

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12986, Harney County	)	PROPOSING APPROVAL FOR
	)	ADDITIONAL POINTS OF
	)	APPROPRIATION AND A CHANGE IN
	)	PLACES OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

DAVIS RANCHES AND FARMS, INC.
MIKE DAVIS
42970 KUENY RANCH LANE
PRINCETON, OR 97721

Findings of Fact

1. On July 25, 2018, DAVIS RANCHES AND FARMS, INC., MIKE DAVIS filed an application to change the place of use under Certificates 20919, 49182, and 84057, and for additional points of appropriation and to change the place of use under Certificate 84245. The Department assigned the application number T-12986.
2. Notice of the application for transfer was published on July 31, 2018, pursuant to OAR 690-380-4000. The following are comments that were filed in response to the notice:
 - a) On August 30, 2018, Lisa Brown, WaterWatch of Oregon submitted the following comment:

“Thank you for the opportunity to comment on the application for T-12986.
Comments 1. Though we are not able to do a thorough analysis of the “from” lands at this time, we are concerned after viewing the affected certificate rights in OWRD’s water mapping tool that some of the places of use may not be irrigated. We urge OWRD to do a comprehensive analysis of the “from” lands as it reviews this

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

transfer application. 2. The transfer application map does not seem to conform to the requirements. Namely, the map is required to show the “from” and “to” lands for each affected certificate but the transfer application includes tables of “from” and “to” lands for certificates that are not identified on the maps. 3. The transfer application indicates (and the map and imagery appears to show) that some of the “from” lands that are covered by surface water permits are currently being groundwater irrigated. (See e.g. Transfer Application, p. 10). It is unclear why there would be an operational groundwater pivot circle overlapping a place of use of a surface water permit. That would be unlawful (unless the groundwater permit was supplemental, in which case the proposed transfer of only the surface water place of use would be unlawful). We request that OWRD investigate this and address it in any PD. 4. The transfer application appears to propose changing the priority date from 1907 to 1882 for POD1 and various acres associated with certificate 20919. (See Transfer Application, p. 7-8). We are unaware of any statute that authorizes this. 5. OWRD needs to include in its injury analysis the impact of the proposed transfer to any domestic wells in the area, including exempt domestic wells. A groundwater use that is exempt under ORS 537.545(1), including an exempt domestic well, “to the extent that the use is beneficial, constitutes a right to appropriate ground water equal to that established by a ground water right certificate issued under ORS 537.700 (Issuing ground water right certificate).” ORS 537.545(2). Thank you for considering these comments. Please do not hesitate to contact me with any questions.”

b) On August 30, 2018, Shonee Langford submitted the following comment:

“On behalf of George Stroemple, I am providing some initial comments on proposed transfer T-12986. Mr. Stroemple is an upstream landowner and water user on Wildhorse Creek. Given the scope and complexity of the transfer, we are still evaluating possible impacts to Mr. Stroemple. For now, we offer the following initial comments: • The watermaster’s review, dated August 9, 2018, states that there is no history of regulation “on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights.” (See Watermaster Review Form, Question 2). We would like to clarify for the record that there has been significant regulation on Wildhorse Creek in 2018, that the watermaster received multiple calls for water from the transfer applicant, and in response to those calls the watermaster regulated Mr. Stroemple’s upstream water use. We also note that the Wildhorse Creek water rights involved in the proposed transfer are senior to some of Mr. Stroemple’s water rights and junior to others. • The transfer application is supposed to include a detailed description of the water delivery system for each water right involved in the transfer, including information on the capacity of pumps, canals, pipelines, and sprinklers used to divert, convey and apply water. OAR 690-380-3000(10). The water system descriptions provided by the applicant do not contain enough detail to confirm that the applicant is ready, willing and able to use the full rate and duty of each of the water rights involved in the transfer (see Part 5 of 5 for each water right). Please send copies of the Preliminary Determination for T-12986 via regular mail and email to: Shonee Langford Schwabe, Williamson & Wyatt 530 Center St. NE, Suite 730 Salem, OR 97301 slangford@schwabe.com George Stroemple PO Box 1810 Lake Oswego, OR 97035 gstroemple@pacstar.com

We appreciate the opportunity to submit these comments. Thank you for your consideration.”

3. On September 20, 2019, the Department contacted the applicant by written correspondence to notify the applicant and the applicant’s agent of the deficiencies in the application. The application map did not identify all of the existing points of appropriation and the proposed additional points of appropriation. Information identified in Table 2 under Certificate 20919 did not match the information provided on the application map. Information regarding the points of appropriation in Table 1 and Table 2 under Certificate 84245 did not match the original certificate. The Department requested that the deficiencies be resolved by October 21, 2019.
4. On September 23, 2019, the applicant’s agent submitted a revised map and tables, resolving the deficiencies.
5. On October 11, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12986 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 12, 2019, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. The portion of the first right to be transferred is as follows:

Certificate: 20919 in the name of GILL CATTLE COMPANY (WILD HORSE CREEK DECREE, SPECIAL ORDER VOLUME 15, PAGE 448)
Use: IRRIGATION of 402.0 ACRES
Priority Date: 1882 FOR TRACT NO. 1, 1903 FOR TRACT NO. 3, AND 1907 FOR TRACT NO. 5
Rate/Duty: SHALL NOT EXCEED ONE-SIXTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE IRRIGATED, AND NOT TO EXCEED TWO AND ONE-HALF ACRE-FEET PER ACRE IRRIGATED
Source: WILDHORSE CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Not specified in certificate					

Authorized Place of Use:

IRRIGATION – TRACT NO. 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	11	NW NW	37.0
36 S	33 E	WM	11	SW NW	13.0
36 S	33 E	WM	14	NE NW	30.4
36 S	33 E	WM	14	NW NW	27.2
36 S	33 E	WM	14	SW NW	17.8
36 S	33 E	WM	14	SE NW	18.9
36 S	33 E	WM	14	NE SW	6.3
36 S	33 E	WM	14	NW SW	24.4
Total					175.0

IRRIGATION – TRACT NO. 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE NW	5.5
36 S	33 E	WM	10	SW NW	5.2
36 S	33 E	WM	10	SE NW	21.0
36 S	33 E	WM	10	NE SW	8.6
36 S	33 E	WM	10	NW SW	11.7
Total					52.0

IRRIGATION – TRACT NO. 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	33 E	WM	35	SW NE	8.3
35 S	33 E	WM	35	SE NE	0.5
35 S	33 E	WM	35	NE SW	7.0
35 S	33 E	WM	35	NE SE	12.8
35 S	33 E	WM	35	NW SE	14.0
35 S	33 E	WM	35	SW SE	12.2
35 S	33 E	WM	35	SE SE	18.9
36 S	33 E	WM	1	NW NW	24.1
36 S	33 E	WM	1	SW NW	2.0
36 S	33 E	WM	2	NE NE	27.5
36 S	33 E	WM	2	NW NE	23.0
36 S	33 E	WM	2	SE NE	6.1
36 S	33 E	WM	2	NE NW	4.0
36 S	33 E	WM	2	NW NW	14.6
Total					175.0

7. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 20919 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	33 E	WM	26	SE SW	850 FEET NORTH AND 2570 FEET EAST FROM THE SW CORNER OF SECTION 26

8. Transfer Application T-12986 proposes to change the place of use of the right to:

IRRIGATION – TRACT NO. 1						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	33 E	WM	35	SW NE		8.3
35 S	33 E	WM	35	SE NE		0.5
35 S	33 E	WM	35	NE SW		7.0
35 S	33 E	WM	35	NE SE		12.8
35 S	33 E	WM	35	NW SE		14.0
35 S	33 E	WM	35	SW SE		12.2
35 S	33 E	WM	35	SE SE		18.9
36 S	33 E	WM	1	NW NW	4	24.1
36 S	33 E	WM	1	SW NW		2.0
36 S	33 E	WM	2	NE NE	1	27.5
36 S	33 E	WM	2	NW NE	2	23.0
36 S	33 E	WM	2	SE NE		6.1
36 S	33 E	WM	2	NE NW	3	4.0
36 S	33 E	WM	2	NW NW	4	14.6
Total						175.0

IRRIGATION – TRACT NO. 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE SW	2.3
36 S	33 E	WM	10	SW SW	1.5
36 S	33 E	WM	10	SE SW	26.5
36 S	33 E	WM	15	NE NW	12.8
36 S	33 E	WM	15	NW NW	8.9
Total					52.0

IRRIGATION – TRACT NO. 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	11	NW NW	37.0
36 S	33 E	WM	11	SW NW	13.0
36 S	33 E	WM	14	NE NW	30.4
36 S	33 E	WM	14	NW NW	27.2
36 S	33 E	WM	14	SW NW	17.8
36 S	33 E	WM	14	SE NW	18.9
36 S	33 E	WM	14	NE SW	6.3
36 S	33 E	WM	14	NW SW	24.4
Total					175.0

9. The portion of the second right to be transferred is as follows:

Certificate: 49182 in the name of CATLOW VALLEY RANCHES, INC. c/o CATLOW STEENS CORP. (perfected under Permit S-22338)

Use: IRRIGATION of 13.5 ACRES

Priority Date: JUNE 26, 1953

Rate: 0.225 CUBIC FOOT 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-SIXTIETH 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

2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WILDHORSE CREEK, a tributary of ALVORD LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	33 E	WM	26	SE SW	850 FEET NORTH AND 2570 FEET EAST FROM THE SW CORNER OF SECTION 26

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE NW	6.4
36 S	33 E	WM	10	NW NW	0.2
36 S	33 E	WM	10	SW NW	0.8
36 S	33 E	WM	10	SE NW	6.1
Total					13.5

10. Transfer Application T-12986 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	15	NE NW	13.5

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

Certificate: 84057 in the name of TOM DAVIS LIVESTOCK, INC. (perfected under Permit S-46062)
Use: IRRIGATION of 4.7 ACRES
Priority Date: SEPTEMBER 2, 1981
Rate: 0.08 CUBIC FOOT 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, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Source: WILDHORSE CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	33 E	WM	26	SE SW	850 FEET NORTH AND 2570 FEET EAST FROM THE SW CORNER OF SECTION 26

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE NW	4.7

12. Transfer Application T-12986 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	15	NW NW	4.7

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

Certificate: 84245 in the name of TOM DAVIS LIVESTOCK, INC. (perfected under Permit G-9529)

Use: IRRIGATION of 192.1 ACRES and SUPPLEMENTAL IRRIGATION of 70.2 ACRES

Priority Date: SEPTEMBER 2, 1981

Rate: 1.92 CUBIC FEET PER SECOND (CFS), BEING 0.48 CFS FROM EACH WELL

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Source: WELL 1, WELL 4, WELL 5, and WELL 6 in the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	33 E	WM	26	NE SW	WELL 1 - 2660 FEET SOUTH AND 2640 FEET EAST FROM THE NE CORNER OF SECTION 26
35 S	33 E	WM	35	SW NE	WELL 4 - 100 FEET NORTH AND 100 FEET EAST FROM THE CENTER OF SECTION 35
35 S	33 E	WM	35	SE SW	WELL 5 - 1240 FEET NORTH AND 2640 FEET EAST FROM THE SW CORNER OF SECTION 35
36 S	33 E	WM	9	SE SE	WELL 6 - 10 FEET NORTH AND 1300 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION FROM WELL 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE SW	2.3
36 S	33 E	WM	10	SW SW	1.5
36 S	33 E	WM	10	SE SW	26.5
36 S	33 E	WM	15	NE NW	40.0
36 S	33 E	WM	15	NW NW	20.0
36 S	33 E	WM	15	SW NW	20.0
36 S	33 E	WM	15	SE NW	40.0

IRRIGATION FROM WELL 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	15	NE SW	16.6
36 S	33 E	WM	15	NW SW	4.7
36 S	33 E	WM	15	SW SW	5.0
36 S	33 E	WM	15	SE SW	15.5
Total					192.1

SUPPLEMENTAL IRRIGATION FROM WELLS 1, 4, AND 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE NW	16.6
36 S	33 E	WM	10	NW NW	0.2
36 S	33 E	WM	10	SW NW	6.0
36 S	33 E	WM	10	SE NW	27.1
Total					49.9

SUPPLEMENTAL IRRIGATION FROM WELLS 1, 4, 5, AND 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE SW	8.6
36 S	33 E	WM	10	NW SW	11.7
Total					20.3

14. Upon review of the submitted transfer application document, the Department determined that there is a scrivener's error in the location of Well 1 described in Certificate 84245. Upon review of Application G-8769, Permit G-9529, and the final proof survey map for originating Certificate 84058, the Department determined the following:

The erroneous location of Well 1 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	33 E	WM	26	SE NW	WELL 1 - 2660 FEET SOUTH AND 2640 FEET EAST FROM THE NE CORNER OF SECTION 26

The correct location of Well 1 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	33 E	WM	26	SE NW	WELL 1 - 2660 FEET SOUTH AND 2640 FEET WEST FROM THE NE CORNER OF SECTION 26

15. Transfer Application T-12986 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	33 E	WM	3	NW NE	2	WELL 7 - 80 FEET SOUTH AND 1550 FEET WEST FROM THE NE CORNER OF SECTION 3
36 S	33 E	WM	3	NW NE	2	WELL 8 - 130 FEET SOUTH AND 1630 FEET WEST FROM THE NE CORNER OF SECTION 3

Approximate distance from original points of appropriation in miles (mi.)				
WELL 7	WELL 1	WELL 4	WELL 5	WELL 6
	1.7 mi.	1.0 mi.	0.8 mi.	2.2 mi.
WELL 8	1.7 mi.	1.0 mi.	0.9 mi.	2.2 mi.

16. Transfer Application T-12986 also proposes to add Well 1, Well 4, and Well 5 as additional points of appropriation for primary irrigation from Well 6.
17. Transfer Application T-12986 also proposes to add Well 6 as an additional point of appropriation for supplemental irrigation from Well 1, Well 4, and Well 5.
18. Transfer Application T-12986 also proposes to change the place of use of the right to:

IRRIGATION FROM WELLS 1, 4, 5, 6, 7, AND 8					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	9	NE NE	2.5
36 S	33 E	WM	9	SE NE	3.5
36 S	33 E	WM	9	NE SE	21.0
36 S	33 E	WM	9	SE SE	16.0
36 S	33 E	WM	10	NE NW	27.6
36 S	33 E	WM	10	NW NW	34.1
36 S	33 E	WM	10	SW NW	39.0
36 S	33 E	WM	10	SE NW	27.8
36 S	33 E	WM	10	NE SW	8.9
36 S	33 E	WM	10	NW SW	11.7
Total					192.1

SUPPLEMENTAL IRRIGATION FROM WELLS 1, 4, 5, 6, 7, AND 8					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE SW	2.3
36 S	33 E	WM	10	SW SW	1.5
36 S	33 E	WM	10	SE SW	26.5
36 S	33 E	WM	15	NE NW	26.3
36 S	33 E	WM	15	NW NW	13.6
Total					70.2

Transfer Review Criteria (OAR 690-380-4010)

19. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
20. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12986.
21. The proposed changes would not result in enlargement of the rights.
22. The proposed changes would not result in injury to other water rights.
23. All other application requirements are met.

Determination and Proposed Action

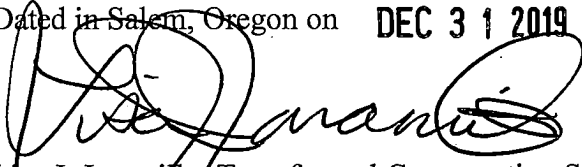
The additional points of appropriation and change in places of use proposed in Transfer Application T-12986 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12986 is approved, the final order will include the following:

- 1. The additional points of appropriation and change in places of use proposed in Transfer Application T-12986 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 20919, 49182, 84057, and 84245 and any related decree.*
- 3. Water right Certificates 20919, 49182, 84057, and 84245 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
- 4. The quantity of water diverted under the right described by Certificate 84245 at the additional points of appropriation (Wells 1, 4, 5, 6, 7, and 8), together with that diverted at the original points of appropriation (Wells 1, 4, 5, and 6), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 1, 4, 5, and 6).*
- 5. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 7. The former place of use of the transferred rights shall no longer receive water under the rights.*
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **DEC 31 2019**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

December 31, 2019

DAVIS RANCHES AND FARMS, INC.
MIKE DAVIS
42970 KUENY RANCH LANE
PRINCETON, OR 97721

SUBJECT: Water Right Transfer Application T-12986

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12986. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Burns Times Herald newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: T-12986
J R. Johnson, District 10 Watermaster (*via e-mail*)
Scott D. Montgomery, Agent for the applicant (*via e-mail*)

Commentors:

WaterWatch of Oregon
Lisa Brown
213 SW Ash St. STE 208
Portland, OR 97204
Via email – lisa@waterwatch.org

Schwabe, Williamson, & Wyatt
Shonee Langford
530 Center St. NE, Suite 730
Salem, OR 97301
Via email – slangford@schwabe.com

encs