

# Application for Permanent Water Right 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 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.

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**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](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: C-9428 & 66882**  
 Please include a separate Part 5 for each water right. (See instructions on page 6)

**Attachments:**

- 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 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.
- 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"/> Evidence of 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: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Part 2 of 5 – Transfer Application Map

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/](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. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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# Part 4 of 5 – Applicant Information and Signature

## Applicant Information

|   |                    |                                  |   |
|---|--------------------|----------------------------------|---|
| APPLICANT/BUSINESS NAME<br><b>Thomas D. Jones</b>   |                    | PHONE NO.<br><b>541-219-0403</b> | ADDITIONAL CONTACT NO.                    |
| ADDRESS<br><b>PO Box 71</b>   |                    |                                  | FAX NO.                                   |
| CITY<br><b>Adel</b>   | STATE<br><b>OR</b> | ZIP<br><b>97620</b>              | E-MAIL<br><b>sunnyscattleco@gmail.com</b> |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                                  |   |

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

|   |                    |                                  |  |
|---|--------------------|----------------------------------|--|
| AGENT/BUSINESS NAME<br><b>HOLLIE CANNON / WATER RIGHT SOLUTIONS, LLC</b>  |                    | PHONE NO.<br><b>541-821-5848</b> | ADDITIONAL CONTACT NO.                           |
| ADDRESS<br><b>409 PINE ST., SUITE #311</b>  |                    |                                  | FAX NO.  |
| CITY<br><b>KLAMATH FALLS</b>  | STATE<br><b>OR</b> | ZIP<br><b>97601</b>              | E-MAIL<br><b>hcannon@waterrightsolutions.com</b> |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                                  |  |

Explain in your own words what you propose to accomplish with this transfer application, and why: **The Watershed Council is doing fish screening on Deep Creek. The plan by River Design Group is to eliminate the diversion by transferring the POD as described in this application.**

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

### 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.

**By my signature below, I confirm that I understand:**

- 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: Lake County Examiner.
- Amendments to the application may only be made in response to the Department’s Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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



*Thomas D. Jones*  
Applicant signature

**Thomas D. Jones**  
Print Name (and Title if applicable)

03-1-21  
Date

Applicant signature

Print Name (and Title if applicable)

Date

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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No *If NO, include signatures of all deeded landowners (and mailing and e-mail*

addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

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: [https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

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

Describe any special ownership circumstances here: **as described above, the Middle Diversion (POD #2) will be abandoned and water will be taken at the O'Keefe Diversion (POD #1). Both diversion are on BLM land. Attached is a consent to transfer by the BLM Biologist.**

- 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 | ADDRESS |     |  |
| CITY                     | STATE   | ZIP |  |

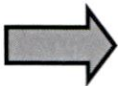
- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

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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<br><b>Lake County</b> | ADDRESS<br><b>513 Center Street</b> |                     |  |
| CITY<br><b>LAKEVIEW</b>           | STATE<br><b>OR</b>                  | ZIP<br><b>97630</b> |  |

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## Part 5 of 5 – Water Right Information

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

CERTIFICATE # 9428

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### Description of Water Delivery System

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System capacity: 3.0 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. **Native materials are used to back up the water in the creek to a headgate leading to 650 feet of 15 inch pipe. The water runs in open ditch to the various turnouts.**

**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) |
|------------------------|---|--|-----|---|-----|---|-----|----|-----|-----|---|--|
|                        |   |  |     |   |     |   |     |    |     |     |   |  |
| POD #2                 | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |  | 38  | S | 24  | E | 20  | SE | NW  | 400 | 1920 ft. South & 2900 ft. West from NE Cor Sec 20 |  |
| POD #1                 | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed |  | 38  | S | 24  | E | 20  | SE | NW  | 400 | 2190 ft. South & 3330 ft. West from NE Cor Sec 20 |  |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |  |     |   |     |   |     |    |     |     |   |  |

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

- |  |   |
|--|---|
| <input type="checkbox"/> Place of Use (POU)                            | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input 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.

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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 Changes to Water Right Certificate # 9428**

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)<br>The listing that appears on the certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |      |     |     |         |                |       |                                   |  |               | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |      |      |     |     |         |                |       |                 |  |               |
|--|------|-----|-----|---------|----------------|-------|-----------------------------------|--|---------------|---|------|------|-----|-----|---------|----------------|-------|-----------------|--|---------------|
| Twp  | Rng  | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres | Type of USE listed on Certificate | POD(s) or POA(s) (name or number from Table 1) | Priority Date | Proposed Changes (see "CODES" from previous page)   | Twp  | Rng  | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres | New Type of USE | POD(s)/ POA(s) to be used (from Table 1) | Priority Date |
| 38 S   | 24 E | 20  | NE  | 1000    |                | 6.6   | IR                                | POD #2   | 1892          | POD   | 38 S | 24 E | 20  | NE  | 1000    |                | 6.6   | IR              | POD #1                                   | 1892          |
| 38 S   | 24 E | 21  | NW  | 100     |                | 23.5  | IR                                | POD #2   | 1892          | POD   | 38 S | 24 E | 21  | NE  | 100     |                | 23.5  | IR              | POD #1                                   | 1892          |
| 38 S   | 24 E | 21  | NW  | 100     |                | 21.5  | IR                                | POD #2   | 1892          | POD   | 38 S | 24 E | 21  | NW  | 100     |                | 21.5  | IR              | POD #1                                   | 1892          |
| TOTAL ACRES: 51.6  |      |     |     |         |                |       |                                   |  |               | TOTAL ACRES: 51.6   |      |      |     |     |         |                |       |                 |  |               |

Additional remarks: This application is for a change from using POD #2 to use POD #1.

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## Part 5 of 5 – Water Right Information

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

**CERTIFICATE # 66882**

### Description of Water Delivery System

System capacity: 3.0 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. **Native materials are used to back up the water in the creek to a headgate leading to 650 feet of 15 inch pipe. The water runs in open ditch to the various turnouts.**

**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) |
|------------------------|---|--|-----|---|-----|---|-----|-----|----|---------------------------|--|
|                        |   |  |     |   |     |   |     |     |    |                           |  |
| POD #2                 | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |  | 38  | S | 24  | E | 20  | SE  | NW | 400                       | 1920 ft. South & 2900 ft. West from NE Cor Sec 20    |
| POD #1                 | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed |  | 38  | S | 24  | E | 20  | SE  | NW | 400                       | 2190 ft. South & 3330 ft. West from NE Cor Sec 20    |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |  |     |   |     |   |     |     |    |                           |  |

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

- |  |   |
|--|---|
| <input type="checkbox"/> Place of Use (POU)                            | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input 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.

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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 Changes to Water Right Certificate # 66882**

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)<br>The listing that appears on the certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |      |     |     |                              |       |   |  |                  |   | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |      |     |     |                       |       |                    |  |                  |  |
|--|------|-----|-----|------------------------------|-------|---|--|------------------|---|---|------|-----|-----|-----------------------|-------|--------------------|--|------------------|--|
| Twp  | Rng  | Sec | ¼ ¼ | Gvt<br>Tax Lot/Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s)<br>(name or<br>number from<br>Table 1) | Priority<br>Date | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | Twp   | Rng  | Sec | ¼ ¼ | Tax Lot/Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from Table<br>1) | Priority<br>Date |  |
| 38 S   | 24 E | 20  | NE  | 1000                         | 2.4   | IR                                      | POD #2   | 6/22/1978        | POD   | 38 S  | 24 E | 20  | NE  | 1000                  | 2.4   | IR                 | POD #1   | 6/22/1978        |  |
| 38 S   | 24 E | 21  | NW  | 100                          | 1.3   | IR                                      | POD #2   | 6/22/1978        | POD   | 38 S  | 24 E | 21  | NW  | 100                   | 1.3   | IR                 | POD #1   | 6/22/1978        |  |
| TOTAL ACRES: 3.7   |      |     |     |                              |       |   |  |                  |   | TOTAL ACRES: 3.7  |      |     |     |                       |       |                    |  |                  |  |

Additional remarks: This application is for a change from using POD #2 to use POD #1.

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**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 (\*see note below)

If YES, list the certificate, water use permit, or ground water registration numbers \*OWRD GIS layer used shows an overlap with Cert 66882, but that is a map error.



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 # \_\_\_\_\_.

**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

**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](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

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

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

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

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# 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 LAKE)

I, THOMAS D. JONES, in my capacity as OWNER,  
 mailing address PO BOX 71, ADEL, OR 97620  
 telephone number (541)219-0403, 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 # 9428 & 66882; **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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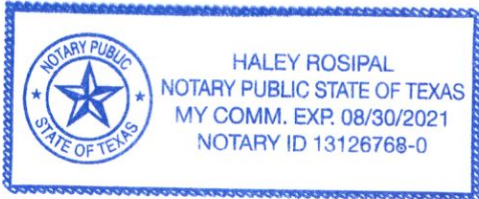
3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE GRASS

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.

Thomas D Jones  
Signature of Affiant

TDJ  
1-19-21  
Date

Signed and sworn to (or affirmed) before me this 19 day of JANUARY, 2021.



[Signature]  
Notary Public for Oregon TEXAS  
My Commission Expires: 08/30/2021

| 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 <b>confirming</b> 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"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>   |
| <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"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>  |
| <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.<br/>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:<br/>OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br/>OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br/>Google Earth – <a href="http://earth.google.com">earth.google.com</a><br/>TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years  | Copy of instream lease or lease number   |

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T 38 S, R 24 E, WM  
Section 20 & 21



1 inch = 600 feet

Thomas D Jones  
POD Transfer Map  
Certificates 9428 & 66882  
Proof of Use

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Note: The area mapped as  
the Place of Use is from the  
OWRD WRIS mapping. It is  
not properly located.

Aerial photo date 7/12/2019



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,  
IGN, and the GIS User Community

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# Application for Water Right Transfer Consent by Deeded Landowner



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

State of Oregon )  
 )ss  
County of Lake )

I Jami Ludwig in my/our capacity as Field Manager, Lakeview BLM,  
mailing address 1301 South G Street, Lakeview, OR 97630,  
telephone number 541-947-6102, duly sworn depose and say that I  
consent to the proposed change(s) to Water Right Certificate Number 9428 and 66882  
described in a Transfer Application (T-      ) submitted by Thomas D. Jones,  
*(transfer number, if known)*  
on the property in tax lot number(s) 400, Section 20, Township 38  
South, Range 24 East, W.M., located at (no address).  
*(site address)*

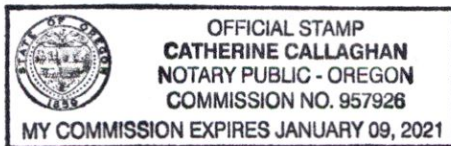
[Signature]  
\_\_\_\_\_  
Signature of Affiant

1/4/2021  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 4 day of January, 2021.



[Signature]  
\_\_\_\_\_  
Notary Public for Oregon

My commission expires 01/09/2021

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**From:** Danette Faucera <Danette.L.Faucera@state.or.us>

**Sent:** Friday, February 19, 2021 7:48 AM

**To:** Troy Brandt <tbrandt@riverdesigngroup.net>; Danette Faucera <Danette.L.Faucera@state.or.us>; Hollie Cannon <hcannon@waterrightsolutions.com>

**Cc:** Justin P Miles (justin.p.miles@state.or.us) <justin.p.miles@state.or.us>; Kregg M Smith <Kregg.M.Smith@state.or.us>

**Subject:** RE: Deep Creek fish passage project

Hollie and Troy,

ODFW has assessed the information provided for the proposed transfers of Certificates 9439, 61797, 9428, and 66882 on Deep Creek near Adel, Oregon. Our assessment is in regards to the changes providing a net benefit to fish and wildlife habitat in order to qualify for a fee reduction offered through the Oregon Water Resources Department.

It is ODFW's understanding that the 3 diversions involved in the transfer are being updated, in part, to provide fish passage and screening meeting ODFW's criteria. Final fish screening and passage authorizations have yet to be obtained from ODFW, but we have been actively working with the project proponents to restore fish passage in Deep Creek.

For these transfers, the middle diversion (POD 2), which is currently a complete barrier to fish passage at most flows, will be removed and water use will be transferred upstream to the uppermost diversion (POD 1). The uppermost diversion (POD 1) will be equipped with fish passage meeting ODFW's criteria and already has criteria fish screening. The lowermost diversion (POD 3) will also be removed as part of the project and water use will be transferred downstream to a new pump station (POD 4) equipped with a criteria fish screen. ODFW understands that the new POD 4 will not include an artificial obstruction to fish passage.

When considered as a package, ODFW has determined that the proposed transfers provide a change that will result in a net benefit to fish and wildlife habitat and qualify for OWRD's fee reduction.

Please let me know if you need any additional information or have any further questions.

*Danette*

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Danette Faucera  
Water Policy Coordinator  
Oregon Department of Fish and Wildlife  
(503) 947-6092  
4034 Fairview Industrial Drive SE  
Salem, OR 97302

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