

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application <u>will be returned</u> 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.

Chec	k all iter	ns included with this application. $(N/A = Not Applicable)$
\boxtimes		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 . If you have questions, call Customer Service at (503) 986-0801.
		Part 4 – Completed Applicant Information and Signature.
		Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? List them here: 46732 Please include a separate Part 5 for each water right. (See instructions on page 6)
		Attachments:
\boxtimes		Completed Transfer Application Map.
\boxtimes		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.)
	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	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): 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: /

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

1	matches t	he 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.
\boxtimes		Permanent quality printed with dark ink on good quality paper.
		The size of the map can be $8\frac{1}{2}$ x 11 inches, $8\frac{1}{2}$ 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.
\boxtimes		A north arrow, a legend, and scale.
		The scale of the map must be: $1 \text{ inch} = 400 \text{ feet}$, $1 \text{ inch} = 1,320 \text{ feet}$, 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 $1 \text{ inch} = 1,320 \text{ feet}$, or a scale that has been pre-approved by the Department.
		Township, Range, Section, ½ ¼, DLC, Government Lot, and other recognized public land survey lines.
\boxtimes		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 least one digit after the decimal (example $-42^{\circ}32^{\circ}15.5^{\circ}$) or degrees-decimal with five or more digits after the decimal (example -42.53764°).

Revised 7/1/2013

	FEE WORKSHEET for PERMANENT TRANSFER Part 3 of 5	- Fee	Worksheet
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed:		
	☐ Place of Use		
	Character of Use		
	☐ Point of Diversion/Appropriation		
	Number of above boxes checked = $1 (2a)$		
	Subtract 1 from the number in line $2a = (2b)$ If only one change, this will be 0		
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer <u>1 (3a)</u>		
	Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will</i>		
_	be 0	_	_
3	Multiply line 3b by \$450 and enter » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD		
	to a well?		
	No: enter 0 » » » » » » » » » » » » » » » » » »		
4		4	\$350
	Do you propose to change the place of use or character of use?		
	\square No: enter 0 on line 5 \square		
	Yes: enter the cfs for the portions of the rights to be transferred (see		
	example below*):(5a)		
	Subtract 1.0 from the number in 5a above:(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)	_	_
5	and multiply 5c by \$300, then enter on line 5 » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$1350
	Is this transfer:		
	necessary to complete a project funded by the Oregon Watershed		
	Enhancement Board (OWEB) under ORS 541.932?		
	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 »	_	
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » »	7	***
8	Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:	8	\$1350

*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:

- 1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs \div 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).
 - b. 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 ac x 0.0125 cfs/ac = 0.56 cfs)
- 2. 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	\$725.00
	Number of wells included in substitution (2a)		
	Subtract 1 from the number in 3a above: (2b) If only one well this will be 0		
2	Multiply line 2b by \$350 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			PHONE NO.	ADDITIONAL CONTACT NO.					
Steve & Patricia Malcom		(541)-276-0230	(541)-377-2796						
ADDRESS				FAX NO.					
70831 Schroeder Rd.									
CITY	STATE	ZIP	E-MAIL						
Pendleton	Or	97801							
BY PROVIDING AN E-MAIL A	DDRESS, C	ONSENT IS GIVEN	TO RECEIVE ALL COR	RRESPONDENCE FROM THE					
DEPARTMENT ELECTRONICA									
APPLICANT/BUSINESS NAME			PHONE NO. ADDITIONAL CONTACT N						
James Malcom			(541)-276-1920	(541)-240-1920					
ADDRESS				FAX NO.					
560 NW 21 st ST									
CITY	STATE	ZIP	E-MAIL						
Pendleton Or 97801 jmalcom01@yahoo.com									
BY PROVIDING AN E-MAIL A	DDRESS, C	CONSENT IS GIVEN	TO RECEIVE ALL COR	RRESPONDENCE FROM THE					
DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.									

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:
The property has been subdivided. The new parcels tax lots 501 & 502 do not have the authorized well located on them. The transfer application is to allow irrigation from one existing well located on tax lot 501 and one proposed well to be drilling upon transfer approval on tax lot 502. An Order approving the transfer for these parcels of land would prevent any future conflicts if the property holding the authorized well is to sell.
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".
Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)
Check One Box Solution Sequence of the draft preliminary determination and prior to Department approval of the transfer, We will be required to provide landownership information and evidence that we are 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 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.

Applicant signature	Print Name (and Title if applicable)	Date
Applicant signature	Print Name (and Title if applicable)	Date
and/or e-mail addresse	☐ Yes ☐ No If NO, include signatures is if different than the applicant's) or attach afful landowners or individuals/entities to which the	idavits of consent (and mailing
and/or e-mail addresse mail addresses) from a (we) affirm that the informati	s if different than the applicant's) or attach aff ll landowners or individuals/entities to which t on contained in this application is true a	idavits of consent (and mailing the water right(s) were conveyed the water right(s) and accurate.
and/or e-mail addresse. mail addresses) from a	s if different than the applicant's) or attach aff ll landowners or individuals/entities to which t	idavits of consent (and mailing he water right(s) were conveyed

Check the following boxes to	hat apply	:							
The applicants are recontinue to be sent to	-		pletion o	of change(s). N	otices and co	rrespondence shou			
The receiving landor final order is issued.		-				• ,			
Both the receiving la Copies of notices an				-	-				
At this time, are the lands in	ı this tran	sfer appli	cation in	n the process of	being sold?	☐ Yes ⊠ No			
If YES, and you know v information table below assignment will have to	. If you d	lo not kno	ow who		-	•			
If a property sells, the counless a sale agreement http://www.oregon.gov/	or other o	locument	states o	therwise. For n	nore informat				
RECEIVING LANDOWNER NAME				PHONE NO.	ADDITIC	ONAL CONTACT NO.			
N/A ADDRESS					FAX NO.				
CITY	STATE	ZIP		E-MAIL					
Describe any special owners Check here if any of the an irrigation or other wa	water rig	hts propo	sed for	transfer are or v					
IRRIGATION DISTRICT NAME N/A			ADDRES	S					
CITY			STATE		ZIP				
Check here if water for a for stored water with a f	•	-			rvice agreem	ent or other contrac			
ENTITY NAME N/A			ADDRES	S					
CITY			STATE		ZIP				
To meet State Land Use Co corporation, or tribal govern									
ENTITY NAME Umatilla County			ADDRES 216 SE						
CITY Pendleton			STATE		ZIP 97801				



INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following

instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**; **OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**; **OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing** in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, -mark through any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

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 # 46732

Description of Water Delivery System

System capacity: <u>0.16</u> cubic feet per second (cfs) **OR**74 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.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA) $\label{eq:potential} % \begin{subarray}{ll} \end{subarray} \begin{subarray}$

(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)	T	wp	Rn	g	Sec	1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		1/4 1/4		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
TL 500 well	□ Authorized □ Proposed	UMAT 277	1	N	32	Е	3	NW	NW	Glot 4 TL 500	(1100' S & 1010' E from NW Corner of Sec. 3) Per this application Survey: 980' S & 1000' E from NW Cor, of Sec. 3																				
TL 501 well #1	☐ Authorized ☐ Proposed	UMAT 53616	1	N	32	E	3	NW	NW	Glot 11 501	1240' S & 1130' E from NW Corner of Sec. 3																				
TL 502 well #2	☐ Authorized ☐ Proposed		1	N	32	E	3	NW	NW	Glot 4 502	770' S & 730' E from the NW Corner of Sec. 3																				
	☐ Authorized ☐ Proposed																														

Check a	ill type(s) of change(s) proposed below (c	hange	e "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 Points 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	wate	r right?
Yes	Complete only the Proposed ("to" or "on" "CODES" listed above to describe the pro		s) section of Table 2 on the next page. Use the changes.
No No	Complete all of Table 2 to describe the po	rtion	of the water right to be changed.

Table 2. Description of Changes to Water Right Certificate # 46732

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.

Additional remarks: Each parcel (TL 501 and TL 502) to each irrigate appurtenant acreage from their own proposed perspective wells.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES										PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES								C								
List only that part or portion of the water right that will be changed.										Proposed Changes (see			1 ne	2 11S	ting	as it v	would		ar AF are ma		ROPOSE	D CHANGE	3			
Tv	/p	Rng		Sec		1/4	Tax Lot	Gvt Lot or DLC		Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	"CODES" from previous page)	Tv	vp	Rn	g	Sec	1/4	1/4	Tax Lot	Gvt		New Type of USE	POD(s)/ POA(s) to be used (frTab.1)	Priority Date
	EXAMPLE																									
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
1	N	32	E	3	NE	NW	502	Glot 3	0.80	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	NE	NW	502	Glot 3	0.80	IRR	POA#2	1973
1	N	32	E	3	NW	NW	502	Glot 4	3.20	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	NW	NW	502	Glot 4	3.20	IRR	POA#2	1973
1	N	32	E	3	NW	NW	502	Glot 11	0.05	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	NW	NW	502	Glot 11	0.05	IRR	POA#2	1973
1	N	32	E	3	NE	NW	501	Glot 3	0.80	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	NE	NW	501	Glot 3	0.80	IRR	POA#1	1973
1	N	32	E	3	NW	NW	501	Glot 4	0.15	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	NW	NW	501	Glot 4	0.15	IRR	POA#1	1973
1	N	32	E	3	NW	NW	501	Glot 11	0.05	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	NW	NW	501	Glot 11	0.05	IRR	POA#1	1973
1	N	32	E	3	SW	NW	501		0.80	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	SW	NW	501		0.80	IRR	POA#1	1973
1	N	32	E	3	sw	NW	501	Glot 5	0.10	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	sw	NW	501	Glot 5	0.10	IRR	POA#1	1973
1	N	32	E	3	SE	NW	501	Glot 5	1.40	IRR	original POA "TL 500"	1973	POA	1	N	32	E	3	SE	NW	501	Glot 5	1.40	IRR	POA#1	1973
TOTAL ACRES:					ES:	7.35										T	OTAI	L ACI	RES:	7.35						

For Place of Use or Character of Use Changes

	re there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No
I	f YES, list the certificate, water use permit, or ground water registration numbers:
a to	Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to primary right proposed for transfer must be included in the transfer or be cancelled. Any change a ground water registration must be filed separately in a ground water registration modification opplication.
For	a change from Supplemental Irrigation Use to Primary Irrigation Use
Id	lentify 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
A	ND/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 <i>proposed wells not yet constructed or built</i> , 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). <u>If</u> less than full rate of water right
original	yes	UMAT 277	320	8''	0 to 320.5'	0 to 19'	210'-259' 267'-310'	198'	Basalt	
new	yes	UMAT 53616	470	8''	+2 to 307'	0-20' & 290' to 307'		207'	Basalt	20 gpm
new	no			8''			Unlikely		Basalt	23 gpm

Additional remarks: <u>The proposed well #2 to be located on TL 502 will be constructed to meet the department's minimum well construction standards. The construction of the proposed well #2 will be such that the well driller will be in contact with OWRD groundwater staff for purposes of not exceeding the department's limitations for completed depths of an irrigation well.</u>