

Application for Water Right Transfer

Part 1 of 4 – Minimum Requirements Checklist



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

This transfer application will be returned if Parts 1 through 4 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TRANSFER APPLICATIONS

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 – Completed Transfer Application – Applicant Information and Signature.
- ☒ Part 4 – Completed Transfer Application – Water Right Information. Please include a separate Part 4 for each water right. List all water right certificates to be transferred here:
Certificate 3088 - City of Lostine, 0.557 CFS (250 GPM) to be transferred out of the total certificated amount of 2.5 CFS (1,122.5 GPM).

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Fees – Amount enclosed: \$ **1200.00**.
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- ☐ ☒ N/A Affidavit(s) of Consent.
- ☐ ☒ 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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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 For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report/Well Log.
- ☐ ☒ N/A For Temporary Transfer (one to five years) Begin Year ____ End Year ____.
- ☐ ☒ N/A For Temporary Transfer only – Current recorded deed for the land **from** which the authorized place of use is being moved.
- ☐ ☒ N/A Temporary Drought Transfer (For use in counties where the Governor has declared drought)

(For Staff Use Only)

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

- ☐ Application fee not enclosed/insufficient
- ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required
- ☐ Part ____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____ Date: ____/____/____

Part 2 of 4 – Transfer Application Map Checklist

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://www1.wrd.state.or.us/pdfs/cwre_listing.pdf. CWRE stamp and signature are not required for temporary changes and 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 white or clear paper or film.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are 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 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

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME City of Lostine - Krag Norton, Mayor			PHONE NO. 541-569-2415	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 181			FAX NO. 541-569-5116	
CITY Lostine	STATE OR	ZIP 97857	E-MAIL	

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

AGENT/BUSINESS NAME Anderson Perry - Mike Posada			PHONE NO. 541-963-8309	ADDITIONAL CONTACT NO. 541-786-2482
ADDRESS 1901 N. Fir Street			FAX NO. 541-963-5456	
CITY La Grande	STATE OR	ZIP 97850	E-MAIL mposada@andersonperry.com	

If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send copies of correspondence to Applicant; OR
- ☒ Please send all correspondence to Applicant. Send copies of correspondence to Agent.
- ☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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

If NO, include signatures of all landowners (and mailing address if different than the applicant's) or attach affidavits of consent (and mailing addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

Permanent Transfers Only (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; OR
- ☐ I affirm that 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.

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

Applicant signature

Krag D. Norton
Name (and title if applicable) (print)4-28-11
Date

Applicant signature

Name (and title if applicable) (print)

Date

In your own words tell us what change(s) you want made and the reason for the change(s): The City of Lostine wants to transfer 0.557 CFS (250 GPM) from the authorized point of diversion POD 1, for Certificate 3088 to a new point of appropriation POA 1, City Well No. 1. The remainder of the right

under Certificate 3088, 1.943 CFS (872 GPM) will remain unchanged and will not be a part of this transfer. The Place of Use for this municipal right will not change.

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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.
- ☐ 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.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. (To learn about sale agreements please visit our web site at: <http://www1.wrd.state.or.us/pdfs/Transfer-PropertyTransactions.pdf>)

RECEIVING LANDOWNER NAME N/A			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here: _____

- ☒ 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 Lostine Ditch Company	ADDRESS 83702 Highway 82	
CITY Lostine	STATE OR	ZIP 97857

- ☐ 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 N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME City of Lostine	ADDRESS P.O. Box 181	
CITY Lostine	STATE OR	ZIP 97857

ENTITY NAME Wallowa County	ADDRESS 101 S. River Street	
CITY Enterprise	STATE OR	ZIP 97828

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Part 4 of 4 – Water Right Information

Please use a separate Part 4 for each water right being changed. See instructions at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.

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CERTIFICATE # 3088

Description of Water Delivery System

System capacity: 2.5 cubic feet per second (cfs) OR

1122 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. **The City of Lostine's Municipal Water Right (Volume 4, Page 3088) in the amount of 2.5 CFS has used an 8" diameter ductile iron pipe to divert water out of the Lostine River and into a concrete box chlorination facility eventually leading into an 8" water transmission line leading into the City's water distribution system. The authorized point of diversion for Certificate 3088 is located 65 feet South and 5 feet West from the proposed point of appropriation, Lostine City Well No. 1.**

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?	Is this POA Owned Well Log ID# (or Well ID) Tag # 1	Twp	Range	Sec	1/4	1/4	1/4	1/4	Is it D/C or Gov't Dot	Measured Distances (from a recognized survey corner)
POD 1	☒ Authorized ☐ Proposed		01	S	43	E	22	NW	NE		940' South & 2,465 West from the SE Cor. Sec. 15
POA 1 Well No.1	☐ Authorized ☒ Proposed		01	S	43	E	22	NW	NE		875' South & 2,460 West from the SE Cor. Sec. 15
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

- | | |
|--|---|
| ☐ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☒ Surface Water POD to Ground Water
POA (SW/GW) | ☐ Government Action POD (GOV) |

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

- ☐ Yes Complete only the Proposed ("to" 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.

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Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 3088

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized (“from” lands) as they appear BEFORE THE CHANGES												Proposed Changes (see “CODES” from previous page)	Proposed (“to” lands) AFTER THE CHANGES											
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre(s) (if applicable)	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre(s) (if applicable)	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)		
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5
“	“	“	“	“	“	“	“	“	EXAMPLE	“	“	“	2	S	9	E	2	SW	NW	500		5.0		POD #6
										See Remarks		SW/GW									See Remarks			
TOTAL ACRES												TOTAL ACRES												

Additional remarks: The change in Point of Diversion (POD 1) to a new Point of Appropriation (POA 1, City Well No.1) for a portion of the Certificated Municipal Water Right 3088 does not involve any change in Place of Use. See Attachment "A" for the City of Lostine's water use area, the place of use for this right, which will not change during this transfer.

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 # N/A.

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist, or certified water right examiner for the proper information needed to complete the table.

Proposed or Authorized POA Name or Number	Is well already built (Yes or No)	If an existing well (WWRD Well ID #)	Total well depth	Casing Diameter	Casing intervals (feet)	Seal depths (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Screening (sand & gravel inside slot)	Well specific rate (gpm) or limit if less than full rate of water right
POA 1	Yes	Well 50886	224	12" down to 8"	224'	260'	214'	15	sand & gravel	250 gpm

STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

WELL I.D. # L 54980
START CARD # 146/03

(1) LAND OWNER Well Number 1
Name City of Jostine
Address City Hall
City Jostine State OR Zip 97852

(2) TYPE OF WORK
☐ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:
☐ Domestic ☒ Community ☐ Industrial ☐ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 224 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
16"	0	170	concrete	0	170	250 S&S
10"	170	260				

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

☒ Other Cementing shoe pump around

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12"	0	170	3/8"	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:	8"	142	164	3/8"	☐	☐	☒	☐
	8"	214	224	3/8"	☐	☐	☒	☐

Drive Shoe used ☐ Inside ☐ Outside ☐ None

Final location of shoe(s) 170 cementing shoe

(7) PERFORATIONS/SCREENS:

☐ Perforations Method Johnson
☒ Screens Type 304 Material Stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
164	214	120		8"	8"	☐	☒
						☐	☐
						☐	☐

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

☒ Pump ☐ Bailer ☐ Air ☐ Flowing
Yield gal/min Drawdown Drill stem at Time

230	102		4 hrs

Temperature of water 41 Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes ☒ No

Did any strata contain water not suitable for drinking? ☐ Yes ☒ No

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata: BEC 07 2007

(9) LOCATION OF WELL by legal description:

County Wallowa Latitude _____ Longitude _____
Township 1 N or S Range 45 E or W. WM.

Section 22 NW 1/4 NE 1/4

Tax Lot None Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) Intake Jostine River Road

(10) STATIC WATER LEVEL:

10' ft. below land surface.

Artesian pressure _____ lb. per square inch

Date Sept. 4, 2007

(11) WATER BEARING ZONES:

Depth at which water was first found 28'

From	To	Estimated Flow Rate	SWL
28	50	40 G.P.M.	6
174	177	25 G.P.M.	10
200	214	200 +	10'

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Silty Clay + Cobbles	0	28	
Cobbles w/ Little Clay	28	38	6
Cobbles w/ More Br Clay	38	48	
Small Gravel w/ Clay	48	50	
Boulders Br Clay	50	72	
Gravel + Br Clay	72	114	
Boulders Br Clay	114	174	10
Loose Sand + Gravel	174	177	
Br Clay + Gravel	177	200	
Cemented Gravel (water)	200	214	10
Br Clay + Gravel	214	220	
Tight cemented Gravel	220	260	

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Date started Aug 14, 2007 Completed Oct 2, 2007

(unbonded) Water Well Constructor Certification:

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

Signed Jody Lapenta WWC Number 1669 Date Oct 8, 2007

(bonded) Water Well Constructor Certification:

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

Signed Jody Lapenta WWC Number 1669 Date Oct 8, 2007

Attachment "A"
City of Lostine – Water Use Area

The City of Lostine Place of Use is as follows:

Section 10

SE $\frac{1}{4}$ NW $\frac{1}{4}$

SW $\frac{1}{4}$ NW $\frac{1}{4}$

SW $\frac{1}{4}$ (inclusive)

SW $\frac{1}{4}$ SE $\frac{1}{4}$

SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15

NE $\frac{1}{4}$ NW $\frac{1}{4}$

NW $\frac{1}{4}$ NW $\frac{1}{4}$

SE $\frac{1}{4}$ NW $\frac{1}{4}$

NE $\frac{1}{4}$ NE $\frac{1}{4}$

NW $\frac{1}{4}$ NE $\frac{1}{4}$

SW $\frac{1}{4}$ NE $\frac{1}{4}$

NE $\frac{1}{4}$ SW $\frac{1}{4}$

NW $\frac{1}{4}$ SE $\frac{1}{4}$

SW $\frac{1}{4}$ SE $\frac{1}{4}$

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