



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

# Notice of District Permanent Water Right Transfer

*Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.*

## 1. APPLICANT INFORMATION

District: MIDDLEFORK IRRIGATION DISTRICT  
 Contact Person: CRAIG DEHART Phone: 541-352-6468  
 Mailing Address: P.O. BOX 291  
 City: PARKDALE State: OR Zip: 97041  
 \*Fax: 541-352-7794 \*E-Mail address: MFID@MFIDP.COM  
 \*Optional information  
 District Internal Notice Number (DINN): N/A

## 2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

Pursuant to ORS 540.580 and OAR Chapter 690, Division 385, the district is providing the Water Resources Department this notice of a proposed change in place of use prior to making the change. The district proposes to change the place of use for the following water rights:

| CERTIFICATE NUMBER | PERMIT or TRANSFER NUMBER | DECREE (name, volume, and page) |
|--------------------|---------------------------|---------------------------------|
|                    | -                         |                                 |
|                    | -                         | SEE ATTACHED                    |
|                    | -                         |                                 |

## 3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

| DECREE or CERTIFICATE | PERMIT or TRANSFER | POD / POA # | LOCATION - MEASURED DISTANCES |
|-----------------------|--------------------|-------------|-------------------------------|
|                       | -                  |             |                               |
|                       | -                  |             | SEE ATTACHED                  |
|                       | -                  |             |                               |

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# 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 )  
 )  
 County of Hood River ) ss

I, Michael S. McCarthy, in my capacity as Manager and owner of China Hill Farms  
 mailing address 8405 Clear Creek Rd., Parkdale OR 97041  
 telephone number 511)806-6476, 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 # 46268; **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) |
|---------------|----------|-------|-----|-----|-----|------------------|-----------------------|
|               |          |       |     |     |     |                  |                       |
|               |          |       |     |     |     |                  |                       |
|               |          |       |     |     |     |                  |                       |
|               |          |       |     |     |     |                  |                       |
|               |          |       |     |     |     |                  |                       |
|               |          |       |     |     |     |                  |                       |
|               |          |       |     |     |     |                  |                       |

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**OR**

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

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.

Michael J. McCarthy Mgr CHF  
Signature of Affiant

12-6-2016  
Date

Signed and sworn to (or affirmed) before me this 6 day of December, 2016.



Cheryl A. Moore  
Notary Public for Oregon

My Commission Expires: September 17, 2018

| 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   | Multiple photos can be submitted to resolve different areas of a water right.<br>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.<br><br>Sources for aerial photos:<br>OSU - <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br>OWRD - <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br>Google Earth - <a href="http://earth.google.com">earth.google.com</a><br>TerraServer - <a href="http://www.terra-server.com">www.terra-server.com</a> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years  | Copy of instream lease or lease number   |

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STATE OF OREGON

COUNTY OF HOOD RIVER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MIDDLE FORK IRRIGATION DISTRICT

of P. O. Box 91, Parkdale, State of Oregon, 97047, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Eliot Creek and Clear Creek

a tributary of Middle Fork Hood River for the purpose of irrigation of 8.2 acres

under Permit No. 34104 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 22, 1969 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.10 cubic foot per second, being 0.02 c.f.s. from Eliot Creek and 0.08 c.f.s. from Clear Creek

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Eliot Creek-SW 1/4 NE 1/4, Section 26; Clear Creek-NW 1/4 NE 1/4, Section 27, T. 1 S., R. 9 E., W. M., Eliot Creek-2400 feet South and 125 feet East from the N 1/2 Corner, Section 26; Clear Creek-520 feet South and 2500 feet West from the NE Corner, Section 27.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 0.1 acre NE 1/4 NW 1/4
- 8.1 acres Lot 1 (NW 1/4 NW 1/4)
- Section 30
- T. 1 S., R. 10 E., W. M.

The decree of the Circuit Court for Hood River and it's tributaries dated October 24, 1921 set the duty of water at 3 acre feet for each acre irrigated during the irrigation season. In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made providing a duty of 4 acre feet per acre. The issuance of this certificate has lowered the duty to 3 acre feet per acre in compliance with the decree.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

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WITNESS the signature of the Water Resources Director, affixed

this date. August 24, 1978

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James E. Larson Water Resources Director

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Recorded in State Record of Water Right Certificates, Volume 38, page 46268

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**3. ATTACHMENTS**

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

|   |  |
|---|--|
| <p><b>Supplemental Form A –</b><br/> <b>Description of Proposed Change(s) to a Water Right</b><br/> <input checked="" type="checkbox"/> A <b>separate</b> Supplemental Form A is enclosed for <b>each</b> water right to be affected by this transfer.</p> <p><b>Map</b><br/> <input checked="" type="checkbox"/> <b>Permanent Transfer</b><br/>                 A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).</p> | <p><b>Fees:</b><br/> <input type="checkbox"/> Amount enclosed: \$ <u>2350.00</u><br/>                 See the Department's Fee Schedule at <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> or call (503) 986-0900.</p> <p><b>Land Use Compatibility Statement</b><br/> <input checked="" type="checkbox"/> The Land Use Information Form is <b>not</b> required if water is to be diverted, conveyed and/or used only on federal lands or if <b>ALL</b> of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation <b>only</b> and d) the use is located within an irrigation district or an exclusive farm use zone.</p> |
|---|--|

**4. SIGNATURES**

The district certifies the following:

- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district; and
- (3) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.

  
 District Manager signature

CRAIG DEHART  
 name (print)

11/18/2016  
 date

OR

\_\_\_\_\_  
 Authorized District Representative signature

\_\_\_\_\_  
 name (print)

\_\_\_\_\_  
 date

**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.





Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
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# Application for District Permanent Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app\\_criteria\\_review](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review).

**Change in Place of Use Only**

**1. APPLICANT INFORMATION**

District: MIDDLEFORK IRRIGATION DISTRICT  
 Address: P.O. BOX 291  
 City: PARKDALE State: OR Zip: 97041  
 Phone: (541) 352-6468 Fax: (541) 352-7794 E-Mail address: MFID@MFIDP.COM

**2. PROPOSED CHANGE(S) TO WATER RIGHT(S)**

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

|    | Certificate | Permit / Previous Transfer | Decree |
|----|-------------|----------------------------|--------|
| 1. | 46268       | -                          |        |
| 2. | 89317       | -                          |        |
| 3. | 89320       | -                          |        |
| 4. | 89321       | -                          |        |
| 5. |             | -                          |        |
| 6. |             | -                          |        |

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# 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 )  
 County of Hood River ) ss

I, Michael S. McCarthy, in my capacity as Manager & owner of China Hills Farm  
 mailing address 8405 Clear Creek Rd, Parkdale, OR 97041  
 telephone number (503) 806-6876, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one): **RECEIVED BY OWRD**  
 Personal observation       Professional expertise

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2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_\_; **OR**

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- 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) |
|---------------|----------|---|-------|---|-----|-----|------|------------------|-----------------------|
| 89317         | 1        | 5 | 10    | E | WM  | 30  | NENW | -                | 2.4                   |
|               |          |   |       |   |     |     |      |                  |                       |
|               |          |   |       |   |     |     |      |                  |                       |
|               |          |   |       |   |     |     |      |                  |                       |
|               |          |   |       |   |     |     |      |                  |                       |
|               |          |   |       |   |     |     |      |                  |                       |
|               |          |   |       |   |     |     |      |                  |                       |
|               |          |   |       |   |     |     |      |                  |                       |

**OR**

- Confirming Certificate # \_\_\_\_\_ 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)

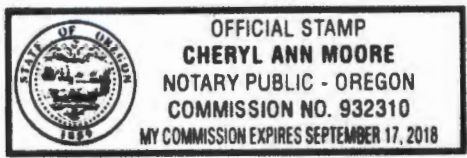


3. The water right was used for: (e.g., crops, pasture, etc.): Hay, Pasture
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Michael D. McCarthy Manager CHF  
Signature of Affiant

12-6-2016  
Date

Signed and sworn to (or affirmed) before me this 6 day of December, 2016.



Cheryl A. Moore  
Notary Public for Oregon

My Commission Expires: September 17, 2018

| 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.<br/>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:<br/>OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br/>OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br/>Google Earth – <a href="http://earth.google.com">earth.google.com</a><br/>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   |

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MIDDLEFORK IRRIGATION DISTRICT  
DISTRICT PERMANENT TRANSFER  
NOTICE OF DISTRICT PERMANENT TRANSFER

| TABLE 2: PROPOSED CHANGES TO WATER RIGHTS |        |        |
|---|--------|--------|
| CERTIFICATE NUMBER                        | PERMIT | DECREE |
| 46268                                     | -      | -      |
| 89317                                     | -      | -      |
| 89320                                     | -      | -      |
| 89321                                     | -      | -      |

| TABLE 3: AUTHORIZED P.O.D or P.O.U |       |   |
|------------------------------------|-------|---|
| CERTIFICATE                        | POD # | LOCATION (Noted on Certificates) 1S9E-WM    |
| 46268                              | 1     | 2400ft S., 125ft E. N1/4 Corner Sect. 26    |
|                                    | 2     | 520ft S. 2500ft W. NE Sect. 27              |
| 89317                              | 1     | 520ft S., 2500ft W. of N.E. Corner Sect. 27 |
|                                    | 2     | Laurance Lk. Reservoir ( None Given)        |
| 89320                              | 1     | 2450ft S. 360ft E. N1/4 Sect. 26            |
| 89321                              | 1     | 2598ft S., 945ft W. N.E. Corner Sect. 27    |

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MIDDLEFORK IRRIGATION DISTRICT  
DISTRICT PERMANENT TRANSFER

TABLE 4: PROPOSED CHANGES TO THE WATER RIGHT

| TABLE I-AUTHORIZED PLACE OF USE (POU) |     |         |     |     |     |     |      |     |       |      |       |                       |
|---------------------------------------|-----|---------|-----|-----|-----|-----|------|-----|-------|------|-------|-----------------------|
| LEGAL DESCRIPTION                     |     |         |     |     |     |     |      |     |       |      |       |                       |
| CERTIFICATE                           | POD | P.DATE  | USE | TWP | RNG | SEC | QQ   | DLC | GOV'T | T.L. | ACRES | USER NAME             |
| 46268                                 | 1,2 | 1/22/69 | IR  | 1S  | 10E | 30  | NWNW | -   | -     | 800  | 2.7   | MIDDLEFORK IRRIGATION |
| 89317                                 | 1,2 | 1/2/62  | IR  | 1S  | 10E | 30  | NENW |     |       | 701  | 0.92  | " "                   |
|                                       |     |         | IS  | 1S  | 10E | 30  | NWNW |     |       | 800  | 2.7   | " "                   |
| 89320                                 | 1   | 3/9/70  | IS  | 1S  | 10E | 30  | NENW |     |       | 701  | 0.92  | " "                   |
|                                       |     |         | IS  | 1S  | 10E | 30  | NWNW |     |       | 800  | 2.7   | " "                   |
| 89321                                 | 1   | 8/19/85 | IS  | 1S  | 10E | 30  | NENW |     |       | 701  | 0.92  | " "                   |
|                                       |     |         | IS  | 1S  | 10E | 30  | NWNW |     |       | 800  | 2.7   | " "                   |
|                                       |     |         |     |     |     |     |      |     |       |      |       |                       |

TABLE II-PROPOSED PLACE OF USE (POU)

| LEGAL DESCRIPTION |     |         |     |     |     |     |      |     |       |      |       |                       |
|-------------------|-----|---------|-----|-----|-----|-----|------|-----|-------|------|-------|-----------------------|
| CERTIFICATE       | POD | P.DATE  | USE | TWP | RNG | SEC | QQ   | DLC | GOV'T | T.L. | ACRES | USER NAME             |
| 46268             | 1,2 | 1/22/69 | IR  | 1S  | 10E | 20  | NWSW | -   | -     | 1300 | 2.7   | MIDDLEFORK IRRIGATION |
| 89317             | 1,2 | 1/2/62  | IR  | 1S  | 10E | 20  | NWSW |     |       | 1300 | 0.92  | " "                   |
|                   |     |         | IS  | 1S  | 10E | 20  | NWSW |     |       | 1300 | 2.7   | " "                   |
| 89320             | 1   | 3/9/70  | IS  | 1S  | 10E | 20  | NWSW |     |       | 1300 | 0.92  | " "                   |
|                   |     |         | IS  | 1S  | 10E | 20  | NWSW |     |       | 1300 | 2.7   | " "                   |
| 89321             | 1   | 8/19/85 | IS  | 1S  | 10E | 20  | NWSW |     |       | 1300 | 0.92  | " "                   |
|                   |     |         | IS  | 1S  | 10E | 20  | NWSW |     |       | 1300 | 2.7   | " "                   |
|                   |     |         |     |     |     |     |      |     |       |      |       |                       |

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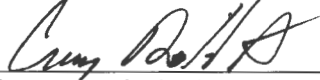


5. MAPS and AUTHORIZATIONS

- Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- The water rights affected by this change do not require a Land Use Compatibility Statement because ALL of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, 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.
- The undersigned understand and acknowledge that the proposed change in place of use is subject to the approval of the Water Resources Department. The undersigned also understand and acknowledge that if the Water Resources Department finds the change in place of use allowed by the district under this notice results in injury to an existing water right, the Department may direct the district to cease delivery of water to the proposed place of use or direct the district to mitigate the injury.

6. SIGNATURES

I certify that to the best of my knowledge the information contained in this Notice of District Permanent Transfer is true and accurate.

  
\_\_\_\_\_  
Signature of District Manager  
or Authorized Representative

12/12/2016  
Date

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CRAIG DEHART  
\_\_\_\_\_  
Type or Print Name of District Manager  
or Authorized Representative

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Michael D. McCarthy, Mgr CHF  
\_\_\_\_\_  
Signature of User  
(authorized place of use)

12-6-2016  
Date

Michael D. McCarthy, Mgr CHF  
\_\_\_\_\_  
Signature of User  
(proposed place of use)

12-6-2016  
Date

**INSTRUCTIONS FOR FILING NOTICE:**

- 1) Pursuant to OAR 690-385-4100(3), the district shall deliver this Notice Form and Map(s) to the local Watermaster prior to delivering water to the proposed place of use.
- 2) Pursuant to OAR 690-385-4100(4), the district also shall concurrently deliver a copy of only the Notice Form (the inclusion of maps is not necessary) to: Oregon Water Resources Department Transfer Section 725 Summer Street NE, Suite A Salem, OR 97301-1271

STATE OF OREGON  
COUNTY OF HOOD RIVER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MIDDLE FORK IRRIGATION DISTRICT  
P.O. BOX 291  
PARKDALE, OREGON 97041

confirms the right to use the waters of CLEAR CREEK and CLEAR CREEK RESERVOIR (LAURANCE LAKE), constructed under water right certificate 87641, tributary to MIDDLE FORK HOOD RIVER for PRIMARY IRRIGATION of 3631.1 ACRES and SUPPLEMENTAL IRRIGATION of 1659.2 ACRES.

This right was perfected under Permit 27788. The date of priority is JANUARY 2, 1962. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 66.1 Cubic Feet per Second (CFS), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located:

CLEAR CREEK: 520 FEET SOUTH and 2500 FEET WEST from the NE CORNER, SECTION 27, being within the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 27, Township 1 South, Range 9 East, W.M.

The amount of water used for irrigation together with the amount secured under any other prior right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated and shall be further limited to a diversion of not to exceed 4 acre feet per acre during the irrigation season of each year. Use from the reservoir shall be subject to the terms and conditions of the State Engineer's order entered at Volume 11, pages 502 to 506 on March 22, 1962.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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Certificate 89317

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| Township |   | Range |   | Section | Qtr40 | Qtr160        | taxlot | Acres  |
|----------|---|-------|---|---------|-------|---------------|--------|--------|
| 1        | S | 10    | E | 18      | SE    | NW            | 1800   | 4.6    |
| 1        | S | 10    | E | 18      | NE    | SW            | 1901   | 0.6    |
| 1        | S | 10    | E | 18      | NE    | SW            | 1904   | 1.1    |
| 1        | S | 10    | E | 18      | NE    | SW            | 1906   | 1.1    |
| 1        | S | 10    | E | 18      | NE    | SW            | 1907   | 0.4    |
| 1        | S | 10    | E | 18      | NE    | SW            | 1910   | 1.9    |
| 1        | S | 10    | E | 18      | NE    | SW            | 1911   | 2.9    |
| 1        | S | 10    | E | 18      | NE    | SW            | 1912   | 0.2    |
| 1        | S | 10    | E | 18      | NW    | SW            | 1901   | 5.2    |
| 1        | S | 10    | E | 18      | SW    | SW            | 2100   | 9.6    |
| 1        | S | 10    | E | 18      | SE    | SW            | 2100   | 30.6   |
| 1        | S | 10    | E | 18      | NW    | SE            | 2301   | 2.2    |
| 1        | S | 10    | E | 18      | NW    | SE            | 2400   | 0.4    |
| 1        | S | 10    | E | 18      | SE    | SE            | 2701   | 2.4    |
| 1        | S | 10    | E | 19      | NE    | NW            | 400    | 14.4   |
| 1        | S | 10    | E | 19      | NW    | NW            | 400    | 28.6   |
| 1        | S | 10    | E | 19      | SW    | NW            | 400    | 3.7    |
| 1        | S | 10    | E | 20      | NW    | NW            | 401    | 0.2    |
| 1        | S | 10    | E | 20      | NW    | NW            | 800    | 1.3    |
| 1        | S | 10    | E | 30      | NE    | NW            | 701    | 2.4    |
| 1        | S | 10    | E | 30      | NW    | NW            | 800    | 0.3    |
| 1        | S | 10    | E | 30      | SW    | NW            | 800    | 0.5    |
|          |   |       |   |         |       | Primary Acres |        | 3631.1 |

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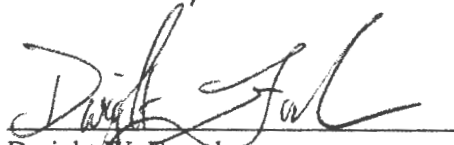
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| Township |   | Range |   | Section | Qtr10 | Qtr160        | Taxlot | Acres  |
|----------|---|-------|---|---------|-------|---------------|--------|--------|
| 1        | S | 10    | E | 19      | SW    | SE            | 700    | 0.4    |
| 1        | S | 10    | E | 19      | SW    | SE            | 800    | 4.0    |
| 1        | S | 10    | E | 20      | NW    | NW            | 200    | 0.6    |
| 1        | S | 10    | E | 20      | NW    | NW            | 400    | 3.5    |
| 1        | S | 10    | E | 20      | NW    | NW            | 401    | 12.3   |
| 1        | S | 10    | E | 20      | NW    | NW            | 800    | 3.4    |
| 1        | S | 10    | E | 20      | SW    | NW            | 900    | 15.2   |
| 1        | S | 10    | E | 20      | SW    | NW            | 900    | 4.1    |
| 1        | S | 10    | E | 20      | SW    | NW            | 1000   | 9.7    |
| 1        | S | 10    | E | 20      | NW    | SW            | 1300   | 34.8   |
| 1        | S | 10    | E | 30      | NE    | NW            | 800    | 0.1    |
| 1        | S | 10    | E | 30      | NW    | NW            | 800    | 5.4    |
| 1        | S | 10    | E | 30      | NW    | NW            | 800    | 2.7    |
|          |   |       |   |         |       | Supp<br>Acres |        | 1659.2 |

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights.

Issued June 5, 2014



Dwight W. French,  
 Administrator Water Right Services Division for  
 Phillip C. Ward, Director  
 Oregon Water Resources Department

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Recorded in State Record of Water Right Certificates numbered 89317.





**District Temporary Water Right Transfer Application  
Supplemental Form A**

**DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 89320

**1. TYPE OF CHANGE(S) PROPOSED**

(Check *all* that apply.)

| Point of Diversion or Appropriation   | Place of Use   | Character of Use   |
|---|--|--|
| <input type="checkbox"/> <b>Change to facilitate a change in Place of Use</b> (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the transfer.)<br><br><input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.)<br><br><input type="checkbox"/> <b>Change in Point of Diversion in Response to an Emergency</b> | <input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)<br><br><input checked="" type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) | Proposed new use:<br><br><input type="checkbox"/> <b>Change</b> a water right to Store Water<br><br><input type="checkbox"/> <b>Diminish</b> an irrigation water right (primary) to a supplemental water right |

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**2. CURRENT WATER RIGHT INFORMATION**

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

|   |                                    |  |
|---|------------------------------------|--|
| <input checked="" type="checkbox"/> Certified Right                       | <u>89320</u><br>Certificate Number | Permit Number or Decree Name           |
| <input type="checkbox"/> Adjudicated, Non-certificated Right              | Name of Decree                     | Page Number                            |
| <input type="checkbox"/> Permit for which Proof has been Approved         | -<br>Permit Number                 | Date Claim of Beneficial Use Submitted |
| <input type="checkbox"/> Transferred Right for which Proof has been Filed | -<br>Previous Transfer Number      | Date Claim of Beneficial Use Submitted |

- Name on Permit, Certificate, or Decree: MIDDLEFORK IRRIGATION DIST. (MFID)
- County: HOOD RIVER
- Authorized Use(s) to be Affected by Transfer: I.S.
- Priority Date(s): 03/09/1970

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: ELIOT CREEK
- Tributary to: HOOD RIVER

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For applications proposing a Change in Place of Use or Character of Use:**

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?  
 Yes     No     N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 46268, 89317, 89321  
 Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: 89320

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The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer** (i.e., **list only the portion of the water right you propose to transfer.**) Attach additional pages as necessary.

A Point of Diversion (POD) describes the location of diversion from a surface water source.  
 A Point of Appropriation (POA) describes the location of appropriation from a ground water source or well.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Table I (Authorized Place of Use) and Table II (Proposed Place of Use).

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "OFF or FROM" point(s) of diversion or appropriation) Government lot(GOV" T LOT) and donation land claim numbers (DLC) must be included in the table below **only** if the information is reflected on the existing water right.

| IF POA,<br>OWRD WELL<br>LOG ID NO.<br>(OR WELL ID<br>TAG NO.<br>L- ) | POD#<br>or<br>POA# | TWP | RNG | SEC | QQ   | DLC | GOVT<br>LOT | MEASURED DISTANCES                       |
|--|--------------------|-----|-----|-----|------|-----|-------------|--|
| -  | 1                  | 15  | 9E  | 26  | SWNE | -   | -           | 2450'S., 360'E. of N 1/4 CORNER SECT. 26 |
|  |                    |     |     |     |      |     |             |  |
|  |                    |     |     |     |      |     |             |  |
|  |                    |     |     |     |      |     |             |  |
|  |                    |     |     |     |      |     |             |  |
|  |                    |     |     |     |      |     |             |  |
|  |                    |     |     |     |      |     |             |  |

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## District Temporary Water Right Transfer Application Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only **one** water right per page. A **separate Supplemental Form A** must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 46268

### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

| Point of Diversion or Appropriation   | Place of Use   | Character of Use   |
|---|--|--|
| <input type="checkbox"/> <b>Change to facilitate a change in Place of Use</b> (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the transfer.)<br><br><input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.)<br><br><input type="checkbox"/> <b>Change in Point of Diversion in Response to an Emergency</b> | <input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)<br><br><input checked="" type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) | Proposed new use:<br><br><input type="checkbox"/> <b>Change</b> a water right to Store Water<br><br><input type="checkbox"/> <b>Diminish</b> an irrigation water right (primary) to a supplemental water right |

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**2. CURRENT WATER RIGHT INFORMATION**

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

|   |                          |  |
|---|--------------------------|--|
| <input checked="" type="checkbox"/> Certified Right                       | <u>46268</u>             | _____                                  |
|   | Certificate Number       | Permit Number or Decree Name           |
| <input type="checkbox"/> Adjudicated, Non-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 |

- Name on Permit, Certificate, or Decree: MIDDLEFORK IRRIGATION DISTRICT (MFID)
- County: HOOD RIVER
- Authorized Use(s) to be Affected by Transfer: I.R.
- Priority Date(s): 01/22/1969

*If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: ELIOT CK, CLEAR BRANCH
- Tributary to: HOOD RIVER

*If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For applications proposing a Change in Place of Use or Character of Use:**

- Are there Other Water Rights, Permits or Ground Water Registrations associated with this land?  
 Yes     No     N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 89317, 89320, 89321

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).*

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▪ Certificate Number or other identifying number: 46268

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The following information **must be provided only** for those points of diversion or appropriation that **are involved in the transfer** (i.e., **list only the portion of the water right you propose to transfer.**) Attach additional pages as necessary.

A Point of Diversion (POD) describes the location of diversion from a surface water source.  
A Point of Appropriation (POA) describes the location of appropriation from a ground water source or well.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Table I (Authorized Place of Use) and Table II (Proposed Place of Use).

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "OFF or FROM" point(s) of diversion or appropriation) Government lot(GOV'T LOT) and donation land claim numbers (DLC) must be included in the table below **only** if the information is reflected on the existing water right.

| IF POA,<br>OWRD WELL<br>LOG ID NO.<br>(OR WELL ID<br>TAG NO.<br>I- ) | POD#<br>or<br>POA# | TWP | RNG | SEC | QQ   | DLC | GOV'T<br>LOT | MEASURED DISTANCES                     |
|--|--------------------|-----|-----|-----|------|-----|--------------|--|
|  | 1                  | 15  | 9E  | 26  | SWNE | -   | -            | 2400'S., 125'E. of N'4 CORNER SECT. 26 |
|  | 2                  | 15  | 9E  | 27  | NWNE | -   | -            | 520'S., 2500'W. of NE CORNER SECT. 27  |
|  |                    |     |     |     |      |     |              |  |
|  |                    |     |     |     |      |     |              |  |
|  |                    |     |     |     |      |     |              |  |
|  |                    |     |     |     |      |     |              |  |
|  |                    |     |     |     |      |     |              |  |









**District Temporary Water Right Transfer Application  
Supplemental Form A**

**DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: 89317

**1. TYPE OF CHANGE(S) PROPOSED**

(Check *all* that apply.)

| Point of Diversion or Appropriation   | Place of Use   | Character of Use   |
|---|--|--|
| <input type="checkbox"/> Change to facilitate a change in Place of Use (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the transfer.)<br><input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.)<br><input type="checkbox"/> Change in Point of Diversion in Response to an Emergency | <input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)<br><input checked="" type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) | Proposed new use:<br><input type="checkbox"/> Change a water right to Store Water<br><input type="checkbox"/> Diminish an irrigation water right (primary) to a supplemental water right |

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**2. CURRENT WATER RIGHT INFORMATION**

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

|   |                          |  |
|---|--------------------------|--|
| <input checked="" type="checkbox"/> Certificated Right                    | <u>89317</u>             |  |
|   | Certificate Number       | Permit Number or Decree Name           |
| <input type="checkbox"/> Adjudicated, Non-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 |

- Name on Permit, Certificate, or Decree: MIDDLEFORK IRRIGATION DISTRICT (MFIID)
- County: HOOD RIVER
- Authorized Use(s) to be Affected by Transfer: I. R., I. S.
- Priority Date(s): 01/02/1962

*If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: CLEAR BRANCH, LAURANCE LAKE RESERVOIR
- Tributary to: HOOD RIVER

*If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For applications proposing a Change in Place of Use or Character of Use:**

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

Yes     No     N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 46268, 89320, 89321

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).*

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▪ Certificate Number or other identifying number: 89317

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The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer** (i.e., **list only the portion of the water right you propose to transfer.**) Attach additional pages as necessary.

A Point of Diversion (POD) describes the location of diversion from a surface water source.  
 A Point of Appropriation (POA) describes the location of appropriation from a ground water source or well.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Table I (Authorized Place of Use) and Table II (Proposed Place of Use).

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "OFF or FROM" point(s) of diversion or appropriation) Government lot(GOV" T LOT) and donation land claim numbers (DLC) must be included in the table below **only** if the information is reflected on the existing water right.

| IF POA, OWRD WELL LOG ID NO. (OR WELL ID TAG NO.) | POD# or POA# | TWP | RNG | SEC | QQ   | DLC | GOV'T LOT | MEASURED DISTANCES                      |
|---|--------------|-----|-----|-----|------|-----|-----------|---|
| -   | 1            | 15  | 9E  | 27  | NWNE | -   | -         | 920'S., 2900'W. of N.E. CORNER SECT. 27 |
| -   | 2            | 15  | 9E  | 27  | NWNE | -   | -         | NONE GIVEN                              |
|   |              |     |     |     |      |     |           |   |
|   |              |     |     |     |      |     |           |   |
|   |              |     |     |     |      |     |           |   |
|   |              |     |     |     |      |     |           |   |
|   |              |     |     |     |      |     |           |   |

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## District Temporary Water Right Transfer Application Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 89321

### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

| Point of Diversion or Appropriation   | Place of Use  | Character of Use   |
|---|---|--|
| <input type="checkbox"/> <b>Change to facilitate a change in Place of Use</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.)<br><br><input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <u>not</u> be used.)<br><br><input type="checkbox"/> <b>Change in Point of Diversion in Response to an Emergency</b> | <input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)<br><br><input checked="" type="checkbox"/> <b>Only a <u>portion</u> of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) | Proposed new use:<br><br><input type="checkbox"/> <b>Change</b> a water right to Store Water<br><br><input type="checkbox"/> <b>Diminish</b> an irrigation water right (primary) to a supplemental water right |

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**2. CURRENT WATER RIGHT INFORMATION**

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

|   |                          |  |
|---|--------------------------|--|
| <input checked="" type="checkbox"/> Certified Right                       | <u>89321</u>             |  |
|   | Certificate Number       | Permit Number or Decree Name           |
| <input type="checkbox"/> Adjudicated, Non-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 |

- Name on Permit, Certificate, or Decree: MIDDLEFORK IRRIGATION DIST. (MFID)
- County: HOOD RIVER
- Authorized Use(s) to be Affected by Transfer: I.S.
- Priority Date(s): 08/19/1985

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: COE CREEK
- Tributary to: HOOD RIVER

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For applications proposing a Change in Place of Use or Character of Use:**

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
  - Yes     No     N/A – No Change in Place of Use or Character of Use

*If "Yes", what are the Permit, Registration or Certificate Numbers? 46268, 89317, 89320*

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).*

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▪ Certificate Number or other identifying number: 89321

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The following information **must be provided only** for those points of diversion or appropriation that **are involved in the transfer** (i.e., **list only the portion of the water right you propose to transfer.**) Attach additional pages as necessary.

- A Point of Diversion (POD) describes the location of diversion from a surface water source.
- A Point of Appropriation (POA) describes the location of appropriation from a ground water source or well.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Table I (Authorized Place of Use) and Table II (Proposed Place of Use).

**Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "OFF or FROM" point(s) of diversion or appropriation)

Government lot(GOV'T LOT) and donation land claim numbers (DLC) must be included in the table below **only** if the information is reflected on the existing water right.

| IF POA, OWRD WELL LOG ID NO. (OR WELL ID TAG NO. ) | POD# or POA# | TWP | RNG | SEC | QQ   | DLC | GOV'T LOT | MEASURED DISTANCES                   |
|--|--------------|-----|-----|-----|------|-----|-----------|--------------------------------------|
| —  | 1            | 15  | 9E  | 27  | SENE | —   | —         | 945 ft. WEST OF N.E. CORNER SECT. 27 |
|  |              |     |     |     |      |     |           |                                      |
|  |              |     |     |     |      |     |           |                                      |
|  |              |     |     |     |      |     |           |                                      |
|  |              |     |     |     |      |     |           |                                      |
|  |              |     |     |     |      |     |           |                                      |
|  |              |     |     |     |      |     |           |                                      |

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▪ Certificate Number or other identifying number: 89321

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "ON or TO" lands)

| TABLE II. - PROPOSED PLACE OF USE |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|-----------------------------------|------------------|------|-------------------|-----|-----|------|-----|--------------|-------|-----------|--------------------------|---------|
| POD#<br>or<br>POA#                | PRIORITY<br>DATE | USE  | LEGAL DESCRIPTION |     |     |      |     |              | ACRES | USER NAME | DINN                     |         |
|                                   |                  |      | TWP               | RNG | SEC | QQ   | DLC | GOV'T<br>LOT |       |           |                          | TAX LOT |
| 1                                 | 8/15/85          | I.S. | 15                | 10E | 20  | NWSW | -   | -            | 1300  | 3.62      | MFID<br>CHINA HILL FARMS |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
|                                   |                  |      |                   |     |     |      |     |              |       |           |                          |         |
| <b>TOTAL:</b>                     |                  |      |                   |     |     |      |     |              |       | 3.62      |                          |         |

Remarks: \_\_\_\_\_

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## District Permanent Water Right Transfer Supplemental Form D

### WATER RIGHTS ISSUED IN THE NAME OF OR WITHIN THE BOUNDARIES OF A DISTRICT

The Department encourages applicants to coordinate with districts during the planning and preparation of transfer applications involving water rights issued in the name of a district or involving the transfer of water rights located within the boundaries of a district.

This form must be included with your transfer application if the transfer involves rights issued in the name of a district or rights located within district boundaries. This form can be used for both permanent and temporary transfers.

#### 1. APPLICANT INFORMATION

Name: GLACIER RANCH LTD.  
Address: 8405 CLEAR CREEK RD.  
City: PARKDALE State: OR Zip: 97041  
Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ \*\*E-Mail address: COMICEPEAR@AOL.COM

#### 2. DISTRICT INFORMATION

District Name: MIDDLEFORK IRRIGATION DISTRICT  
Address: P.O. BOX 291  
City: PARKDALE State: OR Zip: 97041  
Home Phone: N/A Work Phone: (541) 352-6468 Other Phone: \_\_\_\_\_  
Fax: 541-352-7794 \*\*E-Mail address: MFID@MFIDP.COM

\*\* By providing an e-mail address, the district and the applicant consent to receive all correspondence from the Department electronically. Copies of the final order documents will also be mailed.

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**3. WATER RIGHT(S) ISSUED IN THE NAME OF A DISTRICT(S) OR LOCATED WITHIN THE BOUNDARIES OF A DISTRICT**

List the water right(s) involved in this transfer:

|    | Application / Decree | Permit / Previous Transfer | Certificate |
|----|----------------------|----------------------------|-------------|
| 1. |                      |                            | 46268       |
| 2. |                      |                            | 89317       |
| 3. |                      |                            | 89320       |
| 4. |                      |                            | 89321       |
| 5. |                      |                            |             |
| 6. |                      |                            |             |

**4. DISTRICT CONCURRENCE WITH PROPOSED WATER RIGHT TRANSFER**

The district certifies the following:

- (1) The applicant has conferred with the district about the proposed water right transfer application;
- (2) The district has reviewed the applicant's proposed water right transfer application and maps; and
- (3) The district concurs with the proposed water right transfer application.

  
 District Manager Signature

CRAIG DEHART  
 Name (print)

11/18/2016  
 Date

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**MIDDLE FORK IRRIGATION DISTRICT  
WATER RIGHT TRANSFER POLICY**

**Adopted 06/16/2015**

The Board of Directors of the Middle Fork Irrigation District and the State of Oregon Water Resources Department has the authority in approving or denying an application for transfer of water right. The Board will handle each transfer on a case-by-case basis. All requests for water rights that are received go into the existing request file (waiting list). When the District receives a request for transfer of water rights it will perform a preliminary review to determine if the request is feasible. The Board reserves the right to deny an application for transfer of water right. All decisions by the Board of Directors are final. It is the policy of the Board to allow water right transfers that meet certain criteria as follows:

1. To land belonging to the same owner and having the same source of water
2. Private transfer of water rights
3. To the District Water Right Transfer Pool for distribution to the next available property on the list based on earliest application and capacity available.

Existing points of delivery will remain in the same location and it will be the landowner's responsibility to get the water to the new location. In some instances a new point of delivery will need to be established at the landowners expense.

The Board has many factors to keep in mind when considering approval of a transfer. The following are a few:

1. Is the water right valid?
2. Does the District have any requests to receive transferred water rights from this source?
3. Is the property located within the boundaries of the District?
4. Will the water be for agricultural use?
5. Is the property considered eligible for water according to the State of Oregon Water Right Certificate?
- 6. If not previously irrigated, is the property two acres or more?
- 7. If not previously irrigated, is the request for water rights to be transferred two acres or more?
- 8. Will the transfer leave a parcel with less than two acres of water rights?
9. Are all of the water rights being transferred off the parcel, essentially drying up the land?
10. Is the transfer in the best interest of the District as a whole?
11. Is there capacity in the line to serve the property?
12. Where will the point of delivery be?

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All accounts must be current before an Application for Transfer can be considered.

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The applicant will, at their expense, have the area being transferred from and the area being transferred to shown on a map drawn to the same scale as the Hood River County assessor's map for each parcel of land. The map(s) must be drawn by a licensed surveyor, licensed Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the District. The maps must include the following:

1. The boundaries of the irrigated area (fences, ditches, roads, etc.), must be shown on a map drawn to the same scale as the Hood River County assessor's map for the parcel of land.
2. The acreage on each tax lot and the quarter/quarter section.
3. Point of delivery from existing District pipeline.
4. Supply a photocopy of the metes and bounds description for the entire tax lot involved in the transfer.

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5. Supply proof of legal access to the water supply. Easements or right-of-ways necessary for a proposed change are private matters between the applicant and the other landowners involved.

The District will apply for the transfer with the Oregon Water Resources Department.

The new water right landowner must pay for the cost of the application through OWRD and any additions or improvements to the District's facilities to allow use, such as:

1. Pipelines
2. Acquire and record any easements necessary for the transfer of water use and give copies of easements to the District.

The District requires sprinkler irrigation or some other proven water-conservation method.

The District requires a notarized statement from the mortgage holder (if any) supporting the proposed change.

A copy of the deed to the affected property must be supplied to the District.

Additional lands on any transfer can be donated to Middle Fork Irrigation District's Transfer Pool for available transfer to the waiting list. Example: 20 acres of land being transferred to 18.5 acres of land leaves 1.5 excess acres that can be donated to MFID's Transfer Pool so the water right does not extinguish.

## **MIDDLE FORK IRRIGATION DISTRICT TRANSFER PROCESS**

Landowners wishing to move all or some of their water right to another location under the SAME OWNERSHIP AND HAVING THE SAME SOURCE OF WATER, the following is required:

1. All accounts must be paid current.
2. Reimburse Middle Fork Irrigation District the cost of the filing fee for processing, publishing, and filing the transfer with the Oregon Water Resources Department. This is a non-refundable fee whether the transfer is approved or denied.
3. Proof of evidence that the water right has been used at least once for beneficial use and has not been forfeited for five or more years per ORS 540.610. This would consist of a notarized oath from the landowner stating that the water right is valid and a statement supporting the proposed change. (This form is included in this transfer packet.)
4. A notarized statement from the mortgage holder (if any) supporting the proposed change if the water is being moved to a different tax lot. (See attached sample)
5. A lien search (Property Profile Report or Par Search) if the water is being moved to a different tax lot.
6. A map to be drawn by a licensed surveyor, licensed Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the District. The map is to show the tax lot and area covered by the water right to be removed along with the following:
  - a. The location of each point of diversion/delivery
  - b. The location and direction of the stream flow
  - c. The location of all dams and regulating or control works
  - d. The location of main canals, ditches, pipelines, or flumes. Location of physical features (drainage, fencing, etc.).
  - e. Any area that will be retaining the water right.
7. If part of the water right is being retained in it's original location, the owner must provide a mathematically correct map showing the remaining area of irrigation and the areas(s) to

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be left dry on a map drawn to the same scale as the Hood River County assessor's map for the parcel of land.

Landowners desiring to TRANSFER OFF a water right need to file an Application for Transfer of Water Right. The application consists of the following:

1. All accounts must be paid current.
2. Proof of evidence that the water right has been used at least once for beneficial use and has not been forfeited for five or more years per ORS 540.610. This would consist of a notarized oath from the landowner stating that the water right is valid and a statement supporting the proposed change. (This form is included in this transfer packet.)
3. A notarized statement from the mortgage holder (if any) supporting the proposed change. (See attached sample.)
4. A copy of the deed to the property.
5. A lien search of the property (Property Profile Report or Par Search) must be submitted with the transfer paperwork.
6. A map to be drawn by a licensed surveyor, Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the District. (The District will provide this map if the water right is to be transferred back to the District.) The map is to show the tax lot and area covered by the water right to be removed along with the following:
  - a. The location of each point of diversion.
  - b. The location and direction of the stream flow.
  - c. The location of all dams and regulating or control works.
  - d. The location of main canals, ditches, pipelines, or flumes. The location of physical features (drainage, fencing, etc.).
  - e. Area that has been irrigated, including the exact acreage amount and the quarter/quarter section.
  - f. Location of buildings that could be impacted (including neighboring property).
  - g. The map shall be drawn to the same scale as the Hood River County Assessor's map for that tax lot.
7. If part of the water right is being retained on it's original location, the owner must provide a mathematically correct map showing the remaining area of irrigation and the area(s) to be left dry on a map drawn to the same scale as the Hood River County assessor's map for the parcel of land. The map needs to show any portion of the water rights that are being retained.

Landowners desiring to RECEIVE a water right need to file an Application for Transfer of Water Right. The application consists of the following:

1. Reimburse Middle Fork Irrigation District the cost of the filing fee for processing, publishing, and filing the transfer with the Oregon Water Resources Department. This is a non-refundable fee whether the transfer is approved or denied.
2. A notarized statement from the mortgage holder (if any) supporting the addition of a water right to the property.
3. A copy of the deed to the property.
4. A lien search (Property Profile Report or Par Search) of the property.
5. A map to be drawn by a licensed surveyor, Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the District. The map is to show the tax lot and area to be covered by the water right along with the following:
  - a. The location of each point of diversion.
  - b. The location and direction of the stream flow.
  - c. The location of all dams and regulating or control works.
  - d. The location of main canals, ditches, pipelines, or flumes. The location of physical features (drainage, fencing, etc.).

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- e. Area to be irrigated, including the exact acreage amount and the quarter/quarter section.
  - f. Location of buildings that could be impacted (including neighboring property).
  - g. The map shall be drawn to the same scale as the Hood River County Assessor's map for that tax lot.
  - h. If the water right is to be delivered through a stream, the landowner is responsible for meeting all environmental, and fish and wildlife concerns such as screening passage, etc.
6. If the boundaries of the District must be altered to accommodate the transfer, the recipient must pay for all costs involved. These cost could include, but are not limited to the following: publication costs, soil surveys, archeological surveys, environmental surveys and any state or federal agency costs, etc.

For the necessary transfer forms please contact the District office.

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