

# Application for Permanent Water Right Transfer

OREGON



WATER RESOURCES DEPARTMENT

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

RECEIVED

DEC 05 2022

OWRD  
SALEM, OREGON

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

- X Part 1 – Completed Minimum Requirements Checklist.
- X Part 2 – Completed Transfer Application Map Checklist.
- X 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).
- X Part 4 – Completed Applicant Information and Signature.
- X Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: C-62227**

Please include a separate Part 5 for each water right. (See instructions on page 6)

**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

**Attachments:**

- X Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- X N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- X 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.
- X 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.
- X N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- X 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.

RECEIVED

FEB 21 2023

14176

(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                        |
| <input type="checkbox"/> Other/Explanation                         |  |

RECEIVED

DEC 05 2022

OWRD  
SALEM, OREGON

RECEIVED

FEB 21 2023

OWRD

## 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.**

- X 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.
- X If **more than three** water rights are involved, separate maps are needed for each water right.
- X Permanent quality printed with dark ink on good quality paper.
- X 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.
- X A north arrow, a legend, and scale.
- X 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.
- X Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- X Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- X Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- X Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- X 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.
- X 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.
- X 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.
- X 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



this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	<del>\$990.0</del> 0
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i> Multiply line 2b by \$480 and enter » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » <b>Fee for Substitution:</b>	3	

NO WELLS

RECEIVED  
DEC 05 2022  
OWRD  
SALEM, OREGON

RECEIVED  
FEB 21 2023  
OWRD

## Part 4 of 5 – Applicant Information and

### Applicant Information

APPLICANT/BUSINESS NAME Bureau of Land Management		PHONE NO. (541)573-4438	ADDITIONAL CONTACT NO.
ADDRESS 28910 Hwy 20 W			FAX NO.
CITY Hines	STATE OR	ZIP 97738	E-MAIL jakrauss@blm.gov
<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.</b>			

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

AGENT/BUSINESS NAME Jana Krauss		PHONE NO. (541)573-4438	ADDITIONAL CONTACT NO.
ADDRESS 28910 Hwy 20 W			FAX NO.
CITY Hines	STATE OR	ZIP 97738	E-MAIL JAKRAUSS@BLM.GOV
<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.</b>			

Explain in your own words what you propose to accomplish with this transfer application, and why:

Change the character of use from Fish Culture and Recreation to Livestock.

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.

RECEIVED

DEC 05 2022

OWRD  
SALEM, OREGON

RECEIVED

FEB 21 2023

OWRD

RECEIVED

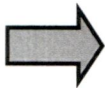
DEC 05 2022

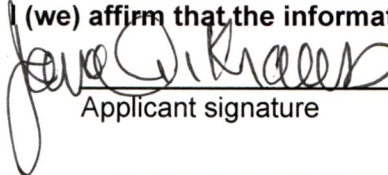
OWRD  
SALEM, OREGON

**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: Burns Times Herald.
- 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).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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




Jana A. Krauss Water Rights Specialist BUM  
 Applicant signature Print Name (and Title if applicable) Date  
9/6/2022

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/or 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)

RECEIVED

FEB 21 2023

OWRD


RECEIVING LANDOWNER NAME N/A			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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 N/A	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 N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Harney County	ADDRESS 450 N. Buena Vista	
CITY Burns	STATE OR	ZIP 97720

ENTITY NAME <i>Harney County</i>	ADDRESS	
CITY	STATE	ZIP

RECEIVED  
DEC 05 2022  
OWRD  
SALEM, OREGON

RECEIVED  
FEB 21 2023  
OWRD

14176



## Part 5 of 5 – Water Right

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

RECEIVED

DEC 05 2022

OWRD  
SALEM, OREGON

CERTIFICATE # C-62227

### Description of Water Delivery System

System capacity: ~~0.5~~ <sup>0.5</sup> ~~MA~~ cubic feet per second (cfs) **OR**  
~~MA~~ 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. The current system is for Fish Culture and Recreation. There are no delivery systems in place. The current use is from the reservoir.

### 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	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		23	S	29	E	13	SW	NW	200	2380' South and 390' East from the NW corner of Section 13
POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		23	S	29	E	13	SW	NW	200	2380' South and 390' East from the NW corner of Section 13
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										RECEIVED FEB 21 2023
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										OWRD

**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 checked="" type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)          | <input type="checkbox"/> Additional Point of Appropriation (APOA) |

- Additional Point of Diversion (APOD)     Substitution (SUB)  
 Surface Water POD to Ground Water POA (SW/GW)     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.

RECEIVED  
DEC 05 2022  
OWRD  
SALEM, OREGON

RECEIVED  
FEB 21 2023  
OWRD

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

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

**Table 2. Description of Changes to Water Right Certificate # C-62227**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.


AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	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	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																					
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901	
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901	
23	S	29	E 13 SW NW	200			Fish Culture & Recreation	POD	1968	USE	23	S	29	E 13 SW NW	200			Livestock	POD	1968	
23	S	29	E 13 NW NW	200			Fish Culture & Recreation	POD	1968	USE	23	S	29	E 13 NW NW	200			Livestock	POD	1968	
23	S	29	E 14 NE NE	200			Fish Culture & Recreation	POD	1968	USE	23	S	29	E 14 NE NE	200			Livestock	POD	1968	
23	S	29	E 14 SE NE	200			Fish Culture & Recreation	POD	1968	USE	23	S	29	E 14 SE NE	200			Livestock	POD	1968	
14176																					

RECEIVED  
FEB 21 2023  
OWRD

**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers:\_\_\_\_\_.

 Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

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

Ground water supplemental Permit or Certificate # N/A;  
Surface water primary Certificate # N/A.

RECEIVED  
DEC 05 2022  
OWRD  
SALEM, OREGON

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

Identify the primary certificate to be cancelled. Certificate # N/A

**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)

RECEIVED

FEB 21 2023

**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.

OWRD

**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

# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

RECEIVED

FEB 21 2023

OWRD

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# Land Use Information Form

CERTIFICATE # 62227



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

Applicant(s): BUREAU OF LAND MANAGEMENT

Mailing Address: 28910 Hwy 20 W

City: Hines State: OR Zip Code: 97738 Daytime Phone: 541-573-4400

### A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
23S	29E	13	SWNW	200		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	LIVESTOCK
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

HARNEY

RECEIVED  
 FEB 21 2023  
 OWRD

### B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water    Water Right Transfer    Permit Amendment or Ground Water Registration Modification
- Limited Water Use License    Allocation of Conserved Water    Exchange of Water

Source of water:  Reservoir/Pond    Ground Water    Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 250    cubic feet per second    gallons per minute    acre-feet

Intended use of water:  Irrigation    Commercial    Industrial    Domestic for \_\_\_\_\_ household(s)  
 Municipal    Quasi-Municipal    Instream    Other LIVESTOCK

Briefly describe:

EXISTING RESERVOIR SINCE 1968 ABANDONED BY OREGON STATE GAME COMMISSION USES FISH + RECREATION. BLM TOOK OVER THE RIGHT AS WE ARE THE LAND OWNER AND CHANGED TO LIVESTOCK USE.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

# For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): HCZO 3.010 (EFLV-1)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>FEB 21 2023</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OWRD</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Brandon M. Mollen Title: Planning Director  
 Signature: [Signature] Phone: (541) 573-6655 Date: 1/27/23  
 Government Entity: Harney County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: BUREAU OF LAND MANAGEMENT  
 City or County: HARNEY Staff contact: JANA KRAUSS  
 Signature: [Signature] Phone: 541-589-4613 Date: 1/25/23

# 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 HARNEY ) SS

I, RONDA PURDY, in my capacity as RANGELAND MANAGEMENT SPECIALIST  
 mailing address 28910 HWY 20 W HINES OR 97738  
 telephone number (541) 573-4400, being first duly sworn depose and say:

RECEIVED  
 FEB 21 2023  
 OWRD

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 # 62227; 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)
<u>62227</u>	<u>23 S</u>	<u>29 E</u>		<u>13</u>	<u>SWNW</u>	<u>200</u>	<u>          </u>

OR

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; OR
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)



3. The water right was used for: (e.g., crops, pasture, etc.): FISH CULTURE + RECREATION
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.

Ronda Randy  
Signature of Affiant

1/13/2023  
Date



Signed and sworn to (or affirmed) before me this 13<sup>th</sup> day of January, 2023.

Derrin Robinson, Harney County Clerk

[Signature]  
Notary Public for Oregon

Notarial Official as per ORS 194.255 (1)(c)

My Commission Expires: upon being elected office

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 <u>Reservoir constructed and in use on BLM Land since 1968.</u>	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 – <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>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED  
FEB 21 2023  
OWRD

**Willow Creek Reservoir  
Certificate #62227  
2020 Imagery Proof of Use**

RECEIVED

FEB 21 2023

OWRD

14  
T23S R29E

USA

13

USA

*NAIP IMAGERY 2020  
on 4/12/2023*

14176

**Willow Creek Reservoir  
Certificate #62227  
2017 Imagery Proof of Use**

RECEIVED

FEB 21 2023

DOWRD

14  
T23S R29E USA

13 USA

NAIP IMAGERY 2017  
on 1/12/2023

**Willow Creek Reservoir  
Certificate #62227  
2016 Imagery Proof of Use**

RECEIVED  
FEB 21 2023  
OWRD

14  
T23S R29E USA

13 USA

NAIP IMAGERY 2016  
on 1/12/2023

**Willow Creek Reservoir  
Certificate #62227  
2009 Imagery Proof of Use**

14  
T23S R29E USA

13 USA

NAPP IMAGERY 2009  
ON 11/2/2023

# 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 HARNEY ) SS

I, JANA KRAUSS, in my capacity as WATER RIGHTS SPECIALIST BURNS DIST BURN  
 mailing address 28910 Hwy 20 W Hines OR 97138  
 telephone number (541) 573-4438, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation  Professional expertise

RECEIVED  
 FEB 21 2023  
 OWRD

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 62227; 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)
<u>62227</u>	<u>23 S</u>	<u>29 E</u>		<u>13</u>	<u>SWW</u>	<u>200</u>	<u>—</u>

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)

FISH CULTURE + RECREATION

3. The water right was used for: (e.g., crops, pasture, etc.): \_\_\_\_\_
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.

[Signature]  
Signature of Affiant

1/13/2023  
Date



Derrin Robinson, Harney County Clerk

Notarial Official as per ORS 194.255 (1)(c)

Signed and sworn to (or affirmed) before me this 13<sup>th</sup> day of January, 2023.

[Signature]  
Notary Public for Oregon

My Commission Expires: upon leaving elected office

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 <u>Reservoir constructed and in use on BLM Land since 1968</u>	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 – <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>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED  
FEB 21 2023  
OWRD

**Willow Creek Reservoir  
Certificate #62227  
2020 Imagery Proof of Use**

RECEIVED  
FEB 21 2023  
DOWRD

14  
T23S R29E USA

13 USA

NAIP IMAGERY 2020  
on 1/12/2023

14176



**Willow Creek Reservoir  
Certificate #62227  
2017 Imagery Proof of Use**

RECEIVED  
FEB 21 2023  
OWRD

14  
T23S R29E USA

13 USA

NATD IMAGERY 2017  
ON 4/12/2023

**Willow Creek Reservoir  
Certificate #62227  
2016 Imagery Proof of Use**

RECEIVED  
FEB 21 2023  
OWRD

14  
T23S R29E USA

13 USA

NAIP IMAGERY 2016  
on 1/12/2023

**Willow Creek Reservoir  
Certificate #62227  
2009 Imagery Proof of Use**

RECEIVED

FEB 21 2023

OWRD

14  
T23S R29E USA

13 USA

NAPP IMAGERY 2009  
ON 1/12/2023

## Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T- 14176

Checked by <u>Dante</u> Date <u>2/23/2023</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Fee Received: \$1360	<input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input checked="" type="checkbox"/> USE	
Calculated Fee: \$1360		How many rights to be Transferred? <u>1</u>
Deficiencies and Observations: Change in Use of Reservoir		Certificate #(s) <u>62227</u>

If OK, check box; if not, fill in.

1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?  
If not, what is missing? Whose signature is missing? \_\_\_\_\_
2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D?  N/A.  
Name of the District \_\_\_\_\_
3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?  
If not, you may need to contact the applicant or agent? \_\_\_\_\_
4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (*compare with OAR 690-380-3220-may need to return*)  
If no, which certificates are missing a separate Part 5, tables 1 & 2? \_\_\_\_\_
5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?  
If not, what is missing? \_\_\_\_\_. Map waiver included?
6. If a change in point of appropriation, have the well logs been included?  N/A.
7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U?  N/A.
8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? \_\_\_\_\_  
\_\_\_\_\_
9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- This application is deficient, and **CANNOT** be accepted.  
It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken:

\_\_\_\_\_ date \_\_\_\_\_

## Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	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 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» »	7	0
8	Subtract line 7 from line 6 » <b>Transfer Fee:</b>	<b>8</b>	



Department of the Treasury  
Internal Revenue Service

[www.irs.gov](http://www.irs.gov)

Notice 1256 (2-2000)  
Catalog Number 29013H

RECEIVED

FEB 21 2023

OWRD

---

**Misdirected Mail Opened by  
the IRS**

The enclosed correspondence was misdirected to us by the Post Office.

The large volume of mail we receive daily is first opened by machine. Therefore, your enclosed envelope was opened before we discovered that it was not addressed to the Internal Revenue Service.

We are sorry for any inconvenience caused you.

---

14176



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

RECEIVED  
DEC 12 2022

December 7, 2022

By: \_\_\_\_\_

RECEIVED

FEB 21 2023

OWRD

Bureau of Land Management  
Attn: Jana Krauss  
28910 Highway 20 W  
Hines, OR 97738

RE: Permanent Transfer Application for Certificates 62227

Dear Applicant,

The Water Resources Department has received an application for permanent transfer for one certificated water right. The application is considered incomplete as the Department did not receive all of the required documentation and fees to process the transfer. Pursuant to OAR 690-380, the following items are missing from your application:

- Indication of the amount of CFS being transferred *0.34532 =  $\frac{250 \text{ AF}}{\text{YR}}$*
- Additional fees which correlate to the amount of CFS to be included in the application *NONE*
- Completed and notarized Evidence of Use Affidavit and supporting documentation for each water right *Added*
- Completed and signed Oregon Water Resources Department's Land Use Form *Added*

OAR 690-380-3000

(12) Evidence that the water has been used over the past five years in accordance with the terms and conditions of the right or that the right is not subject to forfeiture under ORS 540.610. The evidence shall include the following information:

(a) If the right has been used during the past five years, one or more affidavits from persons, such as the owner or operator, a neighbor, crop field person for a cannery or other product buyer, or Natural Resources Conservation Service (NRCS) representatives, who can attest from personal knowledge or professional expertise that the right was exercised at the authorized location and for the authorized purpose. Such affidavits shall state the specific grounds for the affiant's knowledge, the specific use to which the water was put (e.g., the crops grown, the nursery stock watered), and the delivery system used to apply the water and include supporting documentation such as:

(A) Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;

(B) Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers; or

14176

(C) Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph, or

(b) If the right has not been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

690-380-4000

**(2) If the Department determines that the application does not include the required information or that the water rights proposed for transfer are not subject to transfer, the Department shall return the application and any fees to the applicant along with a written description of the deficiencies in the application.**

OAR 690-380-3000 (19)

(19) Land use information as outlined in the Department's Land Use Planning Procedures Guide, except for those transfers that meet the following four requirements:

- a) Where existing and proposed water uses would be located entirely within lands zoned for exclusive farm use as provided in ORS 215.203 or within irrigation districts;
- b) That involve changes in place of use only;
- c) That do not involve the placement or modification of structures including but not limited to water diversion, impoundment, or distribution facilities, water wells, and well houses; and
- d) That involve irrigation water uses only.

We are hereby returning the permanent transfer application and the fees submitted.

Please do not hesitate to contact me, at [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov) or 503-979-3129 if I may be of assistance.

Sincerely,

*Arla L Davis*

Arla L Davis  
Transfer and Conservation Specialist  
Transfer and Conservation Section

RECEIVED

FEB 21 2023

OWRD

Cc: OWRD Fiscal





# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Burns District Office  
28910 Highway 20 West  
Hines, OR 97738  
[www.blm.gov/office/burns-district-office](http://www.blm.gov/office/burns-district-office)



NOV 29 2022

RECEIVED

DEC 05 2022

OWRD  
SALEM, OREGON

Oregon Water Resources Department  
Attn: Transfer Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266

This letter is in reference to: Certificate # 62227 Erenos Willow Creek Reservoir.

Please find enclosed:

1. Completed Permanent Water Right Transfer Form
2. Change of Use Application Map - Exhibit B
3. Check for \$1,360.00
4. Affidavits
5. Land Use Form

Sincerely,

Jeffrey Rose  
District Manager

RECEIVED

FEB 21 2023

OWRD

Enclosures (3)

14176