



State of Oregon  
**Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900

# Application for Allocation and Use of Conserved Water

Please type or print in dark ink. If your application is found to be incomplete, inaccurate or does not include the required fees, we will return it to you. If any requested information does not apply to your application, insert "n/a." If you need additional space to answer any of the questions, attach a separate sheet of writing paper and reference the section number and question. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

Name: Landowners of the Uncle John Ditch  
 Address: P.O. Box 2230, Sisters, Oregon, 97759  
 Phone(s): 541.549.8815  
 \*Fax: 541.549.8070 \*E-Mail address: manager@tsidonline.com  
 \*Optional information

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## 2. AGENT INFORMATION

The agent listed is authorized to represent the applicant in all matters relating to this allocation of conserved water application.

Name: Deschutes River Conservancy  
 Address: 700 NW Hill, Bend, OR 97701  
 Phone(s): 541.382.4077x11  
 \*Fax: 541.382.4078 \*E-Mail address: aaron@deschutesriver.org  
 \*Optional information

## 3. IRRIGATION & WATER CONTROL DISTRICTS

Is the project within the boundaries of an irrigation district or water control district?

Yes  No

If yes, include Exhibit E and list the name and mailing address of the district:

Three Sisters Irrigation District  
P.O. Box 2230  
Sisters, OR 97759

Did an irrigation district organized under ORS Chapter 545 or a water control district organized under ORS Chapter 553 file this allocation of conserved water?

Yes  No

If yes, when was the District's OAR 690-018-0025 allocation of conserved water policy adopted? 7/12/2005 and reviewed and re-adopted 7/6/2010

## 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in **Section 4** must be completed for *each* certificate, permit, decree, or other right involved in the proposed allocation of conserved water.

Water Right Subject to Transfer (check and complete **one** of the following):

<input checked="" type="checkbox"/> Certificated Right	see Table A Certificate Number	Squaw Creek Decree Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted

<input type="checkbox"/> Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
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Name on Permit, Certificate, or Decree: See table A  
 County: Deschutes

Provide the following information about the water right of record:

1. Priority Date: See Table A
2. Source of Water: Whychus Creek
3. Type of Use: Irrigation

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Does the application have a water right involving more than one water right holder?  Yes  No

Yes  No

If yes, are all water right holders applying for this allocation of conserved water?

Yes  No. If no, see Exhibit J.

A) What is the maximum rate and annual duty (volume) of water that may be diverted as stated on the water right of record? *(If the water right is only limited by rate, do not list a duty, and conversely, if the water is only limited by duty, do not list a rate.)*

1. Rate\* (cfs): 7.69 cfs at UJD POD and 4.31cfs at TSID Main POD

*Note: 1 miner's inch = 1/40 cfs; 1 cfs = 448.8 gpm*

2. Duty\* (acre feet): No Duty Assigned to Right

*Note: 1 cfs = 1.983471 ac-ft/day*

\* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.

B) What is the maximum amount of water that can be diverted using the pre-project facilities? *(If the water right is only limited by rate, do not list a duty, and conversely, if the water is only limited by duty, do not list a rate.)*

1. Rate (cfs): 15 cfs at UJD and 200 cfs at TSID Main

2. Duty (acre feet): No Duty Assigned to Right

C) Describe the pre-project water delivery system. Include information on the diversion structure, pumps, and conveyance facilities (including canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use). *Provide sufficient detail to confirm that the applicant is ready, willing, and able to exercise the right.*

Just over 12 cfs of water from Whychus Creek is diverted and conveyed by Uncle John Ditch to nearly 600 acres of irrigated lands. The main ditch is 3.8 miles in length and crosses USFS property before entering private lands. A seepage analysis conducted by Black Rock Engineering determined that an average of 22% of water is lost to leakage when the the ditch conveys the the full amount of certificated irrigation water. The point of diversion for Uncle John Ditch is unscreened. At the beginning of every irrigation season heavy equipment is used to construct a push-up dam in the river channel. An unmetered headgate just down from the point of diversion regulates flow into the main canal. Excess water is ponded and spills back into the creek near the point of diversion. Several of the partons of Uncle John Ditch use pumps to pressurize their water for sprinkler irrigation, while others flood irrigate. \*\* Note: As part of the piping project a POD transfer application has been submitted to OWRD requesting that water rights diverted at the Uncle John Ditch POD be diverted downstream at the TSID's recently screened Main Diversion. This POD transfer has been assigned transfer number T11318 by OWRD. Following the POD transfer and the

conserved water project, all water listed in this application and conveyed by Uncle John Ditch will be diverted at TSID Main POD, conveyed a short distance in the main pipe and turned into a piped Uncle John system.

**5. CONSERVATION MEASURES**

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A) Describe the type of project, check all that apply:

- On-Farm efficiency project
- Distribution project, such as a ditch piping or lining project
- Other, \_\_\_\_\_

B) Describe the proposed changes to the physical system, operations and application methods that will result in the conservation of water. If these proposed changes will change the point of diversion, see point of diversion requirement for Exhibit B. *Provide sufficient detail for public noticing the project.*

This project proposes to pipe 3.8 miles of open Uncle John Ditch starting at the intersection of the ditch with TSID Main pipeline. The pipe will consist of 24", 18", and 10" diameter HDPE pipe. The point of diversion for Uncle John Ditch is located upstream of TSID's main diversion and is currently unscreened. Because of the canal's close proximity to TSID's main line this project proposes to transfer the point of diversion for all water rights associated with Uncle John Ditch downstream to TSID's now screened main diversion, convey this water a short distance in the recently piped main canal and then turn the water into a piped Uncle John system via the current turnout. This piped system will deliver pressurized water to TSID partons and eliminate pumping costs and result in a significant amount of conserved water.

C) Place of Use\*: See Table A- Uncle John Ditch water rights.

Township	Range	Section	Quarter/Quarter	Total No. Acres
* Not required for a distribution project that does not propose to affect the on-farm rate or duty. If the entire water right is being affected, just state "entire right affected."				

**6. CONSERVED WATER**

A) What amount of water will be needed for the existing, authorized use after implementing conservation measures? *(If the water right is only limited by rate, do not list a duty, and conversely, if the water is only limited by duty, do not list a rate.)*

1. Rate\* (cfs): 9.516 cfs (includes portions of water right 85393 that will not be included in the conserved water application)

2. Duty\* (acre feet): \_\_\_\_\_

\* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.

B) What amount of water will be conserved as a result of the implementation of the conservation measures? Subtract 6A from the smaller of 4A or 4B under "irrigation system" above.

1. Rate\* (cfs): 2.49

2. Duty\* (acre feet): \_\_\_\_\_

\* If there are multiple **Priority Dates** on the water right, list the rate and duty by priority date.

C) What portions of the conserved water will be allocated to the state and applicant?

1. Portion going to the state (list by percent, rate and duty):

100 Percent protected from April 1-November 1 and any other time TSID is diverting  
Rate (cfs) N/A Duty (AF)

2. Portion going to the applicant (list by percent, rate and duty):

0 Percent \_\_\_\_\_ Rate (cfs) \_\_\_\_\_ Duty (AF)

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- D) The priority for the conserved water is requested to be:
- The same as the original right, or
  - One minute junior to the original right.
- E) If all or part of the applicants' portion of the conserved water is to be used for an out-of-stream use at an identified location:
1. Name and address of the person using the water: \_\_\_\_\_
  2. Description of the type of beneficial use of the water: \_\_\_\_\_
  3. Legal description of the place of use: \_\_\_\_\_
- F) If all or part of the applicants' portion of the conserved water is to be leased\*, dedicated or temporarily reserved instream, a statement identifying the quantity of water to be managed as an instream water right: The applicants intend to permanently place 100% of the conserved water instream.
- \* Water can be temporarily protected instream without filing an OAR 690-077 Instream Lease application.*

### 7. LOCATION OF PROPOSED USE

- A) For new out-of-stream uses, describe the boundaries of the expected area within which the diversion structures and places of use of the applicants' conserved water right would be located. This is land other than that to which this water right is appurtenant. See Exhibit B.
- \_\_\_\_\_
- B) For instream uses, to the extent possible, identify the stream reach(es) for which the state's portion of the conserved water should be managed under an instream water right. Be as explicit as possible, by giving river miles, or other identifying information that might be included in the instream certificate.
- From the Uncle John Ditch diversion on Whychus Creek (approx. RM 23.75) to the mouth of Whychus Creek (RM 0) and to Lake Billy Chinook ( RM 120) on the middle Deschutes River.
- C) Describe the proposed benefit to instream uses.
- for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.
  - other, please describe: \_\_\_\_\_

### 8. MITIGATION

- A) Describe any expected effects on other water rights from the proposed allocation of conserved water. Identify what currently happens to the water that is proposed to be conserved.
- No effects to other appropriators are expected from the proposed allocation of conserved water. The water to be conserved is lost from the system through seepage and is not available to other appropriators on Whychus Creek.
- B) Describe any mitigation or other measures that are planned to avoid harm to other water rights.
- No harm to other water rights will occur from this project.

### 9. FUNDING

If more than 25% of the conserved water is proposed to be allocated to the applicant then provide Exhibit C and identify what portion of project funds (expressed as a percentage) come from federal or state public sources that are not subject to repayment. N/A

Does the Oregon Watershed Enhancement Board (OWEB) have a contractual interest in this project?

Yes  No      If yes, what is the OWEB project number? to be determined

### 10. PROJECT SCHEDULE

If project is not yet complete:

Proposed date construction has/will begin: February 1, 2012

Proposed date construction will be completed and notice of project completion will be filed: July 1, 2012

Proposed date the project will be finalized: September 1, 2012

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If project is already complete:

Date it was implemented: \_\_\_\_\_ (Provide Exhibit K)

The applicant requests:

- That the allocation be finalized, or
- Additional time be granted to prove that the project worked to the applicant's satisfaction before finalizing the allocation of conserved water. Indicate the amount of time desired \_\_\_\_\_ (up to five years after completion of the project may be allocated).

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### 11. ACKNOWLEDGMENT OF FORFEITURE

*Complete this if the Certified Water Right Examiner's map shows less acreage has been irrigated over the past five years than allowed under the right.*

I am aware that \_\_\_\_\_ acre(s) have not been irrigated for the last five years and I am abandoning that portion of the water right and make no further claim for the water. I ask that this \_\_\_\_\_ acre(s) portion of the right be permanently canceled.

### 12. EXHIBITS

*Check each of the following attachments included with this application. All attachments are required unless otherwise noted. The application will be returned if all required attachments are not included.*

#### **Exhibit (Form) A – Evidence of Use Affidavits**

- Provide if 1) it is an on-farm efficiency project, or 2) specific acreage is being affected by the project. *Consult with Department staff regarding the evidence needed for distribution projects. At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy. The form is available at [http://www1.wrd.state.or.us/pdfs/Supplemental\\_Form\\_B.pdf](http://www1.wrd.state.or.us/pdfs/Supplemental_Form_B.pdf).*

#### **Exhibit B – Map**

- Provide if the entire water right is not part of the conservation project and/or new lands shall receive water. *Consult with Department staff if there is any question regarding the need for submittal. See OAR*

#### **Exhibit H - Ownership & Lien Information**

- Provide if application involves:
  - on-farm efficiency project, and/or
  - distribution project affecting specified lands. Provide a report of ownership and lien information or a current recorded deed to the subject lands.

#### **Exhibit I – Support Letters from ODFW, DEQ and OPRD**

- Letters from ODFW, DEQ, and OPRD indicating that they have been consulted and indicating that at least one of the agencies attests that conserved water is needed to support instream uses. See OAR 690-018-0050(4)(f).

690-018-0040(17) and 690-018-0062(3)(a).

**Exhibit C - Project Funding Description**

- Provide if more than 25% of water goes to applicant. See OAR 690-018-0040(18).

**Exhibit D – Identification and Resolution of Water Right Conflicts**

- Provide if construction has begun or been completed and if more than 25% of the project costs have been expended prior to filing this application. See OAR 690-018-0040(19).

**Exhibit E – Letter of Approval from the Irrigation District**

- Provide if project is located within boundaries of an irrigation district and the district is not the applicant. See OAR 690-018-0040(20).

**Exhibit F – District Conserved Water Policy**

- Provide if applicant is an Irrigation District or Water Control District. See OAR 690-018-0040(21) & 690-018-0025.

**Exhibit G - Land Use Information Form**

- See OAR 690-018-0040(22).  
The land use form is available at:  
<http://www1.wrd.state.or.us/pdfs/landuseform.pdf>

**Exhibit J –Water Right Clarification & Notification of Affected Persons**

- Provide if the application involves water rights for
- lands under multiple ownerships and not all of the water right holders are applicants, and the project is not being submitted by a District as a distribution project and/or
  - which the current final proof survey maps for lands involved in the application do not adequately describe the location of the place of use or the associated priority dates of the associated water rights

*Consult with Department staff if there is any question regarding the need for submittal.*

**Exhibit K –Evidence that the Project was Implemented Within 5 Years.**

- Provide if project was completed before application submittal. See OAR 690-018-0040(12)(a).

**Fees:**

- Amount enclosed: \$ 2,375  
See OAR 690-018-0040(25) and the Department's Fee Schedule at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fes](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fes) or call (503) 986-0900.

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**13. SIGNATURE**

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

L ANDREWSON OF Uncle John DITCH See attached Landowner Signatures 1-2/1/11  
applicant signature name (print) date

[Signature] Aaron Maxwell(DRC) 1/5/2012  
agent signature name (print) date

**Before submitting your application, be sure you have:**

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all water right holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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SALEM, OREGON**

# 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 DESCHUTES)

I, EILEEN STEIN, in my capacity as CITY MANAGER,  
 mailing address P.O. BOX 39 SISTERS, OREGON 97759  
 telephone number (541)323-5205, being first duly sworn depose and say:

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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 on the **entire** place of use for Certificate # 85384,85385,85389,85390,85391,85392; **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 # 85384,85385,85389,85390,85391,85392 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.): \_\_\_\_\_

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.

Gilbert Stein  
Signature of Affiant

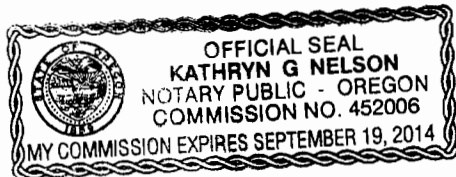
12/19/11  
Date

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WATER RESOURCES DEPT  
SALEM, OREGON

Signed and sworn to (or affirmed) before me this 19 day of December 2011.



Kathryn G. Nelson  
Notary Public for Oregon

My Commission Expires: 9/19/14

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> 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"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

# 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 )

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SALEM, OREGON

I, SHARON AMESTOY, in my capacity as OWNER,  
mailing address 7209 SE MADISON ST PORTLAND, OREGON 97215-2937  
telephone number (503)282-0051, 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 on the entire place of use for  
Certificate # 74135,85393,85387,85388; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

**OR**

- Confirming Certificate # 74135,85393,85387,85388 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.): \_\_\_\_\_

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.

*Sharon Amestoy*  
Signature of Affiant

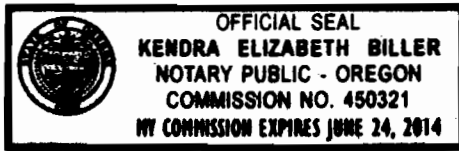
12/21/2011  
Date

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WATER RESOURCES DEPT  
SALEM, OREGON

Signed and sworn to (or affirmed) before me this 21 day of December 2011.



*Kendra E. Biller*  
Notary Public for Oregon

My Commission Expires: 6/24/2014

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> 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"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

# Application for Water Right Transfer

## Evidence of Use Affidavit



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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 )

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WATER RESOURCES DEPT  
 SALEM, OREGON

I, PAUL FERDER, in my capacity as PARTNER FOR LAZY Z RANCH,  
 mailing address \_\_\_\_\_

telephone number (503)585-9197, 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 on the **entire** place of use for Certificate # 74135 AND 85393; **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)

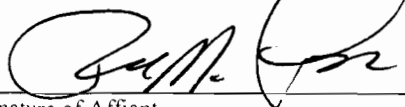
**OR**

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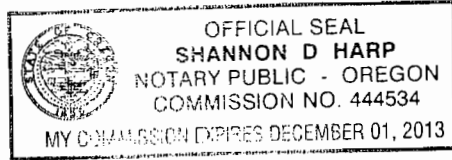
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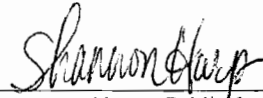
  
 \_\_\_\_\_  
 Signature of Affiant

12-22-11  
 Date

**RECEIVED**  
 JAN 12 2012  
 WATER RESOURCES DEPT  
 SALEM, OREGON

Signed and sworn to (or affirmed) before me this 22nd day of Dec, 2011.





Notary Public for Oregon

My Commission Expires: 12-1-13

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> 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"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos:            OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>            OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>            Google Earth – <a href="http://earth.google.com">earth.google.com</a>            TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

**Water Right Transfer  
EVIDENCE OF USE AFFIDAVIT**

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JAN 2 2012

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
County of Deschutes ) ss

I, Randall James Gardner, in my capacity as Rob Ranch L.L.C. Manager  
mailing address P.O. Box 1671 Sisters, OR. 97759  
telephone number (541) 325-3020, 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 on the **entire** place of use for Certificate # 74135; ~~OR~~ 85387, 85388

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 Section	Gov't Lot or DLC	Acres (if applicable)

**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 that portion not leased instream.); **OR**

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)

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.

3. The water right was used for: (e.g., crops, pasture, etc.): Pasture

(continues on reverse side)

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

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JAN 12 2012

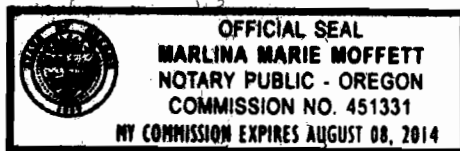
WATER RESOURCES DEPT  
SALEM, OREGON

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]  
Signature of Affiant

12/15/11  
Date

Signed and sworn to (or affirmed) before me this 15<sup>th</sup> day of December, 2011.



[Signature]  
Notary Public for Oregon

My Commission Expires: 08/08/2014



Supporting Documents	Examples
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
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos:  OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>  OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>  Google Earth – <a href="http://earth.google.com">earth.google.com</a>  TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

**Water Right Transfer  
EVIDENCE OF USE AFFIDAVIT**

**RECEIVED**

JAN 12 2012

WATER RESOURCES DEPT  
SALEM, OREGON

State of Oregon )  
County of DESCHUTES ) ss

I, Bruce Robinson, in my capacity as MANAGING MEMBER  
mailing address 1679 ALTA MOUNTAIN PACIFIC PROVISIONS, CA.  
telephone number (310) 600 5455, 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 on the **entire** place of use for Certificate # 85386 ~~OR~~ 85392, T 10900

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 Section	Gov't Lot or DLC	Acres (if applicable)

**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 that portion not leased instream.); **OR**

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)

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.

3. The water right was used for: (e.g., crops, pasture, etc.): PASTURES/WILDLIFE

(continues on reverse side)

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



JAN 12 2012

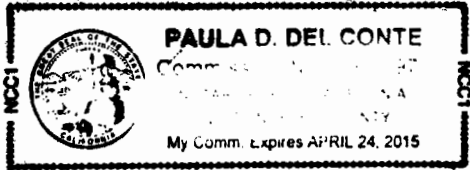
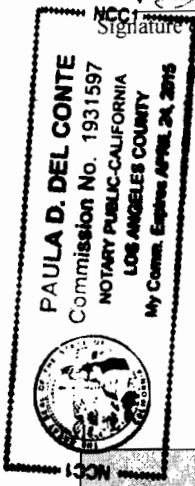
WATER RESOURCES DEPT  
SALEM, OREGON

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.

*Bruce Lopez*  
Signature of Affiant

12/1/11  
Date

Signed and sworn to (or affirmed) before me this 1 day of Dec, 2011.



*Paula D. Del Conte*  
Notary Public for Oregon *California (S.C.)*

My Commission Expires: 4/24/2015

\* SEE ATTACHED ACKNOWLEDGEMENT

Supporting Documents	Examples
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
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>Power usage records for pumps associated with irrigation use</li> <li>Fertilizer or seed bills related to irrigated crops</li> <li>Farmers Co-op sales receipt</li> </ul>
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>District assessment records for water delivered</li> <li>Crop reports submitted under a federal loan agreement</li> <li>Beneficial use reports from district</li> <li>IRS Farm Usage Deduction Report</li> <li>Agricultural Stabilization Plan</li> <li>CREP Report</li> </ul>
Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right.</p> <p>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.</p> <p>Sources for aerial photos:  OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>  OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>  Google Earth – <a href="http://earth.google.com">earth.google.com</a>  TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

**ACKNOWLEDGMENT**

State of California  
County of LOS ANGELES )

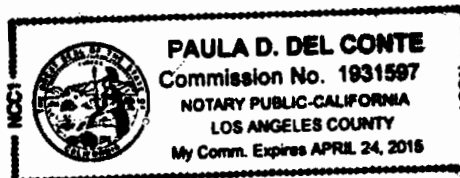
On DEC 1, 2011 before me, Paula D. DelConte  
(insert name and title of the officer)

personally appeared BRUCE ROENLIEN  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Paula D. DelConte (Seal)



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JAN 12 2012

WATER RESOURCES DEPT  
SALEM, OREGON

# 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 DESCHUTES)

I, BILL WILLITTIS, in my capacity as OWNER,  
 mailing address 800 BUCKAROO TRAIL SISTERS, OREGON 97759  
 telephone number (541)549-4955, being first duly sworn depose and say:

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JAN 12 2012

WATER RESOURCES DEPT  
 SALEM, OREGON

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 on the **entire** place of use for Certificate # 85387; **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)

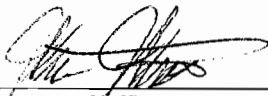
**OR**

- Confirming Certificate # 85387 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.): \_\_\_\_\_

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

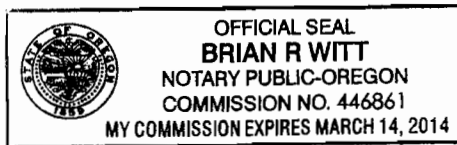
12-16-2011  
 \_\_\_\_\_  
 Date

**RECEIVED**

JAN 12 2012

WATER RESOURCES DEPT  
 SALEM, OREGON

Signed and sworn to (or affirmed) before me this 16 day of December, 2011.





\_\_\_\_\_  
 Notary Public for Oregon

My Commission Expires: 3-14-14

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> 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"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos:            OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>            OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>            Google Earth – <a href="http://earth.google.com">earth.google.com</a>            TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

TABLE A

Current Cert	Name on Certificate	Priority	Acres	Rate (cfs)	T	R	Sec	QQ	TL	Acres
86824	City of Sisters	12/31/1880	59.5	1.23	15	10	10	NE SW	704	18
86824	City of Sisters	12/31/1880			15	10	10	NW SW	704	0.3
86824	City of Sisters	12/31/1880			15	10	10	SW SW	704	1.2
86824	City of Sisters	12/31/1880			15	10	10	SE SW	704	37
86824	City of Sisters	12/31/1880			15	10	10	SW SE	704	3
83355	G.W. McFarlane (City of Sisters)	12/31/1880	30	0.62	15	10	10	SW SE		30
85389	City of Sisters	12/31/1880	2.5	0.08	15	10	10	NW SE	704	2.4
85389	City of Sisters	12/31/1880			15	10	10	SW SE	704	0.1
85391	City of Sisters	12/31/1880	3	0.1	15	10	10	SW SW	704	3
86828	City of Sisters	12/31/1880	18	0.57	15	10	10	SW SE	704	3
86828	City of Sisters	12/31/1880			15	10	10	SE SE	704	4.2
86828	City of Sisters	12/31/1880			15	10	10	NE NE	200	10.8
86828	City of Sisters	12/31/1881	35.5	0.71	15	10	15	NE NE	200	6.6
86826	City of Sisters	12/31/1881			15	10	15	NM NE	200	28.9
85392	ROGLIEN	1886	30	0.6	15	10	10	SW NW	706	9.9
85392	ROGLIEN	1886			15	10	10	SE NW	706	12.8
85392	ROGLIEN	1886			15	10	10	NE SW	706	0.3
85392	ROGLIEN	1886			15	10	10	NW SW	706	0.2
85392	City of Sisters	1886			15	10	15	NW NE	200	7
T 10910	MORROW	1889	20	0.4	15	10	11	SW SW	1300	20
85386	ROGLIEN	12/31/1895	40	0.8	15	10	10	SW NE	706	3.6
85386	ROGLIEN	12/31/1895			15	10	10	SW NW	706	18.8
85386	ROGLIEN	12/31/1895			15	10	10	SE NW	706	16.1
85386	ROGLIEN	12/31/1895			15	10	10	NE SW	706	1.5
T 10910	MORROW	12/31/1895	60.7	1.214	15	10	10	NE SE	1300	2.1
T 10910	MORROW	12/31/1895			15	10	10	SE SE	1300	9
T 10910	MORROW	12/31/1895			15	10	10	SW SW	1300	1.5
T 10910	MORROW	12/31/1895			15	10	10	SE SW	1300	9.9
T 10910	MORROW	12/31/1895			15	10	10	NE SW	1300	16.6
T 10910	MORROW	12/31/1895			15	10	10	SW NW	1300	0.7
T 10910	MORROW	12/31/1895			15	10	11	SE NW	1300	14.6
T 10910	MORROW	12/31/1895			15	10	11	NW SW	1300	6.3
T 10900	ROGLIEN	12/31/1895	20	0.4	15	10	10	SW NW	706	5.7
T 10900	ROGLIEN	12/31/1895			15	10	10	SE NW	706	3.1
T 10900	ROGLIEN	12/31/1895			15	10	10	NE SW	706	1.9
T 10900	ROGLIEN	12/31/1895			15	10	10	SW NE	706	9
T 10900	ROGLIEN	12/31/1895			15	10	10	NW SW	706	0.3
85393	AMESTOY	1900	24.6	0.492	15	10	10	SW NE	702	0.9
85393	AMESTOY	1900			15	10	10	SE NE	702	6.8
85393	AMESTOY	1900			15	10	10	NE SE	702	6.8
85393	AMESTOY	1900			15	10	10	NW SE	702	2
85393	Lazy Z	1900			15	10	10	NE SW	700	8.1
T8900/74135	Lazy Z LLC	1903	115	2.3	15	10	10	SE NE	702	0.3
T8900/74135	Lazy Z LLC	1903			15	10	10	SE NW	700	2.9
T8900/74135	Lazy Z LLC	1903			15	10	10	NE SW	700	0.8
T8900/74135	Lazy Z LLC	1903			15	10	10	NE SE	702	8.9
T8900/74135	Horse Heaven Ranch, LLC (POULUS)	1903			15	10	10	SW NE	700	19.1
T8900/74135	Horse Heaven Ranch, LLC (POULUS)	1903			15	10	10	NW SE	700	23.4
T8900/74135	Horse Heaven Ranch, LLC (POULUS)	1903			15	10	10	SW SE	700	0.6
T8900/74135	Cherry Hills acres, LLC (MORROW)	1903			15	10	11	SW NW	1300	3.3
T8900/74135	Cherry Hills acres, LLC (MORROW)	1903			15	10	11	NE SW	1300	5.4
T8900/74135	Cherry Hills acres, LLC (MORROW)	1903			15	10	11	NW SW	1300	24
T8900/74135	Cherry Hills acres, LLC (MORROW)	1903			15	10	11	SW SW	1300	20.5
T8900/74135	Cherry Hills acres, LLC (MORROW)	1903			15	10	11	SE SW	1300	5.8
85387	WILLITS	1908	72	1.44	15	10	10	SW NW	800	1.3
85387	WILLITS	1908			15	10	10	NW SW	800	3.7
85387	AMESTOY	1908			15	10	10	NE SE	702	17.8
85387	AMESTOY	1908			15	10	10	SW SE	702	0.3
85387	AMESTOY	1908			15	10	10	SE SE	702	8.9
85387	MORROW	1908			15	10	11	NW SW	1300	10
85387	MORROW	1908			15	10	11	SW SW	1300	24
85387	MORROW	1908			15	10	11	SE SW	1300	6
85388	AMESTOY	1912	29.4	0.37	15	10	10	SE NE	702	11.9
85388	AMESTOY	1912			15	10	10	NE SE	702	2.6
85388	MORROW	1912			15	10	10	NE SE	1300	2.1
85388	MORROW	1912			15	10	10	SE SE	1300	9
85388	MORROW	1912			15	10	11	SW SW	1300	3.8
		TOTAL	560.2	11.326						560.2

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WATER RESOURCES DEPT  
SALEM, OREGON

Note: A POD transfer has been submitted to OWRD that would move the POD for Uncle John Ditch to TSID's Main Diversion (T 11318)