

**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](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? 1 List them here: 94277**  
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: 2021 End Year: 2026.**
- 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):**

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0____	Date: ____/____/____

## 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.

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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°).

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**Part 3 of 5 – Fee Worksheet**

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
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » <input type="checkbox"/> 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) and multiply 3c by \$200.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>16.8 (4a)</u> Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	38.64
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » » » » » Subtotal:	5	848.64
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 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 » <b>Transfer Fee:</b>	7	<b>848.64</b>

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	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 »	2	
3	Add entries on lines 1 through 2 above » <b>Transfer Fee:</b>	3	

\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. 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 ( $x 45 \text{ ac} = 0.56 \text{ cfs}$ ).
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).

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

Furthermore, it is noted that the records should be kept up-to-date and organized in a logical manner. This helps in identifying trends and anomalies over time. The document also mentions that the records should be stored securely to prevent loss or tampering.

In addition, the document highlights the need for regular audits. These audits help in ensuring that the records are accurate and complete. It also serves as a check-and-balance mechanism to prevent any potential fraud or mismanagement.

The second part of the document focuses on the importance of communication. It states that all stakeholders should be kept informed about the progress and any issues that arise. Regular meetings and reports are essential for this purpose.

It is also mentioned that the communication should be clear and concise. Avoiding jargon and technical terms makes the information more accessible to all parties involved. The document stresses that good communication is key to the success of any project.

The third part of the document discusses the importance of risk management. It identifies potential risks that could impact the project and provides strategies to mitigate them. This includes identifying the root causes of risks and implementing preventive measures.

The document also mentions that risks should be monitored regularly. Any changes in the risk level should be reported immediately. This proactive approach helps in minimizing the impact of risks and ensuring the project stays on track.

The fourth part of the document focuses on the importance of quality control. It states that all work should be done to the highest standards. This involves setting clear quality objectives and implementing a robust quality management system.

The document also mentions that quality control should be an integral part of the project process. It should not be seen as a separate activity. Regular quality checks and reviews help in identifying and correcting any defects early on.

Finally, the document emphasizes the importance of documentation. All key decisions, actions, and results should be documented. This provides a clear history of the project and serves as a reference for future projects.

**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <b>TIM MELVILLE</b>		PHONE NO. <b>541-263-0318</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>84877 JOSEPH HWY</b>			FAX NO.
CITY <b>ENTERPRISE</b>	STATE <b>OR</b>	ZIP <b>97828</b>	E-MAIL <b>autim@eoni.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		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: Temporary transfer to lands in Sec 6, T2S, R44E, to cover additional lands that can be watered by an existing pivot. *local water master assisted with this application*  
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.

<i>Judy Martene Carr</i> Applicant signature	Judy Martene Carr Print Name (and Title if applicable)	4-6-2021 Date
<i>Tim Melville</i> Applicant signature	Tim Melville Print Name (and Title if applicable)	4/12/21 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

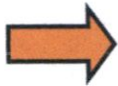
If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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 <b>MOONSHINE DITCH COMPANY</b>	ADDRESS <b>62456 BOWERMAN RD</b>	
CITY <b>JOSEPH</b>	STATE <b>OR</b>	ZIP <b>97846</b>

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 <i>Ditch</i> <b>Alder Slope Co.</b>	ADDRESS <b>65179 Alder Slope Rd</b>	
CITY <b>Enterprise</b>	STATE <b>OR</b>	ZIP <b>97828</b>



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 <b>Walla Walla County Planning</b>	ADDRESS <b>101 South River Street</b>	
CITY <b>Enterprise</b>	STATE <b>OR</b>	ZIP <b>97828</b>

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 # 94277**

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**Description of Water Delivery System**

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System capacity: 0.72 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. **Water diverted from Moonshine Ditch at a point South of POU and run through a mainline headed North. Area watered by handlines.**

**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#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		3	S	44	E	3	NE	NE		40 ft South and 40 ft. West of NE corner of Section 3, T3S, R44E WM
POD#2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		3	S	44	E	3	NE	NE		12 ft South and 48 ft. West of SW cor. of Section 35, T2S, R44E WM
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> 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.

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 # 94277**

List only the part of the right that will be changed. For the acreage in each 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)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES											
List only that part or portion of the water right that will be changed.										are made.											
Twp	Rng	Sec	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	Twp	Rng	Sec	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
<b>EXAMPLE</b>																					
2	S	9	"	NW	100	15.0	IRRIGATION	POD #1 POD #2	1901	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
3	S	44	E	1	100	7	IRRIGATION	POD#1		2	S	44	E	6	NE	SE	1800		9.1	POD #2	
3	S	44	E	1	100	8	IRRIGATION	POD#1		2	S	44	E	6	SE	SE	1800		7.7	POD#2	
TOTAL ACRES										TOTAL ACRES											
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Additional remarks: \_\_\_\_\_





**For Place of Use Changes**

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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](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

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EXHIBIT "1"  
ESTATE OF SALLY B. BOWERMAN

TRACT 1:

Decedent's 75% interest in the following described real property:

Township 2 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon

Section 36: NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$

Township 3 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon

Section 1: Government Lots 1, 2, 3, 7, 8, 9 and 10, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 2 South, Range 47 East of the Willamette Meridian, Wallowa County, Oregon

- Section 8: SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 14: W $\frac{1}{2}$ W $\frac{1}{2}$
- Section 15: ALL
- Section 16: ALL
- Section 17: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$
- Section 20: NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$
- Section 21: ALL
- Section 22: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 28: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 29: N $\frac{1}{2}$
- Section 30: SE $\frac{1}{4}$ NE $\frac{1}{4}$

TRACT 2:

Decedent's 50% interest in the following described real property:

Township 3 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon

Section 1: Government Lot 12, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

TRACT 3:

Decedent's 75% interest in the following described real property:

Township 2 South, Range 47 East of the Willamette Meridian, Wallowa County, Oregon

Section 22: SW $\frac{1}{4}$ SW $\frac{1}{4}$

TRACT 4:

Decedent's 50% interest in the following described real property:

Township 3 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon

Section 1: S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

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TRACT 5:

Decedent's 100% interest in the following described real property:

A tract of land located in Government Lot 6, Section 1, Township 3 South, Range 44 East of the Willamette Meridina, Wallowa County, Oregon, described as follows:

BEGINNING at a point which is South 888.0 feet and West 25.0 feet from the Northeast corner of Government Lot 3, Section 1, T3S, R44 EWM; thence West 265.0 feet and parallel with the North line of said Lot 3; thence South 150.0 feet and parallel to the West line of said Lot 3 and parallel to the West line of Government Lot 6 of said Section; thence East 265.0 feet and parallel to the South line of said Lot 3; thence North 150.0 feet on a line parallel to the East line of Government Lots 3 and 6 to the place of beginning.

TRACT 6

Decedent's 100% interest in the following described real property:

Township 3 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon

Section 1: The North 400 feet of Lot 6

EXCEPTING THEREFROM BEGINNING at a point which is South 888.0 feet and West 25.0 feet from the Northeast corner of Government Lot 3, Section 1, T3S, R44 EWM; thence West 265.0 feet and parallel with the North line of said Lot 3; thence South 150.0 feet and parallel to the West line of said Lot 3 and parallel to the West line of Government Lot 6 of said Section; thence East 265.0 feet and parallel to the South line of said Lot 3; thence North 150.0 feet on a line parallel to the East line of Government Lots 3 and 6 to the place of beginning.

STATE OF OREGON }  
County of Wallowa } SS

I certify that the within instrument was received for record on the 8 day of September, 2020 at 11:34 o'clock A.M., and recorded in fee/file/ instrument/microfiche No. 06-56262, Records of Pers Rep Deed of said County.

Witness my hand Dana Roberts DR  
County Clerk/Deputy

Receipt # 59813 \$ 30.00

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PERSONAL REPRESENTATIVE'S DEED

J. DAVID COUGHLIN, the duly appointed, qualified and acting Personal Representative of the Estate of Sally B. Bowerman, deceased, aka Sally B. Rathbun, Sally Rathbun Eichler, or Sally Eichler, Grantor, conveys to WENDY J. McCULLOUGH, CAROL S. CHRISMAN, DAN DeBOIE Trustee of the Testamentary Trust created under the will of Sally B. Bowerman for the benefit of Jacob DeBoie and Caleb Deboie, tenants in common, Grantees, that certain real property situate in the County of Wallowa, State of Oregon, described on the attached Exhibit "1" which is incorporated herein by reference.

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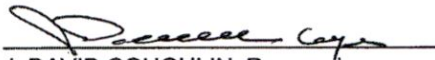
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Ref. numbers: 2441, 2442, 3616, 3540, 3544, 3545 (wherein decedent owned a 75% interest); numbers 3617, 3621 (wherein decedent owned a 50% interest) and number 3620 (wherein decedent owned a 100% interest)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

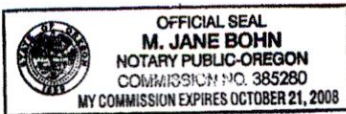
The true consideration for this conveyance is -0-; estate distribution per court order.

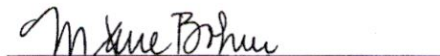
DATED this 6<sup>th</sup> day of September, 2006.

  
J. DAVID COUGHLIN, Personal Representative of the Estate of Sally B. Bowerman, deceased

STATE OF OREGON        )  
                                      : ss.  
County of Baker        )

This instrument was acknowledged before me on September 6, 2006, by J. DAVID COUGHLIN, Personal Representative of the Estate of Sally Bowerman, deceased.



  
Notary Public for Oregon  
My commission expires: 10-21-08

After recording return to:  
J. David Coughlin  
PO Box 1026  
Baker City, OR 97814

Until a change is requested, send tax statements to:  
Wendy J. McCullough  
62456 Bowerman Road  
Joseph OR 97846

13678 -

# 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.

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OWRD

State of Oregon )  
 )  
 County of Wallowa ) ss

I, Tim Mcville, in my capacity as farmer,  
 mailing address 84887 Joseph Hwy Enterprise OR. 97828  
 telephone number (541) 263-0318, 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 # 94277; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	1/4 1/4	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 & crops

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.

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*Tom Melville*

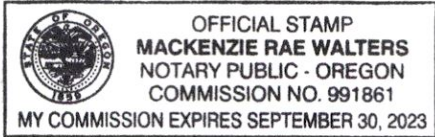
4/5/21

Date

Signature of Affiant

OWRD

Signed and sworn to (or affirmed) before me this 5<sup>th</sup> day of April, 2021.



*Mackenzie Rae Walters*  
Notary Public for Oregon

My Commission Expires: Sept 30, 2023

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 checked="" 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>● <input checked="" type="checkbox"/> 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 type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> 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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Tim Melville

Moonshine Ditch Company

c/o SF Gilstrap, CPA, Inc.  
PO Box 66  
Enterprise, OR 97828

# Invoice

Date	Invoice #
04/04/2020	2018-20

Bill To
William Hall Bowerman Ranch 5354 SW Westwood Lane Portland, OR 97239

**PAID**  
04-17-2020

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P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
293.64	2020 Annual Water Assessment at \$8.55 per acre	8.55	2,510.62
		<b>Total</b>	\$2,510.62

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# Supplemental Form D

## Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

### 1. APPLICANT INFORMATION

NAME <i>Tim Melville</i>		PHONE (HM) <i>541-263-0318</i>	
PHONE (WK) <i>541-263-0318</i>	CELL <i>541-263-0318</i>	FAX	
ADDRESS <i>84887 Joseph Hwy</i>			<b>RECEIVED</b>
CITY <i>Enterprise</i>	STATE <i>OR</i>	ZIP <i>97828</i>	E-MAIL** <b>APR 19 2021</b>

### 2. DISTRICT or WATER SUPPLIER INFORMATION

**OWRD**

DISTRICT/WATER SUPPLIER NAME <i>Alder Slope Ditch Co.</i>		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS <i>65179 Alder slope Rd</i>			
CITY <i>Enterprise</i>	STATE <i>OR</i>	ZIP <i>97828</i>	E-MAIL**

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

### 3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	<i>94277</i>	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

\*Bureau of Reclamation

13678 -



b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

**CURRENT ASSOCIATIONS** Please answer the following "yes" or "no" questions:

YES  NO  One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES  NO  All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

**PROPOSED ASSOCIATIONS** Please answer the following "yes" or "no" questions:

YES  NO  One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES  NO  All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

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COMMENTS OR ADDITIONAL INFORMATION

OWRD

**4. APPLICANT'S SIGNATURE**

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

email,  phone,  postal mail,  in person, or  other (please specify) at annual meeting

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Tim Melville  
Applicant Signature

Tim Melville  
Name (print)

4/5/21  
Date

**5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER**

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

YES  NO  After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES  NO  The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Craig Willis  
Signature of District Manager /Water Supplier

Craig Willis / President  
Name (print), Title

4/5/21  
Date

# Supplemental Form D

## Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

### 1. APPLICANT INFORMATION

NAME <i>Tim Melville</i>		PHONE (HM) <i>541-263-0318</i>	
PHONE (WK) <i>541-263-0318</i>	CELL <i>541-263-0318</i>	FAX	
ADDRESS <i>84887 Joseph Hwy</i>			<b>RECEIVED</b>  <b>APR 19 2021</b>
CITY <i>Enterprise</i>	STATE <i>OR</i>	ZIP <i>97828</i>	

### 2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME <i>Moonshine Ditch</i>		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS <i>62456 Bowerman Rd</i>			<b>OWRD</b>
CITY <i>Joseph</i>	STATE <i>OR</i>	ZIP <i>97846</i>	

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

### 3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	<i>94277</i>	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

\*Bureau of Reclamation

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

**CURRENT ASSOCIATIONS** Please answer the following "yes" or "no" questions:

YES  NO  One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES  NO  All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

**PROPOSED ASSOCIATIONS** Please answer the following "yes" or "no" questions:

YES  NO  One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES  NO  All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

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COMMENTS OR ADDITIONAL INFORMATION

APR 19 2021

**4. APPLICANT'S SIGNATURE**

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(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

email,  phone,  postal mail,  in person, or  other (please specify) at annual meeting

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Tim Melville  
Applicant Signature

Tim Melville  
Name (print)

4/5/21  
Date

**5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER**

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

YES  NO  <sup>NA</sup> After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES  NO  <sup>NA</sup> The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Wendy McCullough  
Signature of District Manager /Water Supplier

WENDY McCullough  
Name (print), Title

4/6/21  
Date

13678 -

# 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

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State of Oregon )  
County of Wallowa )ss  
 )

I Wendy McCullough in my/our capacity as Manager/Partner

mailing address 62456 Bowerman Rd  
Joseph, OR 97846

telephone number 541-432-4832, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 94277  
described in a Transfer Application (T-      ) submitted by Tim Melville  
(transfer number, if known)

on the property in tax lot number(s) 100, Section 1, Township 35

North, Range 44E East, W.M., located at 62456 Bowerman Rd Joseph OR 97846  
(site address)

Wendy McCullough  
Signature of Affiant

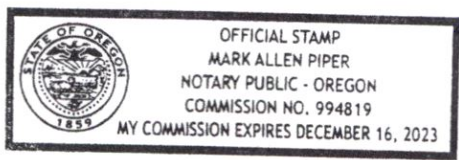
4/9/21  
Date

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

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 9<sup>th</sup> day of April, 2021.

Mark Allen Piper  
Notary Public for Oregon



My commission expires December 16, 2023