



Department of Fish and Wildlife John Day Field Office PO Box 9

John Day, OR 97845 Voice: 541-575-1167

Fax: 541-575-0948 http://www.dfw.state.or.us

6/29/2017

Oregon Water Resources Department ATTN: Transfer Section 725 Summer Street NE, Suite A Salem, OR 97301-1266

Subject: Berry Creek POD Transfer

To Whom It Many Concern,

The Oregon Department of Fish and Wildlife is submitting this letter of support for Mr. Larson's water right point of diversions (POD) transfer application that will move Berry Creek water rights to Canyon Creek.

Mr. Larson has been working towards this consolidation for many years to benefit instream flows of Berry Creek. The consolidation will provide benefits for both the water user and fish species present in Berry Creek. Berry Creek has very low base stream flows during irrigation season.

In addition to the POD transfers several fish passage and riparian habitat improvements have been implemented on this reach of Berry Creek. The combination of all these projects will greatly enhance natural resource conditions of Berry Creek.

ODFW believes that this application will provide a net benefit to federally listed steelhead and other native resident fish species rearing in Berry Creek. Improving fish rearing habitat and stream flow quantity and quality is a priority for ODFW. We recommend that the Water Resources Department consider reducing application fees for Mr. Larson that are associated with the Berry Creek POD transfers. We will review the application as it proceeds through the inter-agency review process.

Sincerely,

Brent Smith

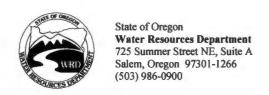
Acting John Day District Fish Biologist Oregon Department of Fish and Wildlife

c: Grant Soil and Water Conservation District

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SALEM, OR



Application for Permanent Water Right Transfer

Part 1 of 5 - Minimum Requirements Checklist

This 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.

Che	ck all ite	ms included with this application. $(N/A = Not Applicable)$
\boxtimes		Part 1 – Completed Minimum Requirements Checklist.
\boxtimes		Part 2 – Completed Transfer Application Map Checklist.
		Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd fee calculator. If you have questions, call Customer Service at (503) 986-0801.
\boxtimes		Part 4 – Completed Applicant Information and Signature.
\boxtimes		Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 3 List them here: 25x31, 17372 & 7692 Should be 25341 Please include a separate Part 5 for each water right. (See instructions on page 6)
		Attachments:
\boxtimes		Completed Transfer Application Map.
\boxtimes		Completed Evidence of Use Affidavit and supporting documentation.
	⊠ N/A	Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
	⊠ N/A	Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
	□ N/A	Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
	N/A	Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
	N/A	Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.
		(For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Land Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete Other/Explanation Staff: 503-986-0 Date: RECEIVED BY OWRD

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

		sure that the transfer application map you submit includes all the required items and the existing water right map. Check all boxes that apply.
	□ N/A	Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/ . CWRE stamp and signature are not required for substitutions.
	N/A	If more than three water rights are involved, separate maps are needed for each water right.
\boxtimes		Permanent quality printed with dark ink on good quality paper. RECEIVED BY OWRD
\boxtimes		The size of the map can be $8\frac{1}{2} \times 11$ inches, $8\frac{1}{2} \times 14$ inches, 11×17 inches, or up to 30×30 inches. For 30×30 inch maps, one extra copy is required. JUL 2 1 2017
\boxtimes		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.
\boxtimes		Township, Range, Section, 1/4 1/4, DLC, Government Lot, and other recognized public land survey lines.
\boxtimes		Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
\boxtimes		Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
\boxtimes		Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
		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.
\boxtimes	□ N/A	Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
		Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
	□ N/A	If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example $-42^{\circ}32^{\circ}15.5^{\circ}$) or degrees-decimal with five or more digits after the decimal (example -42.53764°).

	FEE WORKSHEET for PERMANENT TRANSFER Part 3 of 5	- Fee	Worksheet
1	Base Fee (includes one type of change to one water right for up to 1 cts)	1	\$1,000
	Types of change proposed: X Place of Use Character of Use X Point of Diversion/Appropriation Number of above boxes checked = 2 (2a) Subtract 1 from the number in line 2a = 1 (2b) If only one change, this will be 0		
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » »	2	\$800
3	Number of water rights included in transfer 3 (3a) Subtract 1 from the number in 3a above: 2 (3b) If only one water right this will be 0 Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » » »	3	\$900
	Do you propose to add or change a well, or change from a surface water POD to a well? X No: enter 0 » » » » » » » » » » » » » » » » » »		
4	Yes: enter \$350 » » » » » » » » » » » » » » » » »	4	0
	Do you propose to change the place of use or character of use? No: enter 0 on line 5 » » » » » » » » » » » » » » » » » »		VED BY OV UL 2 1 2017
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »	S	ALEM, OR
5	multiply 5c by \$300, then enter on line 5 » » » » » » » »	5	\$300
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$3,000
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » »	7	\$1,500
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » »	8	\$1,500

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:

a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs \div 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).

b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)

2. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

	FEE WORKSHEET for SUBSTITUTION		
1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution (2a) Subtract 1 from the number in 3a above: (2b) If only one well this will be 0		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » Fee for Substitution:	3	

Part 4 of 5 - Applicant Information and Signature

Applicant Information

				CORRESPONDENCE FROM THE NTS WILL ALSO BE MAILED.			
CITY Canyon City	STATE OR	ZIP 97820		wranch e century tel.			
ADDRESS 24335 Hwy 395S				FAX NO.			
Gordon and Julie Larson			(541) 620-1539				
APPLICANT/BUSINESS NAM	E		PHONE NO.	ADDITIONAL CONTACT NO.			

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Kyle S. Sullivan / Grant SWCl	D		(541) 575-0135 x111	
ADDRESS				FAX NO.
721 S. Canyon Blvd				
CITY	STATE	ZIP	E-MAIL	
John Day	OR	97845	sullivank@ortelco.ne	
BY PROVIDING AN E-MAIL A	ADDRESS,	CONSENT IS GI	VEN TO RECEIVE ALL COP	RRESPONDENCE FROM THE
DEPARTMENT ELECTRONIC	CALLY. CO	PIES OF THE F	INAL ORDER DOCUMENTS	S WILL ALSO BE MAILED.
Explain in your own words	what you	propose to ac	ccomplish with this trans	sfer application, and why:
Consolidate 4 irrigation div	-		-	
well as promote more effic			mip suction, improve his	i passage and natitut as
wen as promote more erric	icht use o	water.		
If you need additional space, cor	ntinue on a	separate piece of	paper and attach to the applic	cation as "Attachment 1".
Check this box if this p	roject is f	fully or partial	paper and attach to the application paper and attach to the America	
If you need additional space, con Check this box if this p Reinvestment Act. (Fed	roject is f	fully or partial		
Check this box if this p	roject is f	ully or partiallulus dollars)	ly funded by the America	
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I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Blue Mountain Eagle.

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 deeded 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) were conveyed.

Print Name (and Title if applicable)

CITY Check here if water for for stored water with a ENTITY NAME CITY To meet State Land Use Co	onsistency	Requiren	ADDRES STATE ments, yes se jurisd	ty. S ou must list all liction water wis S lumbolt Street, S	ll be diverted, conveyed or
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an irrigation or other wa	alei distiii		ADDRES		
Check here if any of the	water rig	ghts propo	sed for	transfer are or v	vill be located within or serv
Describe any special owner	shin circu	ımstances	here.		
CITY	STATE	ZIP		E-MAIL	
ADDRESS				<u> </u>	FAX NO.
RECEIVING LANDOWNER NAME				PHONE NO.	ADDITIONAL CONTACT NO
unless a sale agreement http://www.oregon.gov	or other	document	states o	therwise. For r	nore information see:
assignment will have to				cated on the lar	nd belong to the new owner,
information table below	. If you	do not kno	ow who	•	oner will be, then a request f
				_	nplete the receiving landow
Copies of notices ar	nd corresp	ondence s	should b	e sent to this la	ndowner and the applicant. being sold? Yes No
Both the receiving I	•			•	e for completion of change(
illiai order is issued.	Coniec				e proposed change(s) after to
The receiving lando final order is issued.		he recnor			
continue to be sent t The receiving lando	o the app wner will	licant.			ices and correspondence sho

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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.

Once the application has been unlocked, you may:

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

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

Microsoft Word 2007

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

Microsoft Word 2010

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

Other Alternatives:

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

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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.

				CLI	X 1 11	TUP	AIL#	<u> 25541</u>			
Descri	ption of Water	Delivery Sy	sten	n							
System	n capacity: >1.	2 cubic feet p	er s	econ	d (ci	s) O	R				
		gallons p	er m	inut	e (gp	m)					
five ye and appoint Creeks is converted to the converted	ears. Include integrated ply the water at sat either of or	formation on the authorize ne of three d	the placed iver	pum ace sion	ps, constants of us some some some some some some some som	anals e. <u>V</u> Ber	s, pipe Vater ry Cre	lines a is dive eek or	nd spi erted i a loca	rinklers from ei ation or	ome time within the last used to divert, convey ther Berry or Canyon Canyon Canyon Creek. Water applied to the field via
	POD/POA nan		_						•	,	Appropriation (POA)
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)		wp		ng	Sec		1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Upper erry Cr.	□ Authorized □ Proposed		S	31	E	28 NW SE		n/a	n/a		
Middle erry Cr.			14	S	31	E	28	NE	sw	n/a	n/a RECEIVED BY O
Lower erry Cr.			14	S	31	E	28	NW	sw	n/a	n/a JUL 2 1 2017
Canyon Cr.			15	S	31	E	1	NW	NW	n/a	n/a SALEM, OR
erry Cr. Pump	☐ Authorized ☐ Proposed		14	S	31	E	35	SE	NE	5315	140 feet North and 170 feet West from the Eastern ¼ corner Section 35
Canyon r. Pump	☐ Authorized ☐ Proposed		14	S	31	S	35	SE	NE	5315	140 feet North and 190 feet West from the Eastern ¼ corner Section 35
Check	all type(s) of o	change(s) pro	opos	ed b	elow	v (ch	ange	"COD	ES" a	re pro	vided in parentheses):
\boxtimes	Place of Use	(POU)						Supple	menta	ıl Use to	Primary Use (S to P)
	Character of	Use (USE)						Point o	of App	ropriati	on/Well (POA)
\boxtimes	Point of Dive	ersion (POD))					Additio	onal P	oint of	Appropriation (APOA)
	Additional P	oint of Diver	sion	(AF	ומטי			Substit	ution	(SUB)	

POA (SW/GW)

Surface Water POD to Ground Water

Government Action POD (GOV)

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

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Table 2. Description of Changes to Water Right Certificate #25341 List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.

If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

	AUTHORIZED (the "from" or "off" lands)									Proposed	PROPOSED (the "to" or "on" lands)														
Twp	Rng	g	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Changes (see "CODES" from previous page)	Tw	тр	Rr	g	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
14 S	31	E	36	sw	NW	5315		23.3	Irrigation and Stock	Upper, Middle or Lower Berry Cr. or Canyon Cr.	July 3, 1883	POU/POD	14	s	31	E	36	sw	NW	5315	NA	24.7	NA	Berry Cr. or Canyon Cr. Pump	July 3, 1883
14 S	31	E	36	NW	sw	5315, 5316 & 5306		18.8	Irrigation and Stock	Upper, Middle or Lower Berry Cr. or Canyon Cr.	July 3, 1883	POU/POD	14	S	31	E	35	SE	NE	5315	NA	0.4	NA	Berry Cr. or Canyon Cr. Pump	July 3, 1883
14 S	31	E	36	sw	sw	5306		5.7	Irrigation and Stock	Upper, Middle or Lower Berry Cr. or Canyon Cr.	July 3, 1883	POU/POD	14	S	31	E	35	NE	SE	5315	NA	0.5	NA	Berry Cr. or Canyon Cr. Pump	July 3, 1883
14 S	31	E	36	SE	NW	5311		NA	Domestic	Upper, Middle or Lower Berry Cr. or Canyon Cr.	July 3, 1883	POU/POD	14	S	31	E	36	NW	sw	5315, 5316 & 5306	NA	14.8	NA	Berry Cr. or Canyon Cr. Pump	July 3, 1883
													14	s	31	E	36	NE	sw	5315	NA	0.1	NA	Berry Cr. or Canyon Cr. Pump	July 3, 1883
													14	s	31	E	36	sw	sw	5306	NA	7.3	NA	Berry Cr. or Canyon Cr. Pump	July 3, 1883
-													14	s	31	E	36	NW	sw	5316	NA	NA	NA	Berry Cr. or Canyon Cr. Pump	July 3, 1883
خ				T	OTA	L ACR	ES:	47.8										7	OTA	L ACR	ES:	47.8			

Revised 7/1/2013

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TACS

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Additional remarks: New diversion points consist of a single pump station located at the confluence of Berry and Canyon Creeks. Water is withdrawn from Berry Creek via pump with a flexible intake equipped with ODFW approved Fish Screen; a second pump with intake and fish screen withdraws water from Canyon Creek. Both pumps are equipped with flow measurement devices and variable frequency drives to match withdrawals with authorized use throughout the year.

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For Place of Use or Character of Use Changes

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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 han full rate of water right
th tra th (F	ansfer app	in this listing anying applic lication until d well(s) will e Department fer.	ation ma it is rece access t	p. Failure eived. The he same so	to provie informat ource aqu	de the infortion is nece ifer as the a	mation will ssary for th authorized p	delay the department of the department of the department of the delay the de	processing ent to assess appropriation	of your whether on
Ta	no for lice inf	escribe the co t have a well each request ensed well dr formation nec	log. For ted infor- tiller, geo- tessary to	mation election electrons complete	wells not ement in t certified Table 3.	t yet constr he table. Tl water right	<i>ucted or bu</i> ne Departm	ilt, provide ent recomm	e "a best est mends you	imate" consult a
	AND/O	R								
	ass ma Ti	ell log(s) are sociated with ap. p: You may sp://apps.wrd.	the corresearch fo	esponding r well logs	well(s) in	n Table 1 a	bove and or s web page	the accor		
	_	nge in point	. ,	• •		,,	•	, ,	•	
		the primary of							SALE	
		nge from Su						n Use		
		water supple water primar				:#;		r		BY OWRD 1 2017
	For Subst	titution (grou irrig	and wate	r supplem	ental irrig	gation will	be substitut		•	•
-	a primar	t to ORS 540 y right propound water region.	sed for t	ransfer mi	ust be inc	luded in the	e transfer or	be cancel	led. Any cl	nange
	If YES,	list the certifi	icate, wa	iter use per	rmit, or g	round wate	r registratio	n numbers	s: <u>7692 & 1</u>	7372.
		e other water "from" or the	_				ground wa	ter registra	tions assoc	ated

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 han full rate of water right

CERTIFICATE # 7692 Description of Water Delivery System System capacity: >0.08 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. Water is diverted from Canyon Creek and conveyed through an open ditch and applied to the field via laterals. 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.) Tax Is this If POA. Lot POD/POA POD/POA OWRD Well Measured Distances DLC Authorized on Name or Log ID# (or (from a recognized Twp 1/4 1/4 Rng Sec or Number the Certificate or Well ID survey corner) Gov't is it Proposed? Tag # L-___) Lot Canyon 31 15 S E 1 NW NW n/a n/a Cr. Proposed 140 feet North and 190 ☐ Authorized Canyon feet West from the 14 S 31 S 35 SE NE 5315 Cr. Pump N Proposed Eastern ¼ corner Section Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses): Place of Use (POU) Supplemental Use to Primary Use (S to P) Character of Use (USE) Point of Appropriation/Well (POA) X Additional Point of Appropriation (APOA) Point of Diversion (POD) Additional Point of Diversion (APOD) Substitution (SUB) Surface Water POD to Ground Water Government Action POD (GOV) POA (SW/GW) Will all of the proposed changes affect the entire water right? Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

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Complete all of Table 2 to describe the portion of the water right to be changed.

12718

Table 2. Description of Changes to Water Right Certificate # 7692

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

1	AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.									Proposed Changes (see	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Tw	р	Rn	g	Sec		1/4	1/4	Tax Lot	Gvt Lot or DLC		Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Date	"CODES"	Twp	p	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
14	s	31	E	36	s	SW	sw	5306	,	5.7	Supplement al Irrigation		June 24, 1927	POU/POD	14	S 3	1 E	36	sw	NW	5315	NA	5.7	NA	Canyon Cr. Pump	June 24, 1927
						T	ОТА	L ACF	RES:	5.7										ТОТА	L ACR	ES:	5.7			

Additional remarks:

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SALEM, OR

			ci tilicate # 7072									
	For P	ace of Use or Character of Use Changes										
		there other water right certificates, water use permits or ground water regists the "from" or the "to" lands? Yes No	rations associated									
	If Y	ES, list the certificate, water use permit, or ground water registration number	rs: <u>25431.</u>									
	a pri to a	resuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to brimary right proposed for transfer must be included in the transfer or be cancelled. Any change a ground water registration must be filed separately in a ground water registration modification plication.										
	For S	ubstitution (ground water supplemental irrigation will be substituted for sur irrigation)	face water primary									
		and water supplemental Permit or Certificate #; ace water primary Certificate #	RECEIVED BY OWRD									
			JUL 2 1 2017									
		change from Supplemental Irrigation Use to Primary Irrigation Use										
	Iden	tify the primary certificate to be cancelled. Certificate #	SALEM, OR									
	For a	change in point(s) of appropriation (well(s)) or additional point(s) of ap	propriation:									
		Well log(s) are attached for each authorized and proposed well(s) that are associated with the corresponding well(s) in Table 1 above and on the accomap.	•									
		Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx										
	ANI	D/OR										
		Describe the construction of the authorized and proposed well(s) in Table 3 not have a well log. For <i>proposed wells not yet constructed or built</i> , providing for each requested information element in the table. The Department reconsicensed well driller, geologist, or certified water right examiner to assist we information necessary to complete Table 3.	de "a best estimate" nmends you consult a									
1	Any we	Construction of Point(s) of Appropriation (I) In this listing must be clearly tied to corresponding well(s) described in mpanying application map. Failure to provide the information will delay the										
t	the prop	application until it is received. The information is necessary for the departmosed well(s) will access the same source aquifer as the authorized point(s) of The Department is prohibited by law from approving POA changes that do	f appropriation									

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 han full rate of water right

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 han full rate of water right
					-					

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CERTIFICATE # 17372

Description of Water Delivery System

System capacity: >0.045 cubic feet per second (cfs) OR

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____ 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. Water is diverted from Canyon Creek and conveyed through an open ditch applied to the field via laterals.

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	1/4	1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)		
Canyon Cr.			15	s	31	E	1	NW	NW	n/a	n/a		
Canyon Cr. Pump	☐ Authorized ☐ Proposed		14	s	31	S	35	SE	NE	5315	140 feet North and 190 feet West from the Eastern ¼ corner Section 35		

Check all type(s) of change(s) proposed below (change "CODES" are provided in parent	ieses):
--	---------

	Character of Use (USE)		Point of Appropriation/Well (POA)
\boxtimes	Point of Diversion (POD)		Additional Point of Appropriation (APOA)
	Additional Point of Diversion (APOD)		Substitution (SUB)
	Surface Water POD to Ground Water POA (SW/GW)		Government Action POD (GOV)
Will all	of the proposed changes affect the entire	wate	r right?
⊠ Yes	Complete only the Proposed ("to" or "on" "CODES" listed above to describe the pro-		s) section of Table 2 on the next page. Use the changes.
No	Complete all of Table 2 to describe the po	rtion	of the water right to be changed.

Supplemental Use to Primary Use (S to P)

M

Place of Use (POU)

Table 2. Description of Changes to Water Right Certificate # 17372

List the change proposed for the acreage in each ½½. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

7	AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.								NGES	Proposed Changes (see	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											SES				
Tw	р	Rn	g	Sec	;	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Date	"CODES" from previous page)	Tw	p	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Date
14	s	31	E	30	5 1	w	sw	5315		1.8	Irrigation	Canyon Creek	March 8, 1948		14	S 3	1 E	36	sw	NW	5315	NA	1.8	NA	Canyon Cr. Pump	
						T	OTA	L ACR	ES:	1.8									,	ГОТА	L ACR	ES:	1.8			

Additional remarks: There are several issues with this water right. The Final Proof Survey (FPS) indicates the basis for properly locating the irrigated lands was a fence intersection described on the map with the statement "said to be cor". A review of historic aerial photos depicts what is likely the fence intersection referenced to be well north of any PLS corner. Additionally, the overall shape of the irrigated field as depicted in the FPS does not match the topographical characteristics of the land or irrigation system; this determination was made based on a review of aerial photos, historic maps and LiDAR data. However, when the field is shifted to the north by aligning the mapped fence intersection with the historic fence intersection depicted on the aerial photo, the FPS better matches the terrain and irrigation system. We feel the location of the 1.8 acres of irrigation is accurately depicted in our "From" Lands map.

The second issue with the water right is the location of the Point of Diversion (POD). The FPS depicts the POD at the exit of a drain and dam from an upper ditch which conveys water from Canyon Creek. Since this is an irrigation right with Canyon Creek as the source, the proper POD description needs to reflect the location where water is diverted from the stream. The authorized POD for the "upper ditch" is the same as Certificate Nos 25431 and 7692; this transfer application and map reference the POD description for the Canyon Creek Ditch.

Information used to aid in these determinations includes a copy of the file information associated with Certificate No. 17372 provide by OWRD Salem, historic aerial photos from 1939, 1956, 1957, 1962 and 1976, the John Day Adjudication Map and LiDAR flown Fall, 2015. These findings were discussed with Eric Julsrud, Canyon City Watermaster who agreed with the reasoning based on the information gathered.

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For Place of Use or Character of Use Changes

		water right ce or the "to" la				or ground	water regis	strations as	sociated	
If YE	S, list the	certificate, w	ater use p	ermit, or	ground v	vater registr	ration numl	bers: <u>2534</u>	<u>1</u> .	
a prir	nary right round wate	S 540.510, an proposed for er registration	transfer i	nust be in	cluded in	the transfe	er or be can	celled. A	ny change	
For Sul		(ground wate irrigation)	r suppler	nental irri	gation w	ill be substi	ituted for su	urface wate	er primary	
		ipplemental P imary Certifi			e#	<u>:</u>		RE	CEIVED B	Y OWRD
For a c	hange from	m Suppleme	ntal Irri	gation Us	e to Prin	ary Irriga	tion Use		JUL 21	2017
		nary certificat					oint(s) of a	ppropriat	SALEM,	OR
	with the co) are attached orresponding may search fo .wrd.state.or.	well(s) ir	Table 1 ags on the	above and Departme	d on the accent's web p	companying			ssociated
AND/	OR									
1	have a wel requested i	he construction log. For proinformation endlogist, or certable 3.	oposed w lement in	ells not ye the table	et constru . The De	octed or bui	ilt, provide commends	"a best est you consu	imate" for e	each I well
Any wello accompara application well(s) with	(s) in this laying appli on until it is ill access the	on of Point(s isting must be cation map. s received. The same source om approving	e clearly Failure to he inforn ce aquife	tied to control provide nation is nation is nation is nation is not	rrespondi the inforn ecessary uthorized	nation will for the dep point(s) of	delay the partment to appropriate	orocessing assess who ion (POA)	of your tran	nsfer oposed
roposed or uthorized 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 han full rate of water right
				1						1