



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

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.

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

- Part 1 – Completed Minimum Requirements Checklist.
- 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.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 2 List them here: **Certificates 42582 and 42583**
 Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

RECEIVED
 NOV 27 2019
 OWRD

- Completed Transfer Application Map.
- 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):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Additional signature(s) required
<input type="checkbox"/> Part _____ is incomplete	

Other/Explanation _____

Staff: _____ 503-986-0 _____ Date: ____/____/____

13309 -

Part 2 of 5 – Transfer Application Map Checklist

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

Please be sure that the transfer application map you submit includes all the required items and matches 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.
- 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 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.



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
Klamath Watershed District Office
East Region
1850 Miller Island Road West
Klamath Falls, Oregon 97603
(541) 883-5732
FAX (541) 883-5521



December 11, 2018

Oregon Water Resources Department
725 Summer St NE Ste A
Salem, OR 97301

RECEIVED

NOV 27 2019

Re: USFWS Klamath National Wildlife Refuge Water Right Transfer

OWRD

To OWRD:

The purpose of this letter is to provide support for the water right transfer on Agency-Barnes Ranches (part of the USFWS Klamath Marsh Refuge System on Agency Lake) to the Lower Klamath Lake National Wildlife Refuge (Lower Klamath Lake NWR). The Oregon Department of Fish and Wildlife (ODFW) support the project proposal for several reasons. The Barnes-Agency Ranches (~10,000 acres) were originally purchased to accomplish three goals: 1) Improve water quality 2) Increase available sucker habitat and 3) Provide additional water storage. Sevenmile and Fourmile Creeks have been converted to very wide, channelized canals reducing native fish habitat and passage while benefitting nonnative fat head minnow and yellow perch, which predate on and compete with endangered suckers and redband trout. Restoration of Sevenmile and Fourmile Creeks are high priorities for ODFW's Klamath Watershed Fish District. Redband trout populations have been nearly extirpated in both systems and endangered suckers were historically present. The very cold water systems of Fourmile and Sevenmile Creeks will provide new, significant future thermal refuge for native fish in the future. With the eminent reintroduction/recolonization of anadromous fishes in the Upper Klamath Basin, the restoration of this area becomes essential.

Most points of diversion on the Barnes-Agency Ranch are unscreened and in the past have entrained large numbers of redband trout from Sevenmile Creek as well as endangered juvenile suckers behind a levee system in the Barnes and Agency Ranches. The one diversion that is screened has never been fully functional. The transfer of water rights from the Barnes-Agency Ranch to the Lower Klamath NWR will eliminate all future entrainment of native fish and further the restoration of Sevenmile and Fourmile Creeks.

The Klamath Basin of southern Oregon and northern California was historically the most important landscape for migratory waterbirds in the Pacific Flyway. National Wildlife Refuges were established throughout this important region to ensure the wetland resources needed to support nesting and migrating waterbirds were protected. Changes in land use, over allocation of water resources within the Klamath Basin, and water demands from outside of the Klamath Basin have resulted in dramatic reductions of water delivered to Lower Klamath National Wildlife Refuge. The timing of water

delivery has been altered and no longer matches the hydrologic requirements of wetland plant communities. Reduced plant community quality and wetland availability has caused dramatic declines in waterbird diversity and abundance. Within the past 20 years, peak waterfowl numbers have fallen from 2 million birds to less than 400,000 (an 80% reduction); eared grebes once abundant no longer nest; and nesting pelicans number less than 100 pairs at Lower Klamath NWR. Water made available through this transfer will provide resiliency to wetland habitats during water shortages and provide some assurance that wetland habitat will be available for migratory waterbirds. Without these additional measures, the sustainability of Lower Klamath NWR and its relevance to critical populations of waterbirds will continue to decline and a critical resource will be lost at the expense of the entire Pacific Flyway.

ODFW looks forward to working with the USFWS refuge systems and project partners on the eventual restoration of Barnes-Agency Ranches and the removal of the levee system to benefit numerous fish and wildlife species, water quality, and water storage.

Feel free to contact Ben Ramirez (District Fish Biologist) at 541-883-5732 with any questions or concerns.

Sincerely,



District Fish Biologist

Cc:

Trevor Watson

Bruce Eddy

Tom Collom

Jon Muir

Mark Hereford

Anna Pakenham-Stevenson

RECEIVED

NOV 27 2019

OWRD

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME U.S. Fish & Wildlife Service		PHONE NO. 503-231-2395	ADDITIONAL CONTACT NO.
ADDRESS 911 NE 11th Avenue		FAX NO.	
CITY Portland	STATE OR	ZIP 97232	E-MAIL tim_mayer@fws.gov
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.			

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

AGENT/BUSINESS NAME Tim Mayer, Supervisory Hydrologist		PHONE NO. 502-231-2395	ADDITIONAL CONTACT NO.
ADDRESS 911 NE 11th Avenue		FAX NO.	
CITY Portland	STATE OR	ZIP 97232	E-MAIL tim_mayer@fws.gov
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
 Wish to provide additional water to Lower Klamath National Wildlife Refuge which needs the water more than Upper Klamath National Wildlife Refuge. See Attachment 1 for more information.

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)

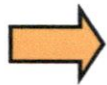
Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

RECEIVED
NOV 27 2019
OWRD

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: Klamath Falls Herald and News

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



 _____ Applicant signature	Tim Mayer, Supervisory Hydrologist _____ Print Name (and Title if applicable)	11/25/19 _____ 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 deeded landowners (and mailing*

13309 -

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

RECEIVED

NOV 27 2019

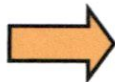
Describe any special ownership circumstances here: _____

- 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.)

IRRIGATION DISTRICT NAME Meadows Drainage District	ADDRESS PO Box 426	
CITY Fort Klamath	STATE OR	ZIP 97626

- 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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Klamath County	ADDRESS 305 Main Street	
CITY Klamath Falls	STATE OR	ZIP 97601

ENTITY NAME Klamath Tribes	ADDRESS PO Box 436 / 501 Chiloquin Blvd.	
CITY Chiloquin	STATE OR	ZIP 97624

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.

CERTIFICATE # 42582

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR** Ana Cr. SI. > 10 cfs, Seven Mile Cr. > 44 cfs,
 _____ gallons per minute (gpm) Four Mile Cr. > 15 cfs

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. _____

Ana Cr. SI. dumps into North Canal which flows west to West Canal, which takes flow from Seven Mile Creek and Four Mile Creek and is dumped into Seven Mile and Four Mile Canals. Water rediverted from Four Mile and Seven Mile Canals for delivery to the POU.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or 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-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Ana Cr. Slough	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		34	S	7.5	E	5	NE	NW	3	40' S., 1350' E. from NW Cor. Sec 5
Seven Mile Cr.	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		34	S	7.5	E	15	SW	SW	20	620' N., 30' E. from SW Cor. Sec. 6
Four Mile Cr	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		34	S	7.5	E	18	NW	SW	18	2050' N., 30' E. from SW Cor. Sec 18
Ady/Central Canal	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		40	S	8	E	15	NE	NW	15	1220'S., 2730' W. from NE Cor. Sec. 15

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> 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. 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.
 SEE ATTACHED SPREADSHEETS

RECEIVED
 NOV 27 2019
 OWRD
 13309 -

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.

CERTIFICATE # 42583

Description of Water Delivery System

System capacity: >120 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 diverted at authorized POD, and FWS portion sent to North Canal which flows west to West Canal, which flows south past Seven Mile Creek and Four Mile Creek and is dumped into Seven Mile and Four Mile Canals. Water rediverted from Four Mile and Seven Mile Canals for delivery to the POU.

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

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)
Wood River	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		34	S	7.5	E	3	NW	NW	3	2470' S., 940' E. from NW Cor. Sec. 3
Ady/Central Canal	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		40	S	8	E	15	NE	NW		1220'S., 2730' W. from NE Cor. Sec. 15
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

Check all type(s) of change(s) proposed below (change “CODES” are provided in parentheses):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> 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. 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.

NOTE: ONLY THE SUPPLEMENTAL IRRIGATION PORTION CERT 42583 WHICH IS SUPPLEMENTAL TO THE LANDS BEING CHANGED IN CERT 42582 WILL BE CHANGED (4104.7 ACRES). THE PRIMARY IRRIGATION PORTION OF THE RIGHT WILL NOT BE CHANGED. SEE ATTACHED SPREADSHEETS.

RECEIVED
NOV 27 2019
OWRD

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 Changes to Water Right Certificate # 42582 and 42583

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.

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 "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
						TOTAL ACRES:	4104.7											TOTAL ACRES:	N/A				

13
309
-

Additional remarks: _____. AUTHORIZED PLACE OF USE TO BE CHANGED AND PROPOSED PLACE OF USE FOR CERTIFICATES 42582 AND 42583 IS THE SAME. SEE ATTACHED SPREADSHEETS.

RECEIVED

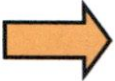
NOV 27 2019

OWRD

For Place of Use or Character 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 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

RECEIVED
NOV 27 2019

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

OWRD

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

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

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

PLACE OF USE FOR CERTIFICATES 42582 (PRI) AND 42583 (SUP) TO BE TRANSFERRED

township	range	section	quarter40	quarter160	lot	acres
34S	07.5E	30	NE	NE		29.5
34S	07.5E	30	NW	NE		30.4
34S	07.5E	30	SW	NE		40.6
34S	07.5E	30	SE	NE		40.6
34S	07.5E	30	NE	NW		30.8
34S	07.5E	30	NW	NW	1	27.0
34S	07.5E	30	SW	NW	2	36.5
34S	07.5E	30	SE	NW		40.6
34S	07.5E	30	NE	SW		39.0
34S	07.5E	30	NW	SW	3	35.0
34S	07.5E	30	SW	SW	4	36.1
34S	07.5E	30	SE	SW		40.8
34S	07.5E	30	NE	SE		39.0
34S	07.5E	30	NW	SE		39.0
34S	07.5E	30	SW	SE		40.8
34S	07.5E	30	SE	SE		40.8
34S	07.5E	31	NE	NE		39.0
34S	07.5E	31	NW	NE		39.0
34S	07.5E	31	SW	NE		40.6
34S	07.5E	31	SE	NE		40.6
34S	07.5E	31	NE	NW		39.0
34S	07.5E	31	NW	NW	1	34.0
34S	07.5E	31	SW	NW	2	34.9
34S	07.5E	31	SE	NW		40.6
34S	07.5E	31	NE	SW		39.2
34S	07.5E	31	NW	SW	3	33.4
34S	07.5E	31	SW	SW	4	34.4
34S	07.5E	31	SE	SW		40.8
34S	07.5E	31	NE	SE		39.2
34S	07.5E	31	NW	SE		39.2
34S	07.5E	31	SW	SE		40.8
34S	07.5E	31	SE	SE		40.8
35S	07.5E	3	SW	SW		40.0
35S	07.5E	3	SE	SW		40.0
35S	07.5E	3	SW	SE		40.0
35S	07.5E	3	SE	SE	3	37.6
35S	07.5E	4	SW	SW		38.0
35S	07.5E	4	SE	SW		40.0
35S	07.5E	4	SW	SE		40.0
35S	07.5E	4	SE	SE		40.0
35S	07.5E	5	SW	SW		40.0
35S	07.5E	5	SE	SW		40.0
35S	07.5E	5	SW	SE		40.0
35S	07.5E	5	SE	SE		35.0
35S	07.5E	6	NE	NE		18.0
35S	07.5E	6	NE	NE		18.8

RECEIVED

PLACE OF USE FOR CERTIFICATES 42582 (PRI) AND 42583 (SUP) TO BE TRANSFERRED

twshp	range	section	quarter40	quarter160	lot	acres
355	07.5E	8	NE	SE		35.2
355	07.5E	8	NW	SE		40.0
355	07.5E	8	SW	SE		40.0
355	07.5E	8	SE	SE		35.2
355	07.5E	9	NE	NE		31.6
355	07.5E	9	NW	NE		33.8
355	07.5E	9	SW	NE	2	15.1
355	07.5E	9	NE	NW		34.0
355	07.5E	9	NW	NW		32.5
355	07.5E	9	SW	NW		38.0
355	07.5E	9	SE	NW		39.8
355	07.5E	9	NE	SW	3	33.8
355	07.5E	9	NW	SW		38.0
355	07.5E	9	SW	SW		38.0
355	07.5E	9	SE	SW	4	24.8
355	07.5E	10	NE	NE	1	11.3
355	07.5E	10	NW	NE	1	28.0
355	07.5E	10	NE	NW		29.2
355	07.5E	10	NW	NW		30.4
355	07.5E	16	NE	NW	1	7.6
355	07.5E	16	NW	NW	1	14.8
355	07.5E	17	NE	NE		13.4
355	07.5E	17	NW	NE		15.2
355	07.5E	17	NE	NW		14.8
355	07.5E	17	NW	NW		14.4
355	07.5E	18	NE	NE		14.2
355	07.5E	18	NW	NE		13.8
355	07.5E	18	NE	NW		13.6
355	07.5E	18	NW	NW		12.3
TOTAL						4104.7

RECEIVED

NOV 27 2019

OWRD

LOWER KLAMATH NWR PROPOSED PLACE OF USE

T-R-S	QQ	Gov't Lot	Proposed Use	Remarks
48.00N-1.00E- MDM			Wildlife Refuge Management	UNIT 2 - UNSURVEYED
48.00N-1.00E-23 MDM	NE NE	1	Wildlife Refuge Management	
48.00N-1.00E-23 MDM	SE NE	2	Wildlife Refuge Management	
48.00N-1.00E-23 MDM	NE SE	3	Wildlife Refuge Management	
48.00N-1.00E-24 MDM	NE SW	2	Wildlife Refuge Management	
48.00N-1.00E-24 MDM	NW SW	3	Wildlife Refuge Management	
48.00N-1.00E-24 MDM	SW SW	3	Wildlife Refuge Management	
48.00N-1.00E-24 MDM	SE SW	2	Wildlife Refuge Management	
48.00N-1.00E-24 MDM	SW SE	1	Wildlife Refuge Management	
48.00N-1.00E-25 MDM	NW NE	5	Wildlife Refuge Management	
48.00N-1.00E-25 MDM	SW NE	6	Wildlife Refuge Management	
48.00N-1.00E-25 MDM	NE NW		Wildlife Refuge Management	
48.00N-1.00E-25 MDM	NE SE	8	Wildlife Refuge Management	
48.00N-2.00E- MDM			Wildlife Refuge Management	UNIT 2 - UNSURVEYED
48.00N-2.00E- MDM			Wildlife Refuge Management	UNIT 3A - UNSURVEYED
48.00N-2.00E- MDM			Wildlife Refuge Management	UNIT 3B1 - UNSURVEYED
48.00N-2.00E- MDM			Wildlife Refuge Management	UNIT 3B2 - UNSURVEYED
48.00N-2.00E-28 MDM	SW NW		Wildlife Refuge Management	
48.00N-2.00E-28 MDM	SE NW		Wildlife Refuge Management	
48.00N-2.00E-28 MDM	NE SW		Wildlife Refuge Management	
48.00N-2.00E-28 MDM	NW SW		Wildlife Refuge Management	
48.00N-2.00E-28 MDM	SE SW		Wildlife Refuge Management	
48.00N-2.00E-28 MDM	NW SE		Wildlife Refuge Management	
48.00N-2.00E-28 MDM	NW SE		Wildlife Refuge Management	
48.00N-2.00E-28 MDM	SW SE		Wildlife Refuge Management	
48.00N-2.00E-29 MDM	SE NE		Wildlife Refuge Management	
48.00N-2.00E-29 MDM	SE SW		Wildlife Refuge Management	
48.00N-2.00E-29 MDM	NE SE		Wildlife Refuge Management	
48.00N-2.00E-29 MDM	NW SE		Wildlife Refuge Management	
48.00N-2.00E-29 MDM	SW SE		Wildlife Refuge Management	
48.00N-2.00E-29 MDM	SE SE		Wildlife Refuge Management	
48.00N-2.00E-30 MDM	SW SW	1	Wildlife Refuge Management	
48.00N-2.00E-31 MDM	NE NW	1	Wildlife Refuge Management	
48.00N-2.00E-31 MDM	NE SW		Wildlife Refuge Management	
48.00N-2.00E-31 MDM	SE SW		Wildlife Refuge Management	
48.00N-2.00E-31 MDM	SW SE		Wildlife Refuge Management	
48.00N-2.00E-31 MDM	SE SE		Wildlife Refuge Management	
48.00N-2.00E-32 MDM	NW NE		Wildlife Refuge Management	
48.00N-2.00E-32 MDM	SW NE		Wildlife Refuge Management	
48.00N-2.00E-32 MDM	NE NW		Wildlife Refuge Management	
48.00N-2.00E-32 MDM	NE NW		Wildlife Refuge Management	
48.00N-2.00E-32 MDM	SE NW		Wildlife Refuge Management	
48.00N-2.00E-32 MDM	NE SW		Wildlife Refuge Management	
48.00N-2.00E-32 MDM	SW SW		Wildlife Refuge Management	

RECEIVED

NOV 27 2019

Attachment 1

Upper Klamath Lake NWR is at the downstream end of the system and is adjacent to Upper Klamath Lake. The subject water rights are for the Barnes-Agency lands within the refuge. We are proposing to stop diverting the water rights at Upper Klamath Lake NWR, and allow the water to remain instream and reach Upper Klamath Lake. We then propose to request that BOR release a similar volume of water from the lake at Link River Dam. We will divert this water at the Ady Canal headgates on the Klamath River for use on Lower Klamath NWR. Water supply for Lower Klamath NWR is very limited under the 2013 Bi-Op and we are hoping that this will improve that situation. The water will provide more wildlife benefits at Lower Klamath NWR than where it is now, and there is the additional benefit of keeping the water instream above the lake. We anticipate only being able to transfer the consumptive use part of the right. We realize that a tribal water right call on the lake may make this proposal unfeasible, since these are fairly junior water rights, but we believe that there may be a window of time early in the season before a call when the water could be wheeled through the lake.

RECEIVED

NOV 27 2019

OWRD



District 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: U.S. Fish and Wildlife Service

Address: 911 NE 11th Avenue

City: Portland State: OR Zip: 97232

Home Phone: _____ Work Phone: 503-231-2395 Other Phone: _____

Fax: _____ **E-Mail Address: tim_mayer@fws.gov

2. DISTRICT INFORMATION

District Name: Meadows Drainage District, Jerry Hawkins, President

Address: PO Box 426

City: Fort Klamath State: OR Zip: 97626

Home Phone: 831-637-4362 Work Phone: _____ Other Phone: 541-892-6884

Fax: _____ **E-Mail Address: jercarhawk@yahoo.com

RECEIVED
NOV 27 2019
OWRD

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

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.		-	
2.	S-7535	S-4791	42582
3.	S-29718	S-23396	42583
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.

Gerald H. Hawkins
 District ~~Manager~~ Signature
President

GERALD H.
~~Jerry~~ Hawkins
 Name (print)

11/13/19
 Date

RECEIVED
 NOV 27 2019
 OWRD

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)
) ss
 County of KLAMATH)

I, MICHAEL R. JOHNSON, in my capacity as USFWS NATIONAL WILDLIFE REFUGE MANAGER

mailing address 21401 SILVER LAKE ROAD, CHILOQUIN OREGON 97624

telephone number (541)783-3380, 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

RECEIVED

NOV 27 2019

2. I attest that:

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

OWRD

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)
42581							See map/table
42582							See map/table
42583							See map/table

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)

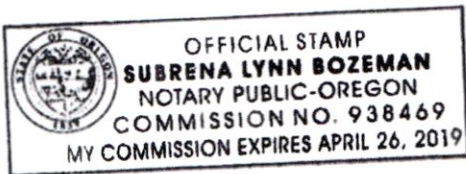
(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION OF MEADOW
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 R. Johnson
Signature of Affiant

2/24/17
Date

Signed and sworn to (or affirmed) before me this 24 day of February, 2017.



Subrena Lynn Bozeman
Notary Public for Oregon

My Commission Expires: 04/26/2019

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming 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"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<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"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" 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. 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: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED

NOV 27 2019

OWRD

diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.

Source: WOOD RIVER, a tributary of AGENCY LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	GLot	Measured Distances
34 S	7.5 E	WM	3	3	2470 FEET SOUTH AND 940 FEET EAST FROM THE NW CORNER OF SECTION 3

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	29	NE NE		13.8
34 S	7.5 E	WM	29	NW NE		28.4
34 S	7.5 E	WM	29	SW NE		40.6
34 S	7.5 E	WM	29	SE NE		29.9
34 S	7.5 E	WM	29	NE NW		28.8
34 S	7.5 E	WM	29	NW NW		36.6
34 S	7.5 E	WM	29	SW NW		40.6
34 S	7.5 E	WM	29	SE NW		40.6
34 S	7.5 E	WM	29	NE SW		39.0
34 S	7.5 E	WM	29	NW SW		39.0
34 S	7.5 E	WM	29	SW SW		40.8
34 S	7.5 E	WM	29	SE SW		40.8
34 S	7.5 E	WM	29	NE SE		35.0
34 S	7.5 E	WM	29	NW SE		39.0
34 S	7.5 E	WM	29	SW SE		40.8
34 S	7.5 E	WM	29	SE SE		37.1
34 S	7.5 E	WM	32	NE NE		35.8
34 S	7.5 E	WM	32	NW NE		39.0
34 S	7.5 E	WM	32	SW NE		40.6
34 S	7.5 E	WM	32	SE NE		37.7
34 S	7.5 E	WM	32	NE NW		39.0
34 S	7.5 E	WM	32	NW NW		39.0
34 S	7.5 E	WM	32	SW NW		40.6
34 S	7.5 E	WM	32	SE NW		40.6
34 S	7.5 E	WM	32	NE SW		39.2
34 S	7.5 E	WM	32	NW SW		39.2
34 S	7.5 E	WM	32	SW SW		40.8
34 S	7.5 E	WM	32	SE SW		40.8
34 S	7.5 E	WM	32	NE SE		36.2
34 S	7.5 E	WM	32	NW SE		39.2
34 S	7.5 E	WM	32	SW SE		40.8
34 S	7.5 E	WM	32	SE SE		37.9
35 S	7.5 E	WM	5	NE NE		17.4
35 S	7.5 E	WM	5	NW NE		18.8
35 S	7.5 E	WM	5	NE NW		18.8
35 S	7.5 E	WM	5	NW NW		18.8
Subtotal						1271.0

RECEIVED
NOV 27 2019
OWRD

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority

between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

IRRIGATION							GI Lot	Acres
Twsp	Rng	Mer	Sec	Q-Q	GI Lot	Acres		
34 S	7.5 E	WM	21	NE NE		0.4		
34 S	7.5 E	WM	21	SW NE		18.9		
34 S	7.5 E	WM	21	SE NE		26.0		
34 S	7.5 E	WM	21	NE SW		17.1		
34 S	7.5 E	WM	21	SW SW		17.6		
34 S	7.5 E	WM	21	SE SW		40.5		
34 S	7.5 E	WM	21	NE SE		39.0		
34 S	7.5 E	WM	21	NW SE		38.9		
34 S	7.5 E	WM	21	SW SE		40.6		
34 S	7.5 E	WM	21	SE SE		40.6		
34 S	7.5 E	WM	22	SW NW		0.2		
34 S	7.5 E	WM	22	NW SW		22.3		
34 S	7.5 E	WM	22	SW SW		40.5		
34 S	7.5 E	WM	22	SE SW		16.6		
34 S	7.5 E	WM	26	NW SW	5	6.6		
34 S	7.5 E	WM	26	SW SW	6	0.9		
34 S	7.5 E	WM	27	NW NE		14.6		
34 S	7.5 E	WM	27	SW NE		40.4		
34 S	7.5 E	WM	27	SE NE		10.4		
34 S	7.5 E	WM	27	NE NW		40.6		
34 S	7.5 E	WM	27	NW NW		41.2		
34 S	7.5 E	WM	27	SW NW		41.2		
34 S	7.5 E	WM	27	SE NW		41.2		
34 S	7.5 E	WM	27	NE SW		41.2		
34 S	7.5 E	WM	27	NW SW		41.2		
34 S	7.5 E	WM	27	SW SW		41.2		
34 S	7.5 E	WM	27	SE SW		41.2		
34 S	7.5 E	WM	27	NE SE		39.0		
34 S	7.5 E	WM	27	NW SE		41.2		
34 S	7.5 E	WM	27	SW SE		41.2		
34 S	7.5 E	WM	27	SE SE	1	34.2		
34 S	7.5 E	WM	28	NE NE		41.2		
34 S	7.5 E	WM	28	NW NE		41.2		
34 S	7.5 E	WM	28	SW NE		41.2		
34 S	7.5 E	WM	28	SE NE		41.2		
34 S	7.5 E	WM	28	NE NW		41.2		
34 S	7.5 E	WM	28	NW NW		41.2		
34 S	7.5 E	WM	28	SW NW		41.2		
34 S	7.5 E	WM	28	SE NW		41.2		
34 S	7.5 E	WM	28	NE SW		41.2		
34 S	7.5 E	WM	28	NW SW		41.2		
34 S	7.5 E	WM	28	SW SW		41.2		
34 S	7.5 E	WM	28	SE SW		41.2		
34 S	7.5 E	WM	28	NE SE		41.2		
34 S	7.5 E	WM	28	NW SE		41.2		
34 S	7.5 E	WM	28	SW SE		41.2		
34 S	7.5 E	WM	28	SE SE		41.2		
34 S	7.5 E	WM	29	NE NE		11.6		
34 S	7.5 E	WM	29	SE NE		5.6		

RECEIVED
NOV 27 2019
OWRD

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	33	NE NE		41.2
34 S	7.5 E	WM	33	NW NE		41.2
34 S	7.5 E	WM	33	SW NE		41.2
34 S	7.5 E	WM	33	SE NE		41.2
34 S	7.5 E	WM	33	NE NW		41.2
34 S	7.5 E	WM	33	NW NW		40.0
34 S	7.5 E	WM	33	SW NW		39.6
34 S	7.5 E	WM	33	SE NW		41.2
34 S	7.5 E	WM	33	NE SW		41.2
34 S	7.5 E	WM	33	NW SW		39.2
34 S	7.5 E	WM	33	SW SW		28.9
34 S	7.5 E	WM	33	SE SW		30.4
34 S	7.5 E	WM	33	NE SE		41.2
34 S	7.5 E	WM	33	NW SE		41.2
34 S	7.5 E	WM	33	SW SE		30.4
34 S	7.5 E	WM	33	SE SE		30.4
34 S	7.5 E	WM	34	NE NE	1	16.4
34 S	7.5 E	WM	34	NW NE		41.2
34 S	7.5 E	WM	34	SW NE	3	41.0
34 S	7.5 E	WM	34	SE NE	2	3.8
34 S	7.5 E	WM	34	NE NW		41.2
34 S	7.5 E	WM	34	NW NW		41.2
34 S	7.5 E	WM	34	SW NW		41.2
34 S	7.5 E	WM	34	SE NW		41.2
34 S	7.5 E	WM	34	NE SW		41.2
34 S	7.5 E	WM	34	NW SW		41.2
34 S	7.5 E	WM	34	SW SW		30.4
34 S	7.5 E	WM	34	SE SW		30.4
34 S	7.5 E	WM	34	NW SE	4	35.3
34 S	7.5 E	WM	34	SW SE	5	29.0
34 S	7.5 E	WM	34	SE SE	5	4.0
35 S	7.5 E	WM	3	NE NE	1	31.6
35 S	7.5 E	WM	3	NW NE		40.0
35 S	7.5 E	WM	3	SW NE		40.0
35 S	7.5 E	WM	3	SE NE	2	40.0
35 S	7.5 E	WM	3	NE NW		40.0
35 S	7.5 E	WM	3	NW NW		40.0
35 S	7.5 E	WM	3	SW NW		40.0
35 S	7.5 E	WM	3	SE NW		40.0
35 S	7.5 E	WM	3	NE SW		40.0
35 S	7.5 E	WM	3	NW SW		40.0
35 S	7.5 E	WM	3	SW SE		40.0
35 S	7.5 E	WM	3	SE SE		40.0
35 S	7.5 E	WM	4	NE NE		40.0
35 S	7.5 E	WM	4	NW NE		40.0
35 S	7.5 E	WM	4	SW NE		40.0
35 S	7.5 E	WM	4	SE NE		40.0
35 S	7.5 E	WM	4	NE NW		40.0
35 S	7.5 E	WM	4	NW NW		37.8
35 S	7.5 E	WM	4	SW NW		38.0
35 S	7.5 E	WM	4	SE NW		40.0

RECEIVED

NOV 27 2019

OWRD

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	-7.5 E	WM	4	NE SW		40.0
35 S	7.5 E	WM	4	NW SW		38.0
35 S	7.5 E	WM	4	NE SE		40.0
35 S	7.5 E	WM	4	NW SE		40.0
35 S	7.5 E	WM	5	NE NE		15.7
35 S	7.5 E	WM	5	NW NE		18.0
35 S	7.5 E	WM	5	SW NE		40.0
35 S	7.5 E	WM	5	SE NE		34.8
35 S	7.5 E	WM	5	NE NW		18.0
35 S	7.5 E	WM	5	NW NW		18.0
35 S	7.5 E	WM	5	SW NW		40.0
35 S	7.5 E	WM	5	SE NW		40.0
35 S	7.5 E	WM	5	NE SW		40.0
35 S	7.5 E	WM	5	NW SW		40.0
35 S	7.5 E	WM	5	NE SE		34.9
35 S	7.5 E	WM	5	NW SE		40.0
TOTAL						4006.3

RECEIVED
NOV 27 2019
OWRD

- Certificate 42581 does not specify a season of use or duty of water. Based on the Wood River Decree, the season of use is April 1 to October 1, and the duty of water is 5.0 acre feet per acre.
- Temporary Transfer Application T-12642 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Remarks
47 N	2 E	MD			538.7	UNIT 10B - UNSURVEYED
47 N	2 E	MD			313.7	UNIT 11AN - UNSURVEYED
47 N	2 E	MD			117.5	UNIT 5B - UNSURVEYED
47 N	2 E	MD			300.7	UNIT 6B2 - UNSURVEYED
47 N	2 E	MD	10	SW SW	0.4	
TOTAL					1271.0	

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Remarks
47 N	2 E	MD			62.3	UNIT 6A - UNSURVEYED
47 N	2 E	MD			484.9	UNIT 6B2 - UNSURVEYED
47 N	2 E	MD			558.4	UNIT 6C - UNSURVEYED
48 N	2 E	MD			2.2	UNIT 3A - UNSURVEYED
48 N	2 E	MD			6.5	UNIT 3A - UNSURVEYED
48 N	2 E	MD			12.7	UNIT 3A - UNSURVEYED
48 N	2 E	MD			18.8	UNIT 3A - UNSURVEYED

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Remarks
48 N	2 E	MD			21.5	UNIT 3A - UNSURVEYED
48 N	2 E	MD			80.1	UNIT 3A - UNSURVEYED
48 N	2 E	MD			234.9	UNIT 3A - UNSURVEYED
48 N	2 E	MD			25.9	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			51.9	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			63.4	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			69.3	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			72.7	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			26.8	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			36.2	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			50.0	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			72.2	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			74.5	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			92.5	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			26.4	UNIT 5B - UNSURVEYED
48 N	2 E	MD			1119.0	UNIT 6A - UNSURVEYED
48 N	2 E	MD			241.7	UNIT 6B1 - UNSURVEYED
48 N	2 E	MD			32.2	UNIT 6B2 - UNSURVEYED
48 N	2 E	MD			74.5	UNIT 6C - UNSURVEYED
48 N	2 E	MD	28	SW NW	40.0	
48 N	2 E	MD	28	SE NW	40.0	
48 N	2 E	MD	28	NE SW	36.6	
48 N	2 E	MD	28	NW SW	12.5	
48 N	2 E	MD	28	SE SW	3.3	
48 N	2 E	MD	28	NW SE	6.9	
48 N	2 E	MD	28	NW SE	19.2	
48 N	2 E	MD	28	SW SE	23.5	
48 N	2 E	MD	29	SE NE	40.0	
48 N	2 E	MD	29	SE SW	40.0	
48 N	2 E	MD	29	NE SE	24.7	
48 N	2 E	MD	29	NW SE	40.0	
48 N	2 E	MD	29	SW SE	39.3	
48 N	2 E	MD	29	SE SE	5.4	
48 N	2 E	MD	32	NE NW	23.4	
TOTAL					4006.3	

RECEIVED
NOV 27 2019
OWRD

6. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12642 proposes to move the authorized point of diversion for Certificate 42581 approximately 39.2 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	8 E	WM	15	NE NW	1220 FEET SOUTH AND 2730 FEET WEST FROM THE NE CORNER OF SECTION 15

The Applicant proposes to allow the water to remain instream until it reaches Upper Klamath Lake. The Applicant then proposes to request the Bureau of Reclamation release a similar volume of water from Upper Klamath Lake at the Link River Dam. The water

will then be diverted at the Ady Canal headgates on the Klamath River for use on the Lower Klamath National Wildlife Refuge.

7. The proposed new point of diversion is approximately 40 miles from the original point of diversion. Due to the distance between the points of diversion, the quantity of water under this right is subject to additional evaporative and stream channel losses. To prevent enlargement of the right, the quantity to be diverted from the Ady Canal is limited to the consumptive use of this right. Based on *Oregon Crop Water Use and Irrigation Requirements* (Cuenca 1992), the consumptive use or crop water requirement would be 1/133 (0.0075) cfs per acre and 2.73 acre feet per acre with a season of use of April 1 to October 1. Therefore, the total quantity diverted at the Ady Canal for this right is limited to an annual diversion of 39.69 cfs and 14,407.0 acre feet.
8. The portion of the second right to be temporarily transferred is as follows:

Certificate: 42582 in the name of MEADOWS DRAINAGE DISTRICT (perfected under Permit S-4791)

Use: IRRIGATION of 4104.7 ACRES

Priority Date: SEPTEMBER 13, 1920

Rate: 51.31 CUBIC FEET PER SECOND (cfs), being 11.00 cfs from Four Mile Creek, 32.99 cfs from Seven Mile Creek, and 7.32 cfs from Anna Creek Slough

Limit/Duty: 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.

Sources: FOUR MILE CREEK, SEVEN MILE CREEK, and ANNA CREEK SLOUGH, tributaries of AGENCY LAKE

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
34 S	7.5 E	WM	18	NW SW	3	FOUR MILE CREEK: 2050 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 18
34 S	7.5 E	WM	6	SW SW	20	SEVEN MILE CREEK: 620 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 6
34 S	7.5 E	WM	5	NE NW	3	ANNA CREEK SLOUGH: 40 FEET SOUTH AND 1350 FEET EAST FROM THE NW CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	30	NE NE		29.5
34 S	7.5 E	WM	30	NW NE		30.4
34 S	7.5 E	WM	30	SW NE		40.6
34 S	7.5 E	WM	30	SE NE		40.6
34 S	7.5 E	WM	30	NE NW		30.8
34 S	7.5 E	WM	30	NW NW	1	27.0

RECEIVED
NOV 27 2019
OWRD

IRRIGATION						
Twtp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	30	SW NW	2	36.5
34 S	7.5 E	WM	30	SE NW		40.6
34 S	7.5 E	WM	30	NE SW		39.0
34 S	7.5 E	WM	30	NW SW	3	35.0
34 S	7.5 E	WM	30	SW SW	4	36.1
34 S	7.5 E	WM	30	SE SW		40.8
34 S	7.5 E	WM	30	NE SE		39.0
34 S	7.5 E	WM	30	NW SE		39.0
34 S	7.5 E	WM	30	SW SE		40.8
34 S	7.5 E	WM	30	SE SE		40.8
34 S	7.5 E	WM	31	NE NE		39.0
34 S	7.5 E	WM	31	NW NE		39.0
34 S	7.5 E	WM	31	SW NE		40.6
34 S	7.5 E	WM	31	SE NE		40.6
34 S	7.5 E	WM	31	NE NW		39.0
34 S	7.5 E	WM	31	NW NW	1	34.0
34 S	7.5 E	WM	31	SW NW	2	34.9
34 S	7.5 E	WM	31	SE NW		40.6
34 S	7.5 E	WM	31	NE SW		39.2
34 S	7.5 E	WM	31	NW SW	3	33.4
34 S	7.5 E	WM	31	SW SW	4	34.4
34 S	7.5 E	WM	31	SE SW		40.8
34 S	7.5 E	WM	31	NE SE		39.2
34 S	7.5 E	WM	31	NW SE		39.2
34 S	7.5 E	WM	31	SW SE		40.8
34 S	7.5 E	WM	31	SE SE		40.8
35 S	7.5 E	WM	6	NE NE		18.8
35 S	7.5 E	WM	6	NW NE		18.8
35 S	7.5 E	WM	6	NE NW		18.8
35 S	7.5 E	WM	6	NW NW		15.5
TOTAL						1273.9

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

IRRIGATION						
Twtp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	3	SW SW		40.0
35 S	7.5 E	WM	3	SE SW		40.0
35 S	7.5 E	WM	3	SW SE		40.0
35 S	7.5 E	WM	3	SE SE	3	37.6
35 S	7.5 E	WM	4	SW SW		38.0
35 S	7.5 E	WM	4	SE SW		40.0
35 S	7.5 E	WM	4	SW SE		40.0
35 S	7.5 E	WM	4	SE SE		40.0
35 S	7.5 E	WM	5	SW SW		40.0
35 S	7.5 E	WM	5	SE SW		40.0
35 S	7.5 E	WM	5	SW SE		40.0

RECEIVED

NOV 27 2019

OWRD

IRRIGATION							Q-Q	Glort	Acres
Twp	Range	Mer	Sec						
35 S	7.5 E	WM	5	SE SE				35.0	
35 S	7.5 E	WM	6	NE NE				18.0	
35 S	7.5 E	WM	6	NW NE				18.0	
35 S	7.5 E	WM	6	SW NE				40.0	
35 S	7.5 E	WM	6	SE NE				40.0	
35 S	7.5 E	WM	6	NE NW				18.0	
35 S	7.5 E	WM	6	NW NW				15.3	
35 S	7.5 E	WM	6	SW NW				34.0	
35 S	7.5 E	WM	6	SE NW				40.0	
35 S	7.5 E	WM	6	NE SW				40.0	
35 S	7.5 E	WM	6	NW SW				40.0	
35 S	7.5 E	WM	6	SW SW				34.0	
35 S	7.5 E	WM	6	SE SW				40.0	
35 S	7.5 E	WM	6	NW SE				40.0	
35 S	7.5 E	WM	6	SW SE				40.0	
35 S	7.5 E	WM	6	SE SE				40.0	
35 S	7.5 E	WM	7	NE NE				40.0	
35 S	7.5 E	WM	7	NW NE				40.0	
35 S	7.5 E	WM	7	SW NE				40.0	
35 S	7.5 E	WM	7	SE NE				40.0	
35 S	7.5 E	WM	7	NE NW				40.0	
35 S	7.5 E	WM	7	NW NW				34.0	
35 S	7.5 E	WM	7	SW NW				34.0	
35 S	7.5 E	WM	7	SE NW				40.0	
35 S	7.5 E	WM	7	NE SW				40.0	
35 S	7.5 E	WM	7	NW SW				34.0	
35 S	7.5 E	WM	7	SW SW				34.0	
35 S	7.5 E	WM	7	SE SW				40.0	
35 S	7.5 E	WM	7	NE SE				40.0	
35 S	7.5 E	WM	7	NW SE				40.0	
35 S	7.5 E	WM	7	SW SE				40.0	
35 S	7.5 E	WM	7	SE SE				40.0	
35 S	7.5 E	WM	8	NE NE				35.0	
35 S	7.5 E	WM	8	NW NE				40.0	
35 S	7.5 E	WM	8	SW NE				40.0	
35 S	7.5 E	WM	8	SE NE				35.1	
35 S	7.5 E	WM	8	NE NW				40.0	
35 S	7.5 E	WM	8	NW NW				40.0	
35 S	7.5 E	WM	8	SW NW				40.0	
35 S	7.5 E	WM	8	SE NW				40.0	
35 S	7.5 E	WM	8	NE SW				40.0	
35 S	7.5 E	WM	8	NW SW				40.0	
35 S	7.5 E	WM	8	SW SW				40.0	
35 S	7.5 E	WM	8	SE SW				40.0	
35 S	7.5 E	WM	8	NE SE				35.2	
35 S	7.5 E	WM	8	NW SE				40.0	
35 S	7.5 E	WM	8	SW SE				40.0	
35 S	7.5 E	WM	8	SE SE				35.2	
35 S	7.5 E	WM	9	NE NE				31.6	
35 S	7.5 E	WM	9	NW NE				33.8	

RECEIVED
 NOV 27 2019
 OWRD

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	9	SW NE	2	15.1
35 S	7.5 E	WM	9	NE NW		34.0
35 S	7.5 E	WM	9	NW NW		32.5
35 S	7.5 E	WM	9	SW NW		38.0
35 S	7.5 E	WM	9	SE NW		39.8
35 S	7.5 E	WM	9	NE SW	3	33.8
35 S	7.5 E	WM	9	NW SW		38.0
35 S	7.5 E	WM	9	SE SW	4	24.8
35 S	7.5 E	WM	10	NE NE	1	11.3
35 S	7.5 E	WM	10	NW NE	1	28.0
35 S	7.5 E	WM	10	NE NW		29.2
35 S	7.5 E	WM	10	NW NW		30.4
35 S	7.5 E	WM	16	NE NW	1	7.6
35 S	7.5 E	WM	16	NW NW	1	14.8
35 S	7.5 E	WM	17	NE NE		13.4
35 S	7.5 E	WM	17	NW NE		15.2
35 S	7.5 E	WM	17	NE NW		14.8
35 S	7.5 E	WM	17	NW NW		14.4
35 S	7.5 E	WM	18	NE NE		14.2
35 S	7.5 E	WM	18	NW NE		13.8
35 S	7.5 E	WM	18	NE NW		13.6
35 S	7.5 E	WM	18	NW NW		12.3
TOTAL						2830.8

RECEIVED
NOV 27 2019
OWRD

9. Temporary Transfer Application T-12642 proposes to temporarily change the place of use of the right to:

IRRIGATION							REMARKS
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	
48 N	1 E	MD				772.3	UNIT 2 - UNSURVEYED
48 N	1 E	MD	23	NE NE	1	0.6	
48 N	1 E	MD	23	NE SE	3	15.8	
48 N	1 E	MD	24	SW SW	3	35.3	
48 N	1 E	MD	24	SE SW	2	37.8	
48 N	1 E	MD	24	SW SE	1	13.2	
48 N	1 E	MD	25	NW NE	5	7.4	
48 N	1 E	MD	25	SW NE	6	11.5	
48 N	1 E	MD	25	NE SE	8	11.3	
48 N	2 E	MD				70.6	UNIT 1 - UNSURVEYED
48 N	2 E	MD				72.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD				76.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				82.3	UNIT 1 - UNSURVEYED
48 N	2 E	MD				84.0	UNIT 1 - UNSURVEYED
48 N	2 E	MD				91.4	UNIT 1 - UNSURVEYED
48 N	2 E	MD				94.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				102.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				115.2	UNIT 1 - UNSURVEYED
48 N	2 E	MD				2066.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD	30	SW SW	1	29.0	
48 N	2 E	MD	31	NE NW	1	16.4	

IRRIGATION							REMARKS
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	
48 N	2 E	MD	31	NE SW		40.0	
48 N	2 E	MD	31	SE SW		40.0	
48 N	2 E	MD	31	SW SE		40.0	
48 N	2 E	MD	31	SE SE		39.7	
48 N	2 E	MD	32	NW NE		34.9	
48 N	2 E	MD	32	SW NE		15.5	
48 N	2 E	MD	32	NE NW		16.6	
48 N	2 E	MD	32	SE NW		39.7	
48 N	2 E	MD	32	NE SW		15.5	
48 N	2 E	MD	32	SW SW		15.6	
TOTAL						4104.7	

10. To prevent enlargement of the right, the 2,830.8 acres listed in Finding of Fact #8 above, are subject to the following:

The priority date shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

11. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12642 proposes to move the authorized points of diversion for Certificate 42582 downstream approximately 37.1 miles from the point of diversion on Four Mile Creek, approximately 38.7 miles from from the point of diversion on Seven Mile Creek, and approximately 40.0 miles from the point of diversion on Ana Creek Slough to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	8 E	WM	15	NE NW	1220 FEET SOUTH AND 2730 FEET WEST FROM THE NE CORNER OF SECTION 15

The Applicant proposes to allow the water to remain instream until it reaches Upper Klamath Lake. The Applicant then proposes to request the Bureau of Reclamation release a similar volume of water from Upper Klamath Lake at the Link River Dam. The water will then be diverted at the Ady Canal headgates on the Klamath River for use on the Lower Klamath National Wildlife Refuge.

12. The proposed new point of diversion is approximately 40 miles from the original points of diversion. Due to the distance between the points of diversion, the quantity of water under this right is subject to additional evaporative and stream channel losses. To prevent enlargement of the right, the quantity to be diverted from the Ady Canal is limited to the consumptive use of this right. Based on *Oregon Crop Water Use and Irrigation Requirements* (Cuenca 1992), the consumptive use or crop water requirement would be 1/133 (0.0075) cfs per acre and 2.73 acre feet per acre with a season of use of April 1 to October 1. Therefore, the total quantity diverted at the Ady Canal for this right is limited to an annual diversion of 30.87 cfs and 11,205.8 acre feet.

13. The portion of the third right to be temporarily transferred is as follows:

Certificate: 42583 in the name of MEADOWS DRAINAGE DISTRICT (perfected under Permit S-23396)
Use: IRRIGATION OF 24.0 ACRES and SUPPLEMENTAL IRRIGATION of 4104.7 ACRES
Priority Date: FEBRUARY 2, 1955
Rate: 53.96 CUBIC FEET PER SECOND
Limit/Duty: 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-FIFTIETH 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 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WOOD RIVER, tributary of AGENCY LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	GLot	Measured Distances
34 S	7.5 E	WM	3	3	2470 FEET SOUTH AND 940 FEET EAST FROM THE NW CORNER OF SECTION 3

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	2	NW NW	1	0.4
35 S	7.5 E	WM	2	SW NW	1	9.8
35 S	7.5 E	WM	2	NW SW	1	12.0
35 S	7.5 E	WM	2	SW SW	1	1.8
TOTAL						24.0

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	30	NE NE		29.5
34 S	7.5 E	WM	30	NW NE		30.4
34 S	7.5 E	WM	30	SW NE		40.6
34 S	7.5 E	WM	30	SE NE		40.6
34 S	7.5 E	WM	30	NE NW		30.8
34 S	7.5 E	WM	30	NW NW	1	27.0
34 S	7.5 E	WM	30	SW NW	2	36.5
34 S	7.5 E	WM	30	SE NW		40.6
34 S	7.5 E	WM	30	NE SW		39.0
34 S	7.5 E	WM	30	NW SW	3	35.0
34 S	7.5 E	WM	30	SW SW	4	36.1
34 S	7.5 E	WM	30	SE SW		40.8
34 S	7.5 E	WM	30	NE SE		39.0
34 S	7.5 E	WM	30	NW SE		39.0
34 S	7.5 E	WM	30	SW SE		40.8
34 S	7.5 E	WM	30	SE SE		40.8
34 S	7.5 E	WM	31	NE NE		39.0
34 S	7.5 E	WM	31	NW NE		39.0
34 S	7.5 E	WM	31	SW NE		40.6

RECEIVED
 NOV 27 2019
 OWRD

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gl.ot	Acres
34 S	7.5 E	WM	31	SE NE		40.6
34 S	7.5 E	WM	31	NE NW		39.0
34 S	7.5 E	WM	31	NW NW	1	34.0
34 S	7.5 E	WM	31	SW NW	2	34.9
34 S	7.5 E	WM	31	SE NW		40.6
34 S	7.5 E	WM	31	NE SW		39.2
34 S	7.5 E	WM	31	NW SW	3	33.4
34 S	7.5 E	WM	31	SW SW	4	34.4
34 S	7.5 E	WM	31	SE SW		40.8
34 S	7.5 E	WM	31	NE SE		39.2
34 S	7.5 E	WM	31	NW SE		39.2
34 S	7.5 E	WM	31	SW SE		40.8
34 S	7.5 E	WM	31	SE SE		40.8
35 S	7.5 E	WM	6	NE NE		18.8
35 S	7.5 E	WM	6	NW NE		18.8
35 S	7.5 E	WM	6	NE NW		18.8
35 S	7.5 E	WM	6	NW NW		15.5
TOTAL						1273.9

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gl.ot	Acres
35 S	7.5 E	WM	3	SW SW		40.0
35 S	7.5 E	WM	3	SE SW		40.0
35 S	7.5 E	WM	3	SW SE		40.0
35 S	7.5 E	WM	3	SE SE	3	37.6
35 S	7.5 E	WM	4	SW SW		38.0
35 S	7.5 E	WM	4	SE SW		40.0
35 S	7.5 E	WM	4	SW SE		40.0
35 S	7.5 E	WM	4	SE SE		40.0
35 S	7.5 E	WM	5	SW SW		40.0
35 S	7.5 E	WM	5	SE SW		40.0
35 S	7.5 E	WM	5	SW SE		40.0
35 S	7.5 E	WM	5	SE SE		35.0
35 S	7.5 E	WM	6	NE NE		18.0
35 S	7.5 E	WM	6	NW NE		18.0
35 S	7.5 E	WM	6	SW NE		40.0
35 S	7.5 E	WM	6	SE NE		40.0
35 S	7.5 E	WM	6	NE NW		18.0
35 S	7.5 E	WM	6	NW NW		15.3
35 S	7.5 E	WM	6	SW NW		34.0
35 S	7.5 E	WM	6	SE NW		40.0
35 S	7.5 E	WM	6	NE SW		40.0
35 S	7.5 E	WM	6	NW SW		34.0
35 S	7.5 E	WM	6	SW SW		34.0
35 S	7.5 E	WM	6	SE SW		40.0

RECEIVED
 NOV 27 2019
 OWRD

SUPPLEMENTAL IRRIGATION							Acres
Twp	Range	Mer	Sec	Q-Q	Glott		
35 S	7.5 E	WM	6	NE SE		40.0	
35 S	7.5 E	WM	6	NW SE		40.0	
35 S	7.5 E	WM	6	SW SE		40.0	
35 S	7.5 E	WM	6	SE SE		40.0	
35 S	7.5 E	WM	7	NE NE		40.0	
35 S	7.5 E	WM	7	NW NE		40.0	
35 S	7.5 E	WM	7	SW NE		40.0	
35 S	7.5 E	WM	7	SE NE		40.0	
35 S	7.5 E	WM	7	NW NW		40.0	
35 S	7.5 E	WM	7	SW NW		40.0	
35 S	7.5 E	WM	7	SE NW		40.0	
35 S	7.5 E	WM	7	NE SW		40.0	
35 S	7.5 E	WM	7	NW SW		40.0	
35 S	7.5 E	WM	7	SW SW		40.0	
35 S	7.5 E	WM	7	SE SW		40.0	
35 S	7.5 E	WM	7	NE SE		40.0	
35 S	7.5 E	WM	7	NW SE		40.0	
35 S	7.5 E	WM	7	SW SE		40.0	
35 S	7.5 E	WM	7	SE SE		40.0	
35 S	7.5 E	WM	8	NE NE		35.0	
35 S	7.5 E	WM	8	NW NE		40.0	
35 S	7.5 E	WM	8	SW NE		40.0	
35 S	7.5 E	WM	8	SE NE		35.1	
35 S	7.5 E	WM	8	NE NW		40.0	
35 S	7.5 E	WM	8	NW NW		40.0	
35 S	7.5 E	WM	8	SW NW		40.0	
35 S	7.5 E	WM	8	SE NW		40.0	
35 S	7.5 E	WM	8	NE SW		40.0	
35 S	7.5 E	WM	8	NW SW		40.0	
35 S	7.5 E	WM	8	SW SW		40.0	
35 S	7.5 E	WM	8	SE SW		40.0	
35 S	7.5 E	WM	8	NE SE		35.2	
35 S	7.5 E	WM	8	NW SE		40.0	
35 S	7.5 E	WM	8	SW SE		40.0	
35 S	7.5 E	WM	8	SE SE		35.2	
35 S	7.5 E	WM	9	NE NE		31.6	
35 S	7.5 E	WM	9	NW NE		33.8	
35 S	7.5 E	WM	9	SW NE	2	15.1	
35 S	7.5 E	WM	9	NE NW		34.0	
35 S	7.5 E	WM	9	NW NW		32.5	
35 S	7.5 E	WM	9	SW NW		38.0	
35 S	7.5 E	WM	9	SE NW		39.8	
35 S	7.5 E	WM	9	NE SW	3	33.8	
35 S	7.5 E	WM	9	SW SW		38.0	
35 S	7.5 E	WM	9	SE SW		38.0	
35 S	7.5 E	WM	9	SE SW	4	24.8	
35 S	7.5 E	WM	10	NE NE	1	11.3	
35 S	7.5 E	WM	10	NW NE	1	28.0	
35 S	7.5 E	WM	10	NE NW		29.2	
35 S	7.5 E	WM	10	NW NW		30.4	

RECEIVED
NOV 27 2019
OWFRD

SUPPLEMENTAL IRRIGATION						
Twtp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	16	NE NW	1	7.6
35 S	7.5 E	WM	16	NW NW	1	14.8
35 S	7.5 E	WM	17	NE NE		13.4
35 S	7.5 E	WM	17	NW NE		15.2
35 S	7.5 E	WM	17	NE NW		14.8
35 S	7.5 E	WM	17	NW NW		14.4
35 S	7.5 E	WM	18	NE NE		14.2
35 S	7.5 E	WM	18	NW NE		13.8
35 S	7.5 E	WM	18	NE NW		13.6
35 S	7.5 E	WM	18	NW NW		12.3
TOTAL						2830.8

14. Temporary Transfer Application T-12642 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twtp	Rng	Mer	Sec	Q-Q	GLot	Acres
48 N	1 E	MD	23	NE NE	1	6.0
48 N	1 E	MD	23	SE NE	2	18.0
TOTAL						24.0

RECEIVED
NOV 27 2019
OWRD

SUPPLEMENTAL IRRIGATION							REMARKS
Twtp	Rng	Mer	Sec	Q-Q	GLot	Acres	
48 N	1 E	MD				772.3	UNIT 2 - UNSURVEYED
48 N	1 E	MD	23	NE NE	1	0.6	
48 N	1 E	MD	23	NE SE	3	15.8	
48 N	1 E	MD	24	SW SW	3	35.3	
48 N	1 E	MD	24	SE SW	2	37.8	
48 N	1 E	MD	24	SW SE	1	13.2	
48 N	1 E	MD	25	NW NE	5	7.4	
48 N	1 E	MD	25	SW NE	6	11.5	
48 N	1 E	MD	25	NE SE	8	11.3	
48 N	2 E	MD				70.6	UNIT 1 - UNSURVEYED
48 N	2 E	MD				72.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD				76.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				82.3	UNIT 1 - UNSURVEYED
48 N	2 E	MD				84.0	UNIT 1 - UNSURVEYED
48 N	2 E	MD				91.4	UNIT 1 - UNSURVEYED
48 N	2 E	MD				94.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				102.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				115.2	UNIT 1 - UNSURVEYED
48 N	2 E	MD				2066.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD	30	SW SW	1	29.0	
48 N	2 E	MD	31	NE NW	1	16.4	
48 N	2 E	MD	31	NE SW		40.0	
48 N	2 E	MD	31	SE SW		40.0	
48 N	2 E	MD	31	SW SE		40.0	
48 N	2 E	MD	31	SE SE		39.7	
48 N	2 E	MD	32	NW NE		34.9	
48 N	2 E	MD	32	SW NE		15.5	
48 N	2 E	MD	32	NE NW		16.6	

SUPPLEMENTAL IRRIGATION							REMARKS
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	
48 N	2 E	MD	32	SE NW		39.7	
48 N	2 E	MD	32	NE SW		15.5	
48 N	2 E	MD	32	SW SW		15.6	
TOTAL						4104.7	

15. To prevent enlargement of the right, 2,830.8 acres listed in Finding of Fact #13 above, are subject to the following:

The priority date shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

16. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12642 proposes to move the authorized point of diversion for Certificate 42583 approximately 39.2 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	8 E	WM	15	NE NW	1220 FEET SOUTH AND 2730 FEET WEST FROM THE NE CORNER OF SECTION 15

The Applicant proposes to allow the water to remain instream until it reaches Upper Klamath Lake. The Applicant then proposes to request the Bureau of Reclamation release a similar volume of water from Upper Klamath Lake at the Link River Dam. The water will then be diverted at the Ady Canal headgates on the Klamath River for use on the Lower Klamath National Wildlife Refuge.

17. The proposed new point of diversion is approximately 39 miles from the original point of diversion. Due to the distance between the points of diversion, the quantity of water under this right is subject to additional evaporative and stream channel losses. To prevent enlargement of the right, the quantity to be diverted from the Ady Canal is limited to the consumptive use of this right. Based on *Oregon Crop Water Use and Irrigation Requirements* (Cuenca 1992), the consumptive use or crop water requirement would be 1/133 (0.0075) cfs per acre and 2.73 acre feet per acre with a season of use of April 1 to October 1. Therefore, the total quantity diverted at the Ady Canal for this right is limited to an annual diversion of 31.05 cfs and 11,271.4 acre feet.

Temporary Transfer Review Criteria

18. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
19. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.

RECEIVED
NOV 27 2019

OWED

20. The proposed changes, as conditioned in Findings of Fact #7, #12, and #17, would not result in enlargement of the rights.
21. To prevent injury to other water rights, the quantity of water at the new point of diversion for these rights must be lawfully available at the original points of diversion.
22. The proposed changes, as conditioned in Finding of Fact #21, would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in place of use and points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12642 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

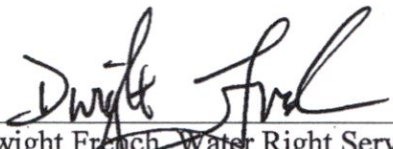
Now, therefore, it is ORDERED:

1. The temporary changes in place of use and points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12642 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2017, 2018, 2019, 2020, and 2021 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2021 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 42581, 42582, or 42583 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 42581, 42582, and 42583.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

RECEIVED
NOV 27 2019
OWRD

9. The use of the remaining water rights described by Certificates 42581, 42582, and 42583 shall continue to be in accordance with the terms and conditions of Certificates 42581, 42582, and 42583.

Dated at Salem, Oregon this 2 day of August, 2017.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: AUG 08 2017

RECEIVED
NOV 27 2019
OWRD