



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

# 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: Swalley Irrigation District

Address: 64672 Cook Ave., Ste.

City: Bend State: OR Zip: 97703

Phone: 541-388-0658 Fax: 541-389-0433 E-Mail address: kathy@swalley.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.	74145	2016 -1	Swalley Irrigation District – Vol. 12, page 282 and Vol. 16, page 148 & 396. Priority date is September 1, 1899
2.		-	
3.		-	
4.		-	
5.		-	
6.		-	

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### 3. ATTACHMENTS

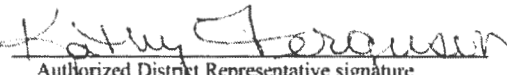
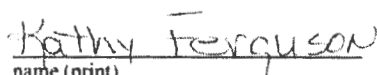
*Check each of the following **attachments** included with this application. The application will be returned if all required attachments are not included.*

<p><b>Supplemental Form A –</b>  <b>Description of Proposed Change(s) to a Water Right</b></p> <p><input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p><b>Map</b></p> <p><input checked="" type="checkbox"/> Permanent Transfer          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></p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ 1000.00          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></p> <p><input type="checkbox"/> The Land Use Information Form is <u>not</u> required if water is to be diverted, conveyed and/or used only on federal lands or if <u>ALL</u> 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 <u>only</u> and d) the use is located within an irrigation district or an exclusive farm use zone.</p>
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### 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	name (print)	date
OR		
		12-25-16
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.



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# 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: Swalley Irrigation District

Contact Person: Kathy Ferguson

Phone: 541-388-0658

Mailing Address: 64672 Cook Ave., Ste. 1

City: Bend State: OR Zip: 97703

\*Fax: 541-388-0433

\*E-Mail address: kathy@swalley.com

*\*Optional information*

District Internal Notice Number (DINN): 2016-01

## 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)
74145	2016-01	Swalley Irrigation District – Vol. 12, at page 282. and Vol. 16, at page 148 and 396. Priority date is September 1, 1899
	-	
	-	

## 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
74145	2016-01	3	Swalley Main Canal – SE1/4 NE1/4, Section 29, T17S, R12E, WM, 985 ft. North & 617 ft. West from the East ¼ corner of Section 29
74145	2016-01	10	SE1/4 SE1/4 Section 30, T16S, R12E, WM, 192 ft. North & 1069 ft. West from the SE Corner of Section 30.
74145	2016-01	11	SE1/4 SE1/4 Section 30, T16S, R12E, WM, 1248.59 ft. North & 138 ft. West from the SE Corner of Section 30.

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WATER RESOURCES DEPARTMENT

NOTICE OF DISTRICT PERMANENT TRANSFER  
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**  
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97701** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**  
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

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2. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE

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3. **APPLICANT (OFF):**

NAME: Swalley Irrigation District  
ADDRESS: 64672 Cook Ave, Ste. 1, Bend, OR 97703

SALEM, OR

4. **LOCATION OF USE: AUTHORIZED POINT OF DIVERSION:**  
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E .W.M. (Diversion for Swalley's main canal system)

LOCATION OF AUTHORIZED PLACE OF USE (*Off Lands*)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T17S	E12	09	NW/NE	02000	1.20	IRR
T17S	E12	09	NE/NE	02001	.68	IRR
T17S	E12	09	NW/NE	02001	.12	IRR

5. **RECIPIENT (ON):**

NAME: Rick Moeller & Carolyn Martin  
ADDRESS: 64120 Highway 20, Bend, OR 97703

6. **LOCATION OF PROPOSED USE (*On Lands*)**

POD #3) SE/SE of Section 30, T16S, R12E, W.M

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T17S	E12	05	NW/SW	01100	1.74	IRR
T17S	E12	05	SW/SW	01100	.26	IRR

7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT/DISTRICT Jer Camarata, Manager, Swalley Irrigation District

4/28/16  
Date

RECIPIENT: Rick Moeller  
Rick Moeller

4-28-16  
Date

RECIPIENT: Carolyn Martin  
Carolyn Martin

4-28-16  
Date

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TABLE I - AUTHORIZED PLACE OF USE (POU)

CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3	9-1-1899	IRR	17S	12E	09	NW/NE			02000	1.20	Quitclaim from Jane Spink - IL-1267
74145	3	9-1-1899	IRR	17S	12E	09	NE/NE			02001	.68	Quitclaim from Jane Spink -IL-1267
74145	3	9-1-1899	IRR	17S	12E	09	NW/NE			02001	.12	Quitclaim from Jane Spink-IL-1267
74145	3	9-1-1899	IRR	17S	12E	20	NW/NE			01500	.50	Quitclaim from Michael Knoell IL-1485
74145	3	9-1-1899	IRR	17S	12E	03	SW/SW			00401	.50	Quitclaim from Eugene & Emarine Mayea - IL-1485
74145	3	9-1-1899	IRR	17S	12E	29	SE/NW			01300	.50	Quitclaim from Katie Thraen - IL-1485
74145	11	9-1-1899	IRR	16S	12E	29	SW/SW			03402	.17	Walter & Jacqeline Babcock (New subdivision)
74145	3	9-1-1899	IRR	16S	12E	33	NW/NW			01400	.45	William & Eileen Haas
74145	11	9-1-1899	IRR	16S	12E	29	SW/SW			04600	.28	David & Beverly Summer (New subdivision)
74145	3	9-1-1899	IRR	16S	12E	14	SE.NW			00702	.47	Steve & Sharon Russell
74145	3	9-1-1899	IRR	17S	12E	09	NW/SW			00102	.17	Quitclaim from Community of Christ Church- IL-1399
74145	10	9-1-1899	IRR	16S	12E	30	NE/SE			00808	.25	Tiffany Goodman
74145	3	9-1-1899	IRR	16S	12E	33	NW/NW			01500	.59	Leroy & Sharon Schlecht
74145	3	9-1-1899	IRR	17S	12E	05	SW/NE			02403	1.05	John & Cindi Lee Milton (New subdivision)
74145	3	9-1-1899	IRR	17S	12E	05	SW/NE			02402	.83	Cory & Dannelle Pratt (New subdivision)
74145	3	9-1-1899	IRR	17S	12E	05	NE/NW			00800	1.04	Daniel Faulkner
74145	3	9-1-1899	IRR	16S	12E	29	SW/NE			00300	.18	Michelle & Leo Gelling
74145	3	9-1-1899	IRR	16S	12E	29	SW/NE			00303	.05	Michelle & Leo Gelling
74145	3	9-1-1899	IRR	16S	12E	29	NE/NW			00600	.37	Quitclaim from Keren Wilson & Michael DeShane - IL-1399
74145	10	9-1-1899	IRR	16S	12E	30	SE/SE			00807	.26	Kenneth Harrison
74145	10	9-1-1899	IRR	16S	12E	30	SE/SE			00806	.10	Kenneth Harrison
74145	3	9-1-1899	IRR	17S	12E	09	NE/SE			06700	.87	Shamrock Tarponaire, LLC
											10.63	

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TOTAL:

**4. PROPOSED CHANGES TO THE WATER RIGHT**

The district proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.1

TABLE II - PROPOSED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3	9-1-1899	IRR	17S	12E	05	NW/SW			01100	1.74	Rick Moeller & Carolyn Martin
74145	3	9-1-1899	IRR	17S	12E	05	SW/SW			01100	.26	Rick Moeller & Carolyn Martin
74145	11	9-1-1899	IRR	16S	12E	29	NW/SW			03400	1.03	Walter & Jacqueline Babcock (new subdivision)
74145	11	9-1-1899	IRR	16S	12E	29	NW/SW			03402	.37	Walter & Jacqueline Babcock (new subdivision)
74145	11	9-1-1899	IRR	16S	12E	30	NW/SW			03500	.10	Walter & Jacqueline Babcock (new subdivision)
74145	11	9-1-1899	IRR	16S	12E	29	NW/SW			03400	.17	Walter & Jacqueline Babcock (new subdivision)
74145	3	9-1-1899	IRR	16S	12E	33	NW/NW			01400	.45	William & Eileen Haas
74145	11	9-1-1899	IRR	16S	12E	29	SW/SW			04600	.28	David & Beverly Summer (new subdivision)
74145	3	9-1-1899	IRR	16S	12E	14	SE/NW			00702	.47	Steve & Sharon Russell
74145	10	9-1-1899	IRR	16S	12E	30	SE/SE			00808	.17	Tiffany Goodman
74145	10	9-1-1899	IRR	16S	12E	30	SE/SE			00808	.25	Tiffany Goodman
74145	3	9-1-1899	IRR	16S	12E	33	NW/NW			01500	.59	Leroy & Sharon Schlecht
74145	3	9-1-1899	IRR	17S	12E	05	SW/NE			02403	1.05	John & Cindi Lee Milton (subdivision)
74145	3	9-1-1899	IRR	17S	12E	05	SW/NE			02402	.83	Cory & Dannelle Pratt (subdivision)
74145	3	9-1-1899	IRR	17S	12E	05	NE/NW			00800	1.04	Daniel Faulkner
74145	3	9-1-1899	IRR	16S	12E	29	SW/NE			00300	.18	Michelle & Leo Gelling
74145	3	9-1-1899	IRR	16S	12E	29	SW/NE			00303	.05	Michelle & Leo Gelling
74145	10	9-1-1899	IRR	16S	12E	30	SE/SE			00806	.37	Kenneth Harrison
74145	10	9-1-1899	IRR	16S	12E	30	SE/SE			00807	.26	Kenneth Harrison
74145	10	9-1-1899	IRR	16S	12E	30	SE/SE			00806	.10	Kenneth Harrison
74145	3	9-1-1899	IRR	17S	12E	09	NE/SE			06700	.66	Shamrock Tarponaire, LLC

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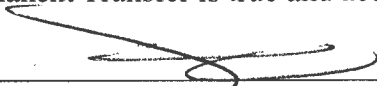
SALEM OR

**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

12/20/2016  
 \_\_\_\_\_  
 Date

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

See attached  
 \_\_\_\_\_  
 Signature of User  
 (authorized place of use)

\_\_\_\_\_  
 Date

See attached  
 \_\_\_\_\_  
 Signature of User  
 (proposed place of use)

\_\_\_\_\_  
 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 725 Summer Street NE, Suite A Salem, OR 97301-1271

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