

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



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the 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 Transferred Water Rights: **How many water rights are to be transferred?** 2 **List them here:** C-65761 & C-67236
- Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year:** 2020 **End Year:** 2024
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
	Number of water rights included in transfer: <u>2</u> (2a) Subtract 1 from the number in 3a above: <u>1</u> (2b) <i>If only one water right this will be 0</i>		
2	Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	260 ⁰⁰
	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » » » » » » » » » » » » » » » » ☐ Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c)		
3	and multiply 4c by \$200.00, then enter on line 3	3	0
	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » » » » » » » » » » » » » » » » ☒ Yes: enter the number of acres for the portions of the rights to be transferred: <u>12</u> (4a)		
4	Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	211 ⁶⁰
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » Subtotal:	5	1281 ⁶⁰
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?		
6	If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	1281 ⁶⁰

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » »		RECEIVED JAN 23 2024 OWNER
2		2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	

1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

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APPLICANT/BUSINESS NAME <u>John A. + Kathryn M. Rohner</u>		PHONE NO. <u>541-403-0186</u>	ADDITIONAL CONTACT NO.
ADDRESS <u>40533 Pocahontas Rd</u>		FAX NO.	
CITY <u>Baker City</u>	STATE <u>OR</u>	ZIP <u>97814</u>	E-MAIL <u>JKrohner@thegeo.net</u>
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		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL
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:

I would like to temporarily move water to underneath a center pivot from unproductive corners.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

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☐ 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. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 65761

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Description of Water Delivery System

System capacity: 4 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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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. under ground Pipe to center pivot

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Private	☒ Authorized ☐ Proposed		8 S	39 E	23	SE SE		900' N & 940' W FR. SE CORN OF SECT 23
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- ☒ Place of Use (POU)
 ☐ Appropriation/Well (POA)
 ☐ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
 ☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
 ☐ Character of Use (USE)
 ☐ Additional Point of Appropriation (APOA)
 ☐ Point of Diversion (POD)
 ☐ Additional Point of Diversion (APOD)

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

☐ Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

15334

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 65761

it only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) he 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.													
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																									
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	
								EXAMPLE				2	S	9	E	2	SW	NW	500		5.0		POD #6	1901	
8 S 39 E 26 NE NE																									
8 S 39 E 26 SE NE																									
8	39	E	26	NE	NE	200		25.2	irrigation	Private	1974	POU	8	S	39	E	22	SE	NE	5100		38.8	irrigation	Private	1974
8	39	E	26	SE	NE	200		5.6																	
8	39	E	23	NE	SW	440		8					8	S	39	E	22	NE	NE	5100		8			
8	39	E	23	SW	SW	440		8					8	S	39	E	22	SE	NE	500		38.7	IS	Private	1974
8	39	E	26	SW	NE	200		8.5	supp. IS	"	1974	POU													
8	39	E	26	SE	NE	200		6.4	IS	"	"	POU													
8	39	E	26	NW	NE	200		10.0	IS	"	"	"													
8	39	E	23	SE	SE	200		13.8	IS	"	"	"													
TOTAL ACRES											TOTAL ACRES														
85.5											85.5														

Additional remarks: 5 ¼ of NE ¼ NE ¼ in 8 S 39 E sec 22

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Water Right Certificate # 69761**For Place of Use Changes****OWRD**

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

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

Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- ☐ Well log(s) 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 below for any well that does not have a well log. For a *proposed well(s) 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

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 rows to tables within the form.

Water Right Certificate # ~~67236~~

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Description of Water Delivery System

67236

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System capacity: 5 cubic feet per second (cfs) OR

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_____ gallons per minute (gpm)

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

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
DIV E	☒ Authorized ☐ Proposed		8 S	39 E	26	SE SE		25' N & 800' W FR. SE CORN. SECT 23
DIV F	☒ Authorized ☐ Proposed		8 S	39 E	26	SE SE		740' N & 870' W FR. SE CORN. SECT 23
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- ☒ Place of Use (POU)
 ☐ Appropriation/Well (POA)
 ☐ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
 ☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
 ☐ Character of Use (USE)
 ☐ Additional Point of Appropriation (APOA)
 ☐ Point of Diversion (POD)
 ☐ Additional Point of Diversion (APOD)

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

☐ Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 67236

It is only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) 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.												
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																								
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
"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
39	E	26	SW	NE	200		15	Irrigation	Painted	1865/7	POU	8	S	39	E	22	SW	NE	5100		31.4	Irrigation	Painted	1865/7
39	E	26	SE	NE	200		6.4																	
39	E	26	NW	NE	200		10																	
39	E	23	SE	SE	6000		13.8					8	S	39	E	22	NW	NE	5100		13			
												8	S	39	E	22	NE	NE	5100		.8			

Additional remarks: SW 1/4 of NW 1/4 NE 1/4 in 8 S 39 E sec 22

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Water Right Certificate # 67236**For Place of Use Changes****OWRD**

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

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

Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- ☐ Well log(s) 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 below for any well that does not have a well log. For a *proposed well(s) 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

1/27/20
 11:56 POTENTIAL LIABILITY REAL PROPERTY UPDATE Y2
 REF # 2020 R 8459 A10100
 MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# %.xxxx Last Viewd 14317
 08S39 5100 532 559 559 3 EFU REAL# PR
 OWNER ROHNER, JOHN A & KATHRYN TTEE ET ALS
 CNTRCT Pg 1
 ADDR
 40533 POCAHONTAS RD
 CTY/ST BAKER CITY, OR 97814
 SC DEF SITUS: COUNTY
 SITUS: 44255 OLD WINGVILLE RD
 HOME ID: L 242603 FUQUA ACTION CDS MAPCODE 0532
 YR AP 2015 APPR KD KIRBY DANFORD
 ACRES 97.00 SPC ASM

	RMV	M5 VALUE	TOTAL AV	NOTES
LAND	382,660	100,890	59,268	
IMPROV	44,440	44,440	44,440	
SUBTOT	427,100	145,330	103,708	
LESS EXEMPTIONS:		0	0	
LESS VET EXEMPT:				
NET VALUES:		145,330	103,708	

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

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1/27/20
11:57

TAX LOT/JOURNAL VOUCHERS

UPDATE

Y2
A101V7

REF # 8459 08S39 5100 ROHNER, JOHN A & KATHRYN TTEE PG 1
CODE AREA: 532

DATE	AMOUNT	DEED #	JV#	TYPE
051690		2899-A	49560	
ROHNER, JOHN ARTHUR 092419	315000	19380235		PR
KATHRYN MARY TTEES OF THE ROHNER FAMILY TRUST		CC18PB07582		

*

19380235 B = ENTER TO ATTACH NEW DOC AUTH# = _____ UCJV = _____

F2 PRT F5-DEED F7 EOJ F8 CLR F13 (LAST LINE + 1) F20 DOCUMENT

13354 -

PERSONAL REPRESENTATIVE'S DEED

DENECE CATON, the duly authorized and acting Personal Representative of the ESTATE OF RUSSELL OLLIE "BUD" BEESON, deceased, Baker County Circuit Court Case No. 18PB07582, herein "Grantor," conveys all of said Grantor's right, title and interest to JOHN ARTHUR ROHNER and KATHRYN MARY ROHNER, TRUSTEES OF THE ROHNER FAMILY REVOCABLE TRUST, herein "Grantee," in and to that certain property situate in Baker County, Oregon, described more fully on Exhibit "A" attached hereto and by this reference incorporated herein.

TOGETHER WITH any and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT TO covenants, conditions, restrictions, reservations and easements, and all other matters that appear of record of visible thereon.

SUBJECT TO discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

THE TRUE CONSIDERATION for this conveyance is \$315,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.338 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.530, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.338 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 24th day of September, 2019.

ESTATE OF RUSSELL OLLIE "BUD" BEESON, DECEASED

Denece Caton PR
BY: DENECE CATON
TITLE: PERSONAL REPRESENTATIVE

STATE OF OR }
County of Baker } ss:

The foregoing instrument was acknowledged before me this 24 day of September, 2019 by DENECE CATON, the duly authorized and acting Personal Representative of the ESTATE OF RUSSELL OLLIE "BUD" BEESON, deceased, Baker County Circuit Court Case No. 18PB07582.

Julie Dawn Paxton
Notary Public for OR
My Commission Expires: 8/13/21

AFTER RECORDING RETURN TO:

AmeriTitle
2245 main
Baker city OR 97814

SEND TAX STATEMENTS TO:

John Rohner
40533 Pacahontas
Baker City, OR
97814



AMERITITLE: 303076AM

13354

EXHIBIT "A"
LEGAL DESCRIPTION

The Northeast quarter of Section 22, Township 8 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

EXCEPTING THEREFROM the following three parcels:

Parcel No. 1: The North 60 rods of the Northeast quarter of Section 22, Township 8 South, Range 39 East of the Willamette Meridian, in the County of Baker and State of Oregon.

Parcel No. 2: Road right of way conveyed to Baker County, a quasi-municipal corporation, by instrument recorded May 8, 1964, in Book 174, Page 700, Baker County Deed Records.

Parcel No. 3: Road right of way conveyed to Baker County, a quasi-municipal corporation, by instrument recorded April 20, 1967, as Deed No. 67 16 053, Baker County Deed Records.

STATE OF OREGON

County of Baker

} ss

I certify that this Instrument was received and recorded in the book of records of said county.

Stefanie Kirby
Baker County Clerk

by: *Karen Phillips* Deputy.

DQC#: 819380235

91.00

9/24/2019 3:17 PM

REFUND: .00

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1/27/20
 11:56 POTENTIAL LIABILITY REAL PROPERTY UPDATE Y2
 REF # 2020 R 14317 Last Viewd 14317 A10100
 MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# %.xxxx REAL# PR
 08S3926 200 532 551 551 3 EFU
 OWNER ROHNER, JOHN A & KATHRYN TTEE ET ALS
 CNTRCT
 ADDR
 40533 POCAHONTAS RD
 CTY/ST BAKER CITY, OR 97814
 SC DEF SITU:
 SITU:
 HOME ID: ACTION CDS MAPCODE 0532
 YR AP 2015 APPR KD KIRBY DANFORD
 ACRES 156.60 SPC ASM
 RMV M5 VALUE TOTAL AV
 LAND 610,450 159,090 95,055
 IMPROV 69,490 69,490 69,490
 SUBTOT 679,940 228,580 164,545
 LESS EXEMPTIONS: 0 0
 LESS VET EXEMPT:
 NET VALUES: 228,580 164,545

NOTES

1-KEY 2-IMP 3-LND 7-EQJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

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WARRANTY DEED

FLYING J FARMS, LLC, an Oregon limited liability company, Grantor, warrants and conveys to **JOHN A. ROHNER and KATHRYN M. ROHNER, Trustees of the Rohner Family Revocable Trust, UAD 11-11-02**, Grantee, all of Grantor's right, title and interest in and to that certain real property situate in Baker County, Oregon, described more fully on Exhibit "A" attached hereto and by this reference incorporated herein.

This legal description was created prior to January 1, 2008.

SUBJECT TO reservations in federal patents and state deeds, covenants, conditions, restrictions, reservations and easements for roads and utility installations all as the same appear of record or are visible thereon, including without limit, rights of the public in and to any portion of the property lying within the boundaries of roads or highways or lying below the mean high water mark of any creeks crossing the Property.

SUBJECT TO regulations, including levies, assessments, easements, and other matters of record or are visible upon inspection concerning ditches, canals and other irrigation works, including without limit, any and all matters pertaining to ditches crossing the property and also statutory powers, including easements and assessments of the Powder Valley Water Control District and the Wilcox Subdistrict and of the Baker Valley Irrigation District.

SUBJECT TO rights of the public and of governmental bodies in and to any portion of the Property lying below the mean high water mark of Salmon Creek and other creeks and/or ditches crossing the Property.

SUBJECT TO rights of the public in and to any portion of the Property lying within the boundaries of roads or highways.

SUBJECT TO the classification of the property as farm use. Buyer shall be responsible for any additional taxes or interest resulting from any disqualification of the property from such classification which arise as a consequence of actions of Buyer during Buyer's ownership; provided, Seller shall be responsible for any such additional taxes or interest resulting from any such disqualification which arise as a consequence of actions of Seller during Seller's ownership.

SUBJECT TO discrepancies, conflicts in boundary lines, shortage in area, encroachments in area or any other fact which a correct survey would disclose.

The true consideration for this conveyance is \$1,177,500.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.338 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.338 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED THIS 9 day of May, 2013.

FLYING J FARMS, LLC

David Rohner
Title: managing member

STATE OF OREGON

County of Baker

} ss:

The foregoing instrument was acknowledged before me this 9 day of May, 2013, by **JOHN TAYLOR ROHNER aka J. T. Rohner**, as member on behalf of **FLYING J FARMS, LLC**.



Lynne D. Ewing
Notary Public for Oregon
My Commission Expires: 12/28/16

AFTER RECORDING RETURN TO:
Elkhorn Title Company
1725 Main Street
Baker City, Oregon

SEND TAX STATEMENTS TO:
John & Kathryn Rohner, Trustees

EXHIBIT "A"

Parcel I:

In TOWNSHIP 8 SOUTH, RANGE 39 East, of the Willamette Meridian, in County of Baker and State of Oregon, as follows:

Section 23: Southwest quarter,

All that portion of the Southeast quarter lying Southwesterly of U.S. Highway No. 30 right of way, EXCEPTING THEREFROM the following Two parcels:

Parcel No. 1: Railroad right of way conveyed to Oregon Railway & Navigation Company, recorded December 24, 1885, in Deeds Book "J", page 382, Records of Baker County, Oregon.

Parcel No. 2: Road right of way conveyed to Baker County, recorded June 7, 1966, in Deed 66 23 026, Records of Baker County, Oregon.

(839 4400, 6000)

Section 26: All that portion of Northeast quarter lying Southwesterly of the Railroad right of way, EXCEPTING THEREFROM road right of way Conveyed to Baker County, recorded May 15, 1928, in Deeds Book 110, page 234, Records of Baker County, Oregon.

(839 26 200)

STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
BY Karen Phillips DEPUTY
DOC#: 13190027B
5/10/2013 3:30 PM
REF .00 46.00
ETC CHG

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)
County of BAKER) ss

I, KATE ROHNER, in my capacity as OWNER/IRRIGATOR,
mailing address 40533 POCAHONTAS RD, BAKER CITY, OR 97814
telephone number (541)403-0186, 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

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 67236, 67235, 65761, 64333; OR

☐ 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)

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)

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3. The water right was used for: (e.g., crops, pasture, etc.): CROPS AND PASTURE

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.

Kate Rohner
Signature of Affiant

1-27-20
Date

Signed and sworn to (or affirmed) before me this 27 day of JANUARY, 2020.



Marcy Jo Osborn
Notary Public for Oregon
My Commission Expires: 3/20/21

Supporting Documents	Examples
☐ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☒ Aerial photos containing sufficient detail to establish location and date of photograph	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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

13354 -

SMITH Tamera L * WRD

From: OSBORN Marcy J * WRD
Sent: Tuesday, January 28, 2020 8:37 AM
To: SMITH Tamera L * WRD
Subject: RE: Temporary Transfer for John and Kathryn Rohner
Attachments: 20200128071529264.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Tamera,

Kate Rohner came in yesterday and I think we have all the forms you requested. I have attached them with this email. Let me know if I need to send the originals to you in the mail.

Thanks

Marcy J. Osborn

Watermaster, Dist. 8

541-523-8224 Ext. 231 / 541-519-6395

marcy.j.osborn@oregon.gov

1995 3rd St. Suite 180 | Baker City, OR 97814



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Sent: Monday, January 27, 2020 7:44 AM
To: OSBORN Marcy J * WRD <Marcy.J.Osborn@oregon.gov>
Cc: HALL Kimberly D * WRD <Kimberly.D.Hall@oregon.gov>
Subject: Temporary Transfer for John and Kathryn Rohner

Good morning Marcy,

The Department received a temporary transfer for John and Kathryn Rohner, however, it cannot be accepted at this time as the application is missing the following:

1. Evidence of Use form and supporting evidence
2. Land Use Form signed by County
3. Deed for the from lands

There is a note in the file to contact your office if anything is needed. I can hold onto this until Friday of this week. At that time, if the Department hasn't received the rest of the required application materials, I will have to return the application and check to Rohner Farms.

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Please let me know how I can be of assistance.

Kindest regards,

TAMERA SMITH

TRANSFER & CONSERVATION CASEWORKER

725 Summer St. NE, Suite A | Salem, Oregon 97301 | Phone: 503.986.0864



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking