

- Application filled out by District 11 water master Jeremy Wain



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

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

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

## FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 - Completed Minimum Requirements Checklist.
- Part 2 - Completed Temporary Transfer Application Map Checklist.
- # 710 Part 3 - Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 - Completed Applicant Information and Signature.
- Part 5 - Information about Transferred Water Rights: **How many water rights are to be transferred?** 4 **List them here:** 21686  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year** 2017 **End Year** 2021
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

### Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D - For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

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(For Staff Use Only)

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- Application fee not enclosed/insufficient
- Land Use Form not enclosed or incomplete
- Additional signature(s) required
- Map not included or incomplete
- Part \_\_\_\_\_ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_

Date:   /  /

## Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- pencil Permanent quality printed with **dark ink** on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

|  |                    |                     |                                    |                        |
|--|--------------------|---------------------|------------------------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>MAX merlich</b>  |                    |                     | PHONE NO.<br><b>503-784-5337</b>   | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>14481 Sw Twin Lakes Road</b>   |                    |                     |                                    | FAX NO.                |
| CITY<br><b>Powell Butte</b>  | STATE<br><b>OR</b> | ZIP<br><b>97753</b> | E-MAIL<br><b>Termaxm@gmail.com</b> |                        |
| <b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b> |                    |                     |                                    |                        |

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

|  |       |     |           |                        |
|--|-------|-----|-----------|------------------------|
| AGENT/BUSINESS NAME  |       |     | PHONE NO. | ADDITIONAL CONTACT NO. |
| ADDRESS  |       |     |           | FAX NO.                |
| CITY   | STATE | ZIP | E-MAIL    |                        |
| <b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b> |       |     |           |                        |

Explain in your own words what you propose to accomplish with this transfer application; and why:  
*Temporarily move water rights to better ground.*  
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

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

*[Handwritten Signature]*  
 Applicant Signature

**MAX MERLICH**  
 Print Name (and Title if applicable)

**3-13-17**  
 Date

Applicant Signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

X-

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Located within, but not served by

Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

|   |                             |              |
|---|-----------------------------|--------------|
| DISTRICT NAME<br>Central Oregon Irrigation District | ADDRESS<br>1055 SW Luke Ct. |              |
| CITY<br>Redmond                                     | STATE<br>OR                 | ZIP<br>97756 |

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

|             |         |     |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS |     |
| CITY        | STATE   | ZIP |



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

|                             |                          |              |
|-----------------------------|--------------------------|--------------|
| ENTITY NAME<br>Crook County | ADDRESS<br>300 NE 3rd St |              |
| CITY<br>Prineville          | STATE<br>OR              | ZIP<br>97754 |

|             |         |     |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS |     |
| CITY        | STATE   | ZIP |

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## INSTRUCTIONS for editing the Application Form

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

### Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;

**OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

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

- Using the **Tools** menu => click **Protect Document**;

**OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

### Microsoft Word 2007

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

### Microsoft Word 2010

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

### Other Alternatives:

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

Once the application has been unlocked, you may:

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

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

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## Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

### Description of Water Delivery System

System capacity: .50 cubic feet per second (cfs) **OR**  
       gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. Pump From westbound to Sprinklers

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed?                    | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp  | Rng  | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner)                     |
|------------------------|---|--|------|------|-----|-------|---------------------------|--|
| 1                      | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |  | 15 S | 14 E | 10  | SE NE | T <sub>h</sub> 100        | 2060' South & 260' West of NE corner of Section 10, 15 S 14 E Section 10 |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |  |      |      |     |       |                           |  |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |  |      |      |     |       |                           |  |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |  |      |      |     |       |                           |  |

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU)        | <input type="checkbox"/> Appropriation/Well (POA)                 |
| <input type="checkbox"/> Point of Diversion (POD)             | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) |   |

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

- |   |   |
|---|---|
| <input type="checkbox"/> Place of Use (POU)       | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Character of Use (USE)   | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD)     |

**Will all of the proposed changes affect the entire water right?**

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 21686**

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

| AUTHORIZED (the "from" or "off" lands)<br>The listing that appears on the certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |     |     |            |                      |             |   |   |                  | Proposed<br>Changes (see<br>"CODES"<br>from previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |         |     |     |     |            |                      |       |                    |  |                  |                |             |                |            |
|--|-----|-----|-----|-----|------------|----------------------|-------------|---|---|------------------|---|---|---------|-----|-----|-----|------------|----------------------|-------|--------------------|--|------------------|----------------|-------------|----------------|------------|
| Twp  | Rng | Sec | 1/4 | 1/4 | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres       | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date |   | Twp   | Rng     | Sec | 1/4 | 1/4 | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |                |             |                |            |
| <b>EXAMPLE</b>   |     |     |     |     |            |                      |             |   |   |                  |   |   |         |     |     |     |            |                      |       |                    |  |                  |                |             |                |            |
| 2  | S   | 9   |     | 15  | NE         | NW                   | 100         |   | 15.0  | Irrigation       | POD #1<br>POD #2  | 1901  | POU/POD | 2   | S   | 9   | E          | 1                    | NW    | NW                 | 500  | 1                | 10.0           |             | POD #5         | 1901       |
| "  | "   | "   | "   | "   | "          | "                    | "           | "                                       | "   | EXAMPLE          | "   | "   | "       | 2   | S   | 9   | E          | 2                    | SW    | NW                 | 500  |                  | 5.0            |             | POD #6         | 1901       |
| 15   | S   | 14  | E   | 11  | NW         | NW                   | 300         |   | 1 <sup>0</sup>  | Irrigation       | POD #1  | 12/18/1945  |         | 15  | S   | 14  | E          | 11                   | SW    | NW                 | 300  |                  | 5 <sup>0</sup> |             | POD #1         | 12/18/1945 |
| 15   | S   | 14  | E   | 10  | NE         | NE                   | 100         |   | 3 <sup>0</sup>  | Irrigation       | POD #1  | 12/18/1945  |         |     |     |     |            |                      |       |                    |  |                  |                |             |                |            |
| 15   | S   | 14  | E   | 10  | SE         | NE                   | 100         |   | 1 <sup>0</sup>  | Irrigation       | POD #1  | 12/18/1945  |         |     |     |     |            |                      |       |                    |  |                  |                |             |                |            |
|  |     |     |     |     |            |                      | TOTAL ACRES | 5 <sup>0</sup>                          |   |                  |   |   |         |     |     |     |            |                      |       |                    |  |                  |                | TOTAL ACRES | 5 <sup>0</sup> |            |

Additional remarks: \_\_\_\_\_.

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**For Place of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_

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

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

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

| Proposed or Authorized POA Name or Number | Is well already built? (Yes or No) | If an existing well, OWRD Well ID Tag No. L-___ | Total well depth | Casing Diameter | Casing Intervals (feet) | Seal depth(s) (intervals) | Perforated or screened intervals (in feet) | Static water level of completed well (in feet) | Source aquifer (sand, gravel, basalt, etc.) | Well-specific rate (cfs or gpm). If less than full rate of water right |
|---|------------------------------------|---|------------------|-----------------|-------------------------|---------------------------|--|--|---|--|
|   |                                    |   |                  |                 |                         |                           |  |  |   |  |
|   |                                    |   |                  |                 |                         |                           |  |  |   |  |
|   |                                    |   |                  |                 |                         |                           |  |  |   |  |
|   |                                    |   |                  |                 |                         |                           |  |  |   |  |

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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: Max Merlich

Address: 14491 SW Twin Lakes Road

City: Powell Butte State: OR Zip: 97753

Home Phone: 503-789-5337 Work Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ \*\*E-Mail address: termaxme@gmail.com

#### 2. DISTRICT INFORMATION

District Name: Central Oregon Irrigation District

Address: 1055 SW Lake Ct

City: Redmond State: OR Zip: 97756

Home Phone: \_\_\_\_\_ Work Phone: 541-548-6047 Other Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ \*\*E-Mail address: \_\_\_\_\_

\*\* 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. | S-21232              | S-18675                    | 21686       |
| 2. |                      |                            |             |
| 3. |                      |                            |             |
| 4. |                      |                            |             |
| 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 HORVATH  
 \_\_\_\_\_  
 Name (print)

3-14-17  
 \_\_\_\_\_  
 Date