	4.14	0.11	16.44	

*The water year is named for the calendar year in which it ends. Example: the 2018 water year begins Oct. 1, 2017 and ends Sep. 30, 2018.

- The Water Resources Department makes reasonable efforts to screen the data for quality control; however, the Department cannot accept responsibility for errors, omissions, or accuracy of the information. Notification of any errors is appreciated. Send notifications to owrd.waterusereporting@water.oregon.gov or call 971-345-7489.
- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.

OHA Drinking Water Services**OR41 91943****METRO PARKS - OXBOW****Classification:** TRANSIENT NON-COMMUNITY**Contact:** MICHAEL CARPINELLA
600 NE GRAND AVE
PORTLAND, OR 97232**Phone:** 503-665-4995**County:** MULTNOMAH**Activity Status:** ACTIVE -- [History](#)**Population:** 822**Number of Connections:** 1**Operating Period:** January 1 to December 31**Regulating Agency:** [MULTNOMAH COUNTY](#)**[Certified Operator\(s\)](#)****Owner Type:** LOCAL GOVERNMENT

Required: N

Licensed By: OHA

Distribution class: None

Approved Drinking Water Protection Plan: No

Treatment class: None

Source Water Assessment: Yes

Filtration Endorsement Required: No

Last Survey Date: [May 18, 2021](#)**Sources**

Facility ID	Facility Name - Well Logs	Activity Status	Availability	Source Type
EP-A	EP for WELL	A		GW
SRC-AA	WELL - MULT2527	A	Permanent	GW

[Find Purchasers/Sellers](#)**Treatment**

Facility ID	Facility Name	Filter Type	Giardia Removal Credit	Treatment Process	Treatment Objective
WTP-A	TP FOR WELL			FILTRATION, GREENSAND RESID. MAINT. HYPOCHLORINATION	IRON REMOVAL OTHER

Consumer Confidence Reports (Last 5 Years)*Only community water systems require consumer confidence reports.***Cross Connection/Backflow Prevention Information (Last 3 Records)***Only community water systems require annual summary reports and annual cross connection program implementation fees.*