

Revised 7/1/2013

Application for Water Right Temporary or Drought Temporary Transfer Part 1 of 5 – Minimum Requirements Checklist

TACS

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

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

FOR ALL TEMPORARY TRANSFER APPLICATION RECEIVED

Check all items i	ncluded with this application. (N/A = Not Applicable) SEP 0.2 2015
Par	rt 1 – Completed Minimum Requirements Checklist.
⊠ Pa ⊠ Pa ⊠ Pa	rt 2 – Completed Temporary Transfer Application Map ChecklisWATER RESOURCES DEPT SALEM, OREGON
coi <u>htt</u>	rt 3 – Application Fee, payable by check to the Oregon Water Resources Department, and mpleted Fee Worksheet, page 3. Try the new online fee calculator at: p://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call stomer Service at (503) 986-0801.
⊠ Pa	rt 4 - Completed Applicant Information and Signature.
_	rt 5 – Information about Transferred Water Rights: How many water rights are to be insferred? 1 List them here: Certificate 29447
Ple	ease include a separate Part 5 for each water right. (See instructions on page 6)
N/A Fo	r standard Temporary Transfer (one to five years) Begin Year 2015 End Year 2015:
N/A Te	mporary Drought Transfer (Only in counties where the Governor has declared drought)
At	tachments:
⊠ Co	mpleted Temporary Transfer Application Map.
⊠ Co ⊠ Co ⊠ Cu	mpleted Evidence of Use Affidavit and supporting documentation
	rrent recorded deed for the land from which the authorized place of use is temporarily ng moved.
	fidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water has been been than the land the water has on.)
	pplemental Form D – For water rights served by or issued in the name of a district. mplete when the temporary transfer applicant is not the district.
stu if a use	nd Use Information Form with approval and signature (or signed land use form receipt b). Not required if water is to be diverted, conveyed, and/or used only on federal lands or all of the following apply: a) a change in place of use only, b) no structural changes, c) the cof water is for irrigation only, and d) the use is located within an irrigation district or an clusive farm use zone.
	ater Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional int(s) of appropriation (if necessary to convey water to the proposed place of use).
	(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: //

Temporary Transfer Application - Page 1 of 9

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. \boxtimes Permanent quality printed with dark ink on good quality paper. \boxtimes 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. \boxtimes A north arrow, a legend, and scale. \boxtimes 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. \boxtimes Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines. X Tax lot boundaries (property lines) are required. Tax lot numbers are recommended. \boxtimes Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads. \boxtimes Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches. \boxtimes 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. M 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. \boxtimes 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 $(example - 42.53764^{\circ}).$ RECEIVED

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	THE RESERVE AND THE PROPERTY OF THE PROPERTY O		
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$700.00
	Number of water rights included in transfer 1 (2a)		
	Subtract 1 from the number in 3a above: <u>0 (2b)</u> If only one water right this will be 0		
2	Multiply line 2b by \$225.00 and enter » » » » » » » » » » » »	2	00
	Do you propose to add or change a well, or change from a surface water POD to a		
	well?		
	\boxtimes No: enter $0 \gg $		_
3	Yes: enter \$350 » » » » » » » » » » » » » » » »	3	0
	Do you propose to change the place of use for a non-irrigation use?		
	\boxtimes No: enter 0 on line 4 \otimes		
	Yes: enter the cfs for the portions of the rights to be transferred: (4a)		
	Subtract 1.0 from the number in 4a above:(4b)		
	If 4b is 0, enter 0 on line 4 » » » » » » » » » » » » » » »		
	If 4b is greater than 0, round up to the nearest whole number:(4c) and		
4	multiply 4c by \$175.00, then enter on line 4 » » » » » » » »	4	0
	Do you propose to change the place of use for an irrigation use?		
	No: enter 0 on line 5 » » » » » » » » » » » » » » »		
	Yes: enter the number of acres for the portions of the rights to be		
	transferred: <u>26.4 (5a)</u>		
5	Multiply the number of acres in 5a above by \$2.00 and enter on line 5 » »	5	\$52.80
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$752.80
	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	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:	8	\$752.80

	THE REPORT OF THE PROPERTY OF		
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below)	IC	EIVED
	(2a)		
	Subtract 1.0 from the number in 2a above: (2b)	\$EP	0 2 2015
	If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » »		
	If 2b is greater than 0, round up to the nearest whole number:(20)	RE	OURCES DEPT
2	multiply 2c by \$50, then enter on line 2 » » » » » » » » S	ALEN	, OREGON
3	Add entries on lines 1 through 2 above » » » » » » » Transfer Fee::	3	

*Example for Line 2a 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.} 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).

^{2.} 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)

^{3.} 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 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

Part 4 of 5 - Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.			
Blue Heaven Properties, LLC		(503) 838-3696 Mark Shipman					
			(Office)	503-399-1070			
ADDRESS				FAX NO.			
PO BOX 607							
CITY	STATE	ZIP	E-MAIL				
Independence	OR	97351	breymanfarms@aol.c	com/ mshipman@sglaw.com			
BY PROVIDING AN E-MAIL A	DDRESS, C	TO RECEIVE ALL CO	RRESPONDENCE FROM THE				
DEPARTMENT ELECTRONIC	ALLY. CO	PIES OF THE FINA	L ORDER DOCUMENT	S WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME		PHONE NO. ADDITIONAL CONTAC							
Martha O. Pagel		503-540-4260	503-507-7293 (cell)						
ADDRESS			FAX NO.						
530 Center St. NE, Suite 400				503-796-2900					
CITY	STATE	ZIP	E-MAIL						
Salem	OR	97301	mpagel@schwabe.	.com					
By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. Copies of the Final Order documents will also be mailed.									
Explain in your own words Temporary transfer to mov of land with junior water ri	s what you re portions ights (Cert ite River. T	propose to according of more senior vificate 41566) the	mplish with this tr vater right (Certification of the control of t	ansfer application; and why: cate 29447) to cover portions ority date curtailment due to hange in place of use and a					

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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

Applicant signature	David J. Breyman, Manager Print Name (and Title if applicable)	<u>9/1/</u> 15 Date
Applicant signature	Print Name (and Title if applicable)	Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? \square Yes \boxtimes 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.

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Part 4 of 5 - Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Blue Heaven Properties, LLC			(503) 838-3696	Mark Shipman
•			(Office)	503-399-1070
ADDRESS				FAX NO.
PO BOX 607				
CTTY	STATE	ZIP	E-MAIL	
Independence	OR	97351	breymanfarms@aol	.com/ mshipman@sglaw.com
BY PROVIDING AN E-MAIL A	DDRESS,	CONSENT IS G	IVEN TO RECEIVE ALL CO	RRESPONDENCE FROM THE
DEPARTMENT ELECTRONIC	ALLY. CO	PIES OF THE	FINAL ORDER DOCUMEN	TS WILL ALSO BE MAILED.

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

				CORRESPONDENCE FROM THE NTS WILL ALSO BE MAILED.
Salem	OR	97301	mpagel@schwabe.	.com
CITY	STATE	ZIP	E-MAIL	
530 Center St. NE, Su	ite 400			503-796-2900
ADDRESS				FAX NO.
Martha O. Pagel			503-540-4260	503-507-7293 (cell)
AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.

Explain in your own words what you propose to accomplish with this transfer application; and why: Temporary transfer to move portions of more senior water right (Certificate 29447) to cover portions of land with junior water rights (Certificate 41566) that is subject to priority date curtailment due to low flows in the Luckiamute River. The temporary transfer includes a change in place of use and a downstream change in point of diversion.

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 Reinvestment Act. (Federal stimulu		nerican Recovery
I (we) affirm that the information contain	ined in this application is true a David J. Breyman. Manager Print Name (and Title if applicable)	nd accurate. 9////5 Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? \square Yes \boxtimes 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.

Print Name (and Title if applicable)

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Applicant signature

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and

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by an irrigation or other water d	ADDRESS	
N/A		
CITY	STATE	ZIP
Check here if water for any of	f the rights supplied under a water	er service agreement or other co
for stored water with a federa	•	of service agreement of other en
ENTITY NAME	ADDRESS	
ENTITY NAME	ADDRESS	
	ADDRESS	
N/A	STATE	ZIP
N/A		ZIP
N/A CITY To meet State Land Use Consiste city, municipal corporation, or tri conveyed or used. ENTITY NAME	state	all local governments (each co
N/A CITY To meet State Land Use Consiste city, municipal corporation, or tri conveyed or used.	ency Requirements, you must list bal government) within whose just address	all local governments (each co

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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:

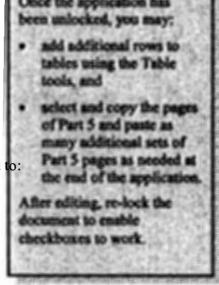
• Using the Tools menu => click Unprotect Document; OR

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.



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 de to assign a password for the editing restrictions.

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Other Alternatives:

WATER RESOURCES DEPT Photocopy pages or tables in Part 5, mark through any non-applicable information. Ensembles in Part 5, mark through any non-applicable information. 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.

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 with inches and the form.

Description of Water Delivery System

System capacity: 0.33 cubic feet per second (cfs) OR

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____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some life. 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. A portable pump is used to divert water from the river into a pipeline. Water is distributed and applied by either of two methods: (1) portable pipe and hand sprinklers; or (2) flexible hose reel connected to a big gun sprinkler.

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.)

POWYOA Manyo or Manker	le this POD/PDA Authorized on the Certificate or is it Proposed?	If PCA, OWRD WHI Log IDM (or Well II) Tag # L	Ţ	-0		lag	Sec				Marcond City (1996) (Seek to despite 2) (Seek to despite 2) (Seek to despite 3)
AUTH	☑ Authorized ☐ Proposed	N/A	9	s	5	W	19	s W	N E	70	2165' South & 1615' West from NE Corner Sec. 19, T. 9S, R. 5W, W.M. (estimated using OWRD Water Rights Mapping Tool)
PROP	☐ Authorized ☐ Proposed	N/A	9	S	5	W	19	N E	N E	70	790' South & 205' West from NE Corner Sec. 19, T. 9S, R. 5W, W.M. (estimated using OWRD Water Rights Mapping Tool)

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses): Place of Use (POU) Appropriation/Well (POA) M 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? Complete only the Proposed ("to" lands) section of Table 2 on the next Yes 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 and attach additional pages of Table 2 as needed. See page 6 for instructions.

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

Table 2. Description of Temporary Changes to Water Right Certificate # 29447

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.

						Proposed Changes (see			The	listi	ing a			appea		TER P	on" lands) ROPOSED	CHANG	GES						
Тwр		ling.	Sec	,	6 %	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	"CODES"	Tw	P	Rng	8	Sec	' 4	×	Tax Lot	Gvt Lot er DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
9 S	5	W	19	sw	NE	900	DLC 70	5.2	Irrigation	AUTH	3/10/ 1958	POU/POD	9	s	5 V	V	19	sw	NE	200		0.1	Irrigation	PROP	3/10/1958
9 S	5	W	19	NE	SE	900	DLC	6.0	Irrigation	AUTH	3/10/ 1958	POU/POD	9	s	5 V	V	19	SE	NE	200		18.7	Irrigation	PROP	3/10/1958
9 S	5	W	19	NW	SE	900	DLC 70	15.2	Irrigation	AUTH	3/10/ 1958	POU/POD	9	s	5 V	v	19	NE	SE	200		2.2	Irrigation	PROP	3/10/1958
													9	s	5 V	V :	20	sw	NW	200		5.4	Irrigation	PROP	3/10/1958
,																									
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Additiona	I remarks:	
Auditiona	i iciliaiks.	

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Certificate # 29447

For Place of Use Changes

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Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? X Yes \(\subseteq \) No

If YES, list the certificate, water use permit, or ground water registration numbers: Cert. 41566 on "to" lands



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)
ANI	D/OR

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

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aguifer 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 97 Authorized POA Name of Namber	is well already halls? (Yes or No)	If an existing well, OWRD Well ID Tag.	更重	Canada Dimension	EEE	7 7 1 7 3 1	Performed or or will describe (in the)	Static water level of completed well (in feet)	Source aquife trand, gravel, bestil, etc.)	
N/A										