



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

Application for Water Right Temporary or Drought Temporary Transfer Part 1 of 4 – Minimum Requirements Checklist

This temporary 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.

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Completed Temporary Transfer Application – Applicant Information and Signature.
- ☒ Part 4 – Completed Temporary Transfer Application – Water Right Information. Please include a separate Part 4 for each water right. List all water right certificates to be transferred here: _____.

- ☒ ☐ N/A For Temporary Transfer (one to five years) Begin Year 2013 End Year 2018
- ☐ ☒ N/A Temporary Drought Transfer (For use in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Current recorded deed for the land from which the authorized place of use is temporarily being moved. (Please see T File 10836)
- ☐ ☒ N/A Affidavit(s) of Consent.
- ☒ Fees – Amount enclosed: \$ 984.00
See <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fees> or call (503) 986-0883.
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the 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. (Please see T File 10836)
- ☐ ☒ N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, if necessary to convey the water to the new temporary place of use, Water Well Report(s)/Well Log(s).

(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: ___/___/___

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Part 2 of 4 – Temporary Transfer Application Map Checklist

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

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

- ☐ ☒ 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 Proposed temporary 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) to convey water to the new temporary place of use, 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°).

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Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME <u>Tom Davis Livestock Co. Mike Davis</u>		PHONE NO. <u>2301 541-4195</u>	ADDITIONAL CONTACT NO. <u>541-589-2122</u>
ADDRESS <u>42970 Kueny Ranch Ln</u>			FAX NO.
CITY <u>Princeton</u>	STATE <u>OR</u>	ZIP <u>97721</u>	E-MAIL** <u>kuenyranch@yahoo.com</u>

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

AGENT/BUSINESS NAME <u>Mike Davis</u>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <u>Same as Above</u>			FAX NO.
CITY	STATE	ZIP	E-MAIL**

** 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.

☐ 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 and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed. Mike Davis

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

<u>Mike Davis</u> Applicant signature	<u>Mike Davis V.P.</u> Print Name (and Title if applicable)	<u>9-23-12</u> Date
<u>V.P. & Partner of Tom Davis Livestock</u> Applicant signature	<u>Tom Davis Livestock</u> Print Name (and Title if applicable)	<u></u> Date

In your own words tell us what change(s) you want made and the reason for the change(s):

I wish to renew the time needed that has
expired on T-10836

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☐ 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.)

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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Harney County Planning Dept	ADDRESS	
CITY Burns	STATE OR	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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/docs/Hints_Forms_MS_Word.doc.

CERTIFICATE # 84245

Description of Water Delivery System

System capacity: ~~4.75~~ 4.75 cubic feet per second (cfs) OR
_____ 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. Well pumps into open ditch.
Ditch is approximately 3 feet by 3 feet

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 6	☒ Authorized ☐ Proposed		36 S	33 E	9	SE SE		10-N 1300-W 4m SE cor, 59
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- ☒ Place of Use (POU) ☐ Appropriation/Well (POA)
☐ Point of Diversion (POD) ☐ Additional Point of Appropriation (APOA)
☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU) ☐ Point of Appropriation/Well (POA)
☐ Character of Use (USE) ☐ Additional Point of Appropriation (APOA)
☐ Point of Diversion (POD) ☐ Additional Point of Diversion (APOD)

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 Temporary Changes to Water Right Certificate # 84245

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$, 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 ("to" lands) AFTER THE CHANGES										
Twp	Rng	Sec	1/4	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	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
2 S	9 E	15	NE NW	100		15.0	Irrigation	POD #1	1901	POU/POD	2 S	9 E	1	NW NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2 S	9 E	2	SW NW	500		5.0		POD #6	1901
					</															

Attachment B

Source: WELL 6 within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	33 E	WM	9	SE SE	WELL No. 6 - 10 FEET NORTH AND 1300 FEET WEST FROM THE SE CORNER OF SECTION 9.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	SE SW	26.5
36 S	33 E	WM	15	NE NW	40.0
36 S	33 E	WM	15	NW NW	20.0
36 S	33 E	WM	15	SW NW	20.0
36 S	33 E	WM	15	SE NW	40.0
36 S	33 E	WM	15	NE SW	16.6
36 S	33 E	WM	15	NW SW	6.6
36 S	33 E	WM	15	SW SW	6.8
36 S	33 E	WM	15	SE SW	15.5
Total					192.0

3. Temporary Transfer Application T-10836 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	9	NE NE	2.5
36 S	33 E	WM	9	SE NE	3.5
36 S	33 E	WM	9	NE SE	21.0
36 S	33 E	WM	9	SE SE	16.0
36 S	33 E	WM	10	NE NW	11.0
36 S	33 E	WM	10	NE NW	15.0
36 S	33 E	WM	10	NW NW	34.1
36 S	33 E	WM	10	SW NW	33.0
36 S	33 E	WM	10	SW NW	5.4
36 S	33 E	WM	10	SE NW	1.3
36 S	33 E	WM	10	SE NW	29.0
36 S	33 E	WM	10	NE SW	8.5
36 S	33 E	WM	10	NW SW	11.7
Total					192.0

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4. Notice of the application for temporary transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
5. Water Right Certificates 20919 and 49182 are located on the proposed place of use. The applicant has stated that these rights will not be exercised on the proposed place of use during the duration of the temporary transfer.

For Place 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: _____

20919 and 49182

Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540-610.

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation if necessary to convey the water to the new temporary place of use:

- ☐ 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)

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, 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). If less than full rate of water right

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