

T-12488

T-12488

Regular

Name Lloyd & Lois Piercy
Echo West Farms
Address PO Box 249
Echo, OR 97826

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well

Trib. of Umatilla R.

Use Irrigation County Umatilla um 5

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G-7728 Per # G-7367 Cert # 89255 PR Date 1977

App# G-7728 Per # G-7367 Cert # 75838 PR Date 1977

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

Change in POU
Date Filed 9-21-16
Initial notice date _____
DPD issued date _____
PD issued date 1-12-18
PD notice date 1-16-18
Date of FO 3-8-18 Vol 107 Page 816

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

RR 93673
RR 93672

Assignments: _____

Irrigation District _____

Agent Said Amali/Akana
6400 SE Lake Rd. Suite 270 Portland, OR 97222

CWRE _____
CC's list _____

- Oversized map - Location _____

FEES PAID		
Date	Amount	Receipt #
<u>9-21-16</u>	<u>1450.00</u>	<u>121382</u>
FEES REFUNDED		
Date	Amount	Receipt #

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

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-12488, Umatilla County) CHANGE IN PLACE OF USE

Authority

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

Applicant

LLOYD AND LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826
goldencanyon@centurytel.net

Findings of Fact

1. On September 21, 2016, LLOYD AND LOIS PIERCY (ECHO WEST FARMS) filed an application to change the place of use under Certificates 75838 and 89255. The Department assigned the application number T-12488.
2. Notice of the application for transfer was published on October 4, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 19, 2017, the applicant submitted a revised transfer application.
4. On April 28, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12488 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. On January 12, 2018, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12488 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on January 16, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The portion of the first right to be transferred is as follows:

Certificate: 75838 in the name of RON HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.0 ACRE
Priority Date: FEBRUARY 14, 1977
Rate: 0.013 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	NW NE	1.0

7. Transfer Application T-12488 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	22	SW SW	1.0

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

Certificate: 89255 in the name of RON L. HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.8 ACRES
Priority Date: FEBRUARY 14, 1977
Rate: 0.02 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	SW NE	0.4
3 N	29 E	WM	27	SW NW	0.7
3 N	29 E	WM	27	SE NW	0.7
Total					1.8

9. Transfer Application T-12488 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	1.8

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12488.
12. The proposed change as conditioned would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

Conclusions of Law

The change in place of use proposed in Transfer Application T-12488 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-12488 is approved.
2. The right to the use of the water is restricted to beneficial use at the places of use described, and is subject to all other conditions and limitations contained in Certificates 75838 and 89255 and any related decree.
3. Water right Certificates 75838 and 89255 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.

4. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2019**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
7. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 8th day of March, 2018.


Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing date: MAR 09 2018

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON L. HOLEMAN
 BOX 617
 ECHO, OR 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 31.7 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.4 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to the appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	6.9
3 N	29 E	WM	27	SW NE	7.3
3 N	29 E	WM	27	NW NW	3.6
3 N	29 E	WM	27	SW NW	8.7
3 N	29 E	WM	27	SE NW	0.3
3 N	29 E	WM	28	NE NE	4.9

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

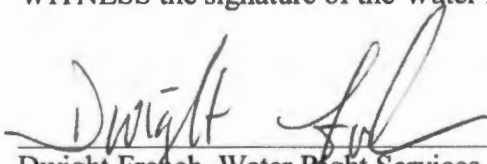
This certificate describes that portion of water right Certificate 89255, State Record of Water Right

Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 08 2018, approving Transfer Application T-12488 for a change in place of use.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed MAR 08 2018.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON HOLEMAN
 BOX 617
 ECHO, OR 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 2.0 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.027 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-foot per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	NW NE	1.5
3 N	29 E	WM	27	SW NE	0.5

This certificate describes that portion of water right Certificate 75838, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 08 2018, approving Transfer Application T-12488 for a change in place of use.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed

MAR 08 2018



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

March 8, 2018

LLOYD AND LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826-0249

REFERENCE: Transfer Application T-12488

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in character of use or change in place of use **NOT** carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Marcy Osborn, by telephone at 541-523-8224 ext. 228 or by e-mail at Marcy.j.osborn@oregon.gov.

Sincerely,

Sarah Henderson
Transfer and Conservation Section

cc: T-12488
Gregory M. Silbernagel, District 5 Watermaster (via e-mail)
Said Amali/akana, Agent for the applicant (via e-mail at Said.Amali@akana.us)

Enclosure



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

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-12488, Umatilla County) CHANGE IN PLACE OF USE

Authority

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

Applicant

LLOYD AND LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826
goldencanyon@centurytel.net

Findings of Fact

1. On September 21, 2016, LLOYD AND LOIS PIERCY (ECHO WEST FARMS) filed an application to change the place of use under Certificates 75838 and 89255. The Department assigned the application number T-12488.
2. Notice of the application for transfer was published on October 4, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 19, 2017, the applicant submitted a revised transfer application.
4. On April 28, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12488 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. On January 12, 2018, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12488 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on January 16, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The portion of the first right to be transferred is as follows:

Certificate: 75838 in the name of RON HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.0 ACRE
Priority Date: FEBRUARY 14, 1977
Rate: 0.013 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	NW NE	1.0

7. Transfer Application T-12488 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	22	SW SW	1.0

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

Certificate: 89255 in the name of RON L. HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.8 ACRES
Priority Date: FEBRUARY 14, 1977
Rate: 0.02 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	SW NE	0.4
3 N	29 E	WM	27	SW NW	0.7
3 N	29 E	WM	27	SE NW	0.7
Total					1.8

9. Transfer Application T-12488 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	1.8

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12488.
12. The proposed change as conditioned would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

Conclusions of Law

The change in place of use proposed in Transfer Application T-12488 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-12488 is approved.
2. The right to the use of the water is restricted to beneficial use at the places of use described, and is subject to all other conditions and limitations contained in Certificates 75838 and 89255 and any related decree.
3. Water right Certificates 75838 and 89255 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.

4. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2019**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
7. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 8th day of March, 2018.


Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing date: MAR 09 2018

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON L. HOLEMAN
 BOX 617
 ECHO, OR 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 31.7 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.4 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to the appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	6.9
3 N	29 E	WM	27	SW NE	7.3
3 N	29 E	WM	27	NW NW	3.6
3 N	29 E	WM	27	SW NW	8.7
3 N	29 E	WM	27	SE NW	0.3
3 N	29 E	WM	28	NE NE	4.9

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

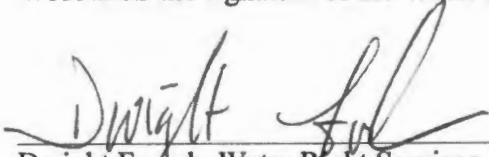
This certificate describes that portion of water right Certificate 89255, State Record of Water Right

Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 08 2018, approving Transfer Application T-12488 for a change in place of use.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed MAR 08 2018.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON HOLEMAN
 BOX 617
 ECHO, OR 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 2.0 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.027 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	NW NE	1.5
3 N	29 E	WM	27	SW NE	0.5

This certificate describes that portion of water right Certificate 75838, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 08 2018, approving Transfer Application T-12488 for a change in place of use.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed

MAR 08 2018



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Water Right Transfer Cover Sheet

Transfer T-12488

Transfer Specialist: MJD

Transfer Type: **Regular**

Applicant Name/Address: LLOYD AND LOIS PIERCY PO BOX 249 ECHO, OR 97826-0249	Agent Name/Address: SAID AMALI/AKANA 6400 SE LAKE RD SUITE 270 PORTLAND, OR 97222	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Umatilla County Planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	G-7728	G-7367	89255	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>93673</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			75838	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>93672</u>
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: September 21, 2016	Proposed Action(s): PLACE OF USE	
Fees Pd: 1450.00	WM District: 5	ODFW District:
Initial Notice: October 4, 2016	WM Review sent: 9/27/2016	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent:

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper quote requested: _____

DPD Mailed: 4-28-17

not required

ODFW contact sheet sent with DPD, or N/A

Request for news \$ sent: _____

WM measurement contact sheet sent, or N/A

News \$ received: _____

PD Signed: 1-12-18

Request to publish sent to newspaper: _____

PD Weekly Notice: 1-16-18

Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>Jean</u>	Reviewer: <u>Jean</u>
Date: _____	Date: <u>2/10/18</u>	Date: <u>3/5/18</u>
Coordinator: _____	Coordinator: <u>JH</u>	Coordinator: <u>PKS</u>
Date: _____	Date: <u>1-2-18</u>	Date: <u>3-5-18</u>
Comments/Special Issues:		

Special Order Volume: Vol 107 Pages 817 Final Order Signature Date: MAR 08 2018
 Notice of FO email'd to processors _____

File Prep

CW		CW	
<input checked="" type="checkbox"/>	File Assigned (computer entry)	<input checked="" type="checkbox"/>	Print Tax Lot Map(s)/Ownership info if available on the web
<input checked="" type="checkbox"/>	Make Copies App, Map, GW review, (WM Review, ODFW to send to applicant later) Affidavits if applicable	<input checked="" type="checkbox"/>	Print: Certs, WR maps, (Tabulations, Sp Or, Air Photos or other helpful info to aid in processing)
<input checked="" type="checkbox"/>	Bundle Originals with cover sheet	<input checked="" type="checkbox"/>	Check Area of Interest – print if needed
<input checked="" type="checkbox"/>	Check for any public comments submitted electronically. Print any comments received.	<input checked="" type="checkbox"/>	Any irrigation districts that need notice based on Area of Interest Check. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Note:

APPLICATION/MAP REVIEW

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appropriately signed	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ditch Company, Irr. Dist. and/or BOR sent copies
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Checked WRIS contact address/e-mail for accuracy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appropriate Fees Paid
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Revisit application checklist & Supporting Docs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Overpayment of Fees, Refund Request with FO
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any deficiencies that need to be addressed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

DETERMINING THE “FROM” AND “TO” LANDS

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Only the authorized POD's/POA's and POU's to be transferred are listed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Marked on certificate the quantity of water being transferred, cancelled, and remaining
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare Water Right map to App Map for Accuracy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Check and notate on Plat Card for Conflicts (To and From Lands) N/A if no change in POU or Use

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ODFW	<input type="checkbox"/> Fish Screens	<input type="checkbox"/> Other:	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ground water			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Watermaster	<input type="checkbox"/> Headgate	<input type="checkbox"/> Prior to diverting	<input type="checkbox"/>
			<input checked="" type="checkbox"/> Measuring Devices	<input checked="" type="checkbox"/> Prior to diverting	<input type="checkbox"/> Type of Device?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Injury	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Enlargement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conditions to Avoid Enlargement/Injury			

DPD PD FO COV DPD/PD/ FINAL ORDER/COVER LETTER

PR	CW	PR	CW	PR	CW	PR	CW	
	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Correct address? Add Agent, Receiving Landowner if applicable etc...
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare “from lands” with marked up Certificate
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare Authorized POD(s)/POA(s) with marked up Certificate
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Watermaster conditions (send copy of review to applicant if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Ground water conditions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ODFW recommendations (send copy of review to applicant if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hidden findings unveiled?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add any cancellation language or special situations
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attach supporting documents to cover letter if applicable

**Notice of Preliminary Determination for
Water Right Transfer T-12488**

T-12488 filed by Lloyd and Lois Piercy (Echo West Farms), PO Box 249, Echo, OR 97826-0249, proposes a PLACE OF USE change under Certificates ("C") 75838 and 89255. C-75838 allows the use of 0.013 cubic foot per second (cfs) from a well in Sec. 27, T3N, R29E, WM for irrigation in Sec. 27. The applicant proposes to change the place of use to Sec. 22, T3N, R29E, WM. C-89255 allows the use of 0.02 cfs from a well in Sec. 27, T3N, R29E, WM. for irrigation in Sec. 27. The applicant proposes to change the place of use to Sec. 21, T3N, R29E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$700 protest fee for non-applicant, or \$350 protest fee for applicant. Call (503) 986-0807 to obtain additional information. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January 12, 2018

VIA E-MAIL

LLOYD AND LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826-0249
goldencanyon@centurytel.net

SUBJECT: Water Right Transfer Application T-12488

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12488. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me at joan.m.smith@oregon.gov or 503-986-0892, if I may be of assistance.

Sincerely,

Joan M. Smith
Transfer Specialist
Transfer and Conservation Section

cc: T-12488

Gregory M. Silbernagel, District 5 Watermaster *(via e-mail)*

Said Amali/akana, Agent for the applicant *(via e-mail at Said.Amali@akana.us)*

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-12488, Umatilla County)	PROPOSING APPROVAL OF A
)	CHANGE IN PLACE OF USE

Authority

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

Applicant

LLOYD & LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826
goldencanyon@centurytel.net

Findings of Fact

1. On September 21, 2016, LLOYD & LOIS PIERCY (ECHO WEST FARMS) filed an application to change the place of use under Certificates 75838 and 89255. The Department assigned the application number T-12488.
2. Notice of the application for transfer was published on October 4, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 19, 2017, the applicant submitted a revised transfer application.
4. On April 28, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12488 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	SW NE	0.4
3 N	29 E	WM	27	SW NW	0.7
3 N	29 E	WM	27	SE NW	0.7
Total					1.8

8. Transfer Application T-12488 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	1.8

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12488.
11. The proposed change would not result in enlargement of the rights.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-12488 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12488 is approved, the final order will include the following:

1. *The change in place of use proposed in Transfer Application T-12488 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the places of use described, and is subject to all other conditions and limitations contained in Certificates 75838 and 89255 and any related decree.*
3. *Water right Certificates 75838 and 89255 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
4. *Water use measurement conditions:*

Signed 1/12/18



Oregon

Kate Brown, Governor

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

January 12, 2018

VIA E-MAIL

LLOYD AND LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826-0249
goldencanyon@centurytel.net

SUBJECT: Water Right Transfer Application T-12488

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12488. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me at joan.m.smith@oregon.gov or 503-986-0892, if I may be of assistance.

Sincerely,

Joan M. Smith
Transfer Specialist
Transfer and Conservation Section

cc: T-12488
Gregory M. Silbernagel, District 5 Watermaster (via e-mail)
Said Amali/akana, Agent for the applicant (via e-mail at Said.Amali@akana.us)

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-12488, Umatilla County)	PROPOSING APPROVAL OF A
)	CHANGE IN PLACE OF USE

Authority

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

Applicant

LLOYD & LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826
goldencanyon@centurytel.net

Findings of Fact

1. On September 21, 2016, LLOYD & LOIS PIERCY (ECHO WEST FARMS) filed an application to change the place of use under Certificates 75838 and 89255. The Department assigned the application number T-12488.
2. Notice of the application for transfer was published on October 4, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 19, 2017, the applicant submitted a revised transfer application.
4. On April 28, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12488 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2017, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

5. The portion of the first right to be transferred is as follows:

Certificate: 75838 in the name of RON HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.0 ACRE
Priority Date: FEBRUARY 14, 1977
Rate: 0.013 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	NW NE	1.0

6. Transfer Application T-12488 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	22	SW SW	1.0

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

Certificate: 89255 in the name of RON L. HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.8 ACRES
Priority Date: FEBRUARY 14, 1977
Rate: 0.02 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	SW NE	0.4
3 N	29 E	WM	27	SW NW	0.7
3 N	29 E	WM	27	SE NW	0.7
Total					1.8

8. Transfer Application T-12488 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	1.8

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12488.
11. The proposed change would not result in enlargement of the rights.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Determination and Proposed Action

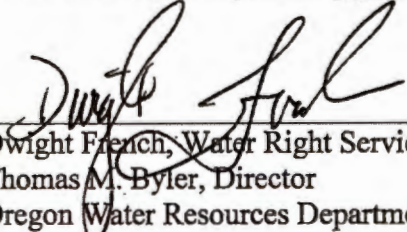
The change in place of use proposed in Transfer Application T-12488 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12488 is approved, the final order will include the following:

1. *The change in place of use proposed in Transfer Application T-12488 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the places of use described, and is subject to all other conditions and limitations contained in Certificates 75838 and 89255 and any related decree.*
3. *Water right Certificates 75838 and 89255 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
4. *Water use measurement conditions:*

- a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meter or measuring device in good working order.*
 - c. *The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.*
5. *The former place of use of the transferred right shall no longer receive water under the right.*
 6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2019**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
 7. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 12 day of January, 2018.


Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Marcy Osborn. If you have questions about the information in this document, you may reach me at 541-523-8224 ext. 228 or marcy.j.osborn@oregon.gov.

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

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON L. HOLEMAN
 BOX 617
 ECHO OR 97826

confirms the right to use the waters of **A WELL**, within the UMATILLA RIVER BASIN, for **IRRIGATION of 33.5 ACRES**.

This right was perfected under Permit G-7367. The date of priority is **FEBRUARY 14, 1977**. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed **0.42 CUBIC FOOT PER SECOND**, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH & 1180 FEET EAST FROM NW CORNER, SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to the appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	6.9
3 N	29 E	WM	27	SW NE	7.7
3 N	29 E	WM	27	NW NW	3.6
3 N	29 E	WM	27	SW NW	9.4
3 N	29 E	WM	27	SE NW	1.0
3 N	29 E	WM	28	NE NE	4.9

XFER	RR
0	69
-04	72
0	36
-01	87
-01	03
0	49

$$\frac{1}{33.5} = \frac{x}{42}$$

$$0.03 = x$$

0.03 CFS | 317 → **0.40 CFS**

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.


The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 16, 1998 at Special Order Volume 52, Page 832, approving Transfer Application 7156, and together with Certificate 75838, supercedes Certificate 53080, State record of Water Right Certificates.

Issued MAY 23 2014 .


Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON HOLEMAN
 BOX 617
 ECHO, OREGON 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 3.0 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW¼ NW¼, SECTION 27, T 3 N, R 29 E, WM; 1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER, SECTION 27.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

		<u>XFER</u>	<u>RR</u>
NW¼ NE¼	2.5 ACRES	-1.0	1.5
SW¼ NE¼	0.5 ACRE	0	0.5
SECTION 27			
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.			
		0.13	0.027
		AC	2.2 AC

This certificate describes that portion of the water right confirmed by Certificate 53080, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 02 1998, approving Transfer Application 7156

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director,
NOV 02 1998
 affixed _____.

/s/ Tom Paul (for)
 Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75838.

T-7156.LHN



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 1, 2017

VIA E-MAIL

LLOYD AND LOIS PIERCY
ECHO WEST FARMS
PO BOX 249
ECHO, OR 97826-0249

SUBJECT: Water Right Transfer Application T-12488

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12488. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me at ____ if I may be of assistance.

Sincerely,

Transfer Specialist
[NC REGION] or [Transfer and Conservation Section]

cc: T-12488
Gregory M. Silbernagel, District 5 Watermaster (*via e-mail*)
Said Amali/akana, Agent for the applicant (*via e-mail*)

encs

5. The portion of the first right to be transferred is as follows:

Certificate: 75838 in the name of RON HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.0 ACRE
Priority Date: FEBRUARY 14, 1977
Rate: 0.013 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	NW NE	1.0

6. Transfer Application T-12488 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	22	SW SW	1.0

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

Certificate: 89255 in the name of RON L. HOLEMAN (perfected under Permit G-7367)
Use: IRRIGATION of 1.8 ACRES
Priority Date: FEBRUARY 14, 1977
Rate: 0.02 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	SW NE	0.4
3 N	29 E	WM	27	SW NW	0.7
3 N	29 E	WM	27	SE NW	0.7
Total					1.8

8. Transfer Application T-12488 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	1.8

Transfer Review Criteria (OAR 690-380-4010)

- 9. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12488.
- 11. The proposed change would not result in enlargement of the rights.
- 12. The proposed change would not result in injury to other water rights.
- 13. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-12488 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12488 is approved, the final order will include the following:

- 1. *The change in place of use proposed in Transfer Application T-12488 is approved.*
- 2. *The right to the use of the water is restricted to beneficial use at the place^s of use described, and is subject to all other conditions and limitations contained in Certificates 75838 and 89255 and any related decree.*
- 3. *Water right Certificates 75838 and 89255 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
- 4. *Water use measurement conditions:*

- a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
- b. *The water user shall maintain the meter or measuring device in good working order.*
- c. *The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.*
5. *The former place of use of the transferred right shall no longer receive water under the right.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
7. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2017. *2018*

D R A F T

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Marcy Osborn. If you have questions about the information in this document, you may reach me at 541-523-8224 ext. 228 or marcy.j.osborn@oregon.gov.

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

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

Protests should be addressed to the attention of Transfer and Conservation Section, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON L. HOLEMAN
 BOX 617
 ECHO, OR 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 31.7 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.4 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to the appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	SE SE	6.9
3 N	29 E	WM	27	SW NE	7.3
3 N	29 E	WM	27	NW NW	3.6
3 N	29 E	WM	27	SW NW	8.7
3 N	29 E	WM	27	SE NW	0.3
3 N	29 E	WM	28	NE NE	4.9

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

This certificate describes that portion of ~~the~~ water right confirmed by Certificate 89255, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-12488 for a change in place of use.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed _____.

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON HOLEMAN
 BOX 617
 ECHO, OR 97826

confirms the right to use the waters of a WELL in the UMATILLA RIVER BASIN for IRRIGATION of 2.0 ACRES.

This right was perfected under Permit G-7367. The date of priority is FEBRUARY 14, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.027 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	27	NW NW	1070 FEET SOUTH AND 1180 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	27	NW NE	1.5
3 N	29 E	WM	27	SW NE	0.5

This certificate describes that portion of the water right confirmed by Certificate 75838, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-12488 for a change in place of use.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed _____.

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

**Notice of Preliminary Determination for
Water Right Transfer T-12488**

T-12488 filed by Lloyd and Lois Piercy (Echo West Farms), PO Box 249 Echo, OR 97826-0249, proposes a PLACE OF USE change under Certificates (C) 75838 and 89255. C-75838 allows the use of 0.013 cubic foot per second (cfs) from a well in Sec. 27, T 3 N, R 29 E, W.M. for irrigation in Sec. 27. The applicant proposes to change the place of use to Sec. 22, T 3 N, R 29 E, W.M. C-89255 allows the use of 0.02 cfs from a well in Sec. 27, T 3 N, R 29 E, W.M. for irrigation in Sec. 27. The applicant proposes to change the place of use to Sec. 21, T 3 N, R 29 E, W.M. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$700 protest fee for non-applicant, or \$350 protest fee for applicant. Call (503) 986-0807 to obtain additional information. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 89255

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**

800 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 consists of a submersible pumps installed in the 4-ft diameter dug well (POA #1 - UMAT 56538) with corrugated metal casing. The pump is capable of delivering up to 800 gpm of water and is connected to a 4-inch PVC pipeline which delivers water to the current system of center pivot or wheel line sprinklers.**

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 Eot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 56538	3	N	29	E	27	NW	NW	9300	1070' S, 1180' E from NW Corner of S27
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water
POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

RECEIVED BY OW

SEP 21 2016

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.

SALEM, OR

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 75838

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**
800 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 consists of a submersible pumps installed in the 4-ft diameter dug well (POA #1 - UMAT 56538) with corrugated metal casing. The pump is capable of delivering up to 800 gpm of water and is connected to a 4-inch PVC pipeline which delivers water to the current system of center pivot or wheel line sprinklers.**

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)
POA #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 56538	3	N	29	E	27	NW	NW	9300	1070' S, 1180' E from NW Corner of S27
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

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

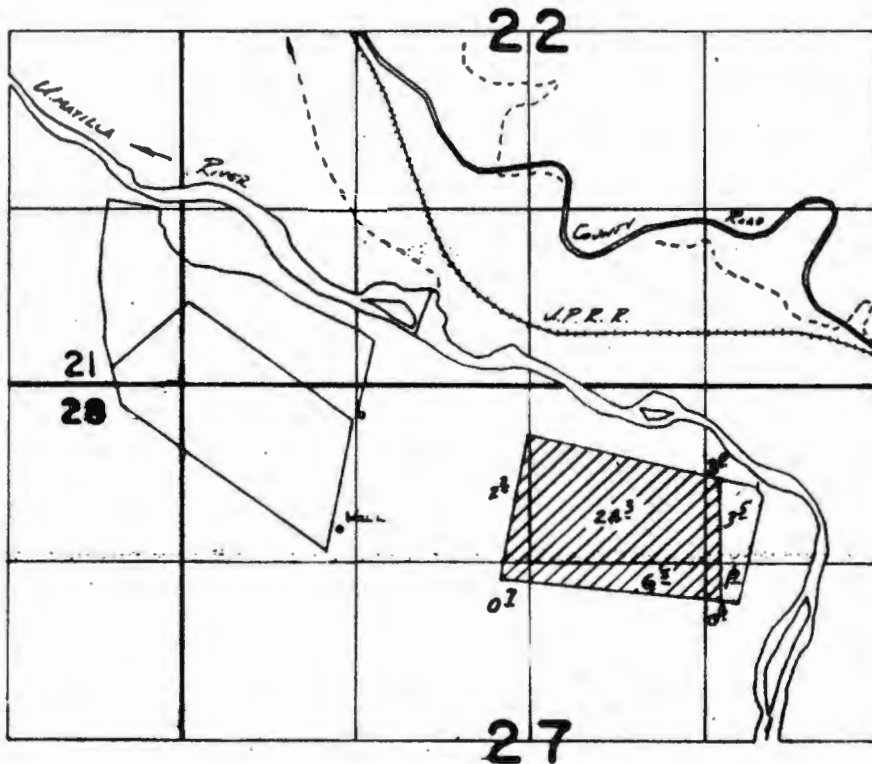
No Complete all of Table 2 to describe the portion of the water right to be changed.

RECEIVED BY OWRD

SEP 21 2016

G 7367
75838
53080

T. 3N. R. 29E. W.M.



Well Loc: 3070'S. & 1180'E. FROM NW COR. Sec 27

FINAL PROOF SURVEY UNDER

Application No. ~~G-7729~~ Permit No. G-7367...
IN NAME OF
RON HOLEMAN

Surveyed 3:16..... 1978., by A. BRAWIN.....

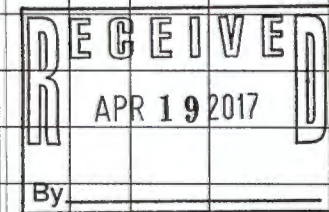
Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

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

Table 2. Description of Changes to Water Right Certificate # 75838

List the change proposed for the acreage in each 1/4 1/4. 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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
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
3	N	29	E	27	NW	NE	9300		1.0	Irrigation	POA #1	1977	POU	3	N	29	E	22	SW	SW	9300		1.0		POA #1	1977
TOTAL ACRES:							1.0							TOTAL ACRES:							1.0					



Additional remarks: Only portions of the "from" Place of Use areas per quarter-quarter are subject to this transfer (see Figure 1). Not all of the areas per quarter-quarter of the certificate are subject to this transfer.

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

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

Table 2. Description of Changes to Water Right Certificate # 75838

List the change proposed for the acreage in each 1/4 1/4. 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	1/4	1/4	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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
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
3	N	29	E	27	NE	NW	9300		1.0	Irrigation	POA #1	1977	POU	3	N	29	E	22	SW	SW	9300		1.0		POA #1	1977
TOTAL ACRES:							1.0						TOTAL ACRES:							1.0						

T 12488

Additional remarks: Only portions of the "from" Place of Use areas per quarter-quarter are subject to this transfer (see Figure 1). ~~None~~ All of the areas per quarter-quarter of the certificate are subject to this transfer.

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

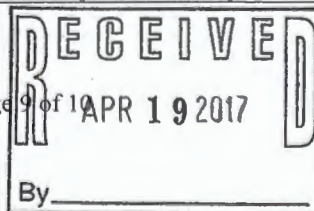
Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 89255

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			
EXAMPLE																							
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		
3	N	29	E 27	SW NW	9300		0.7	Irrigation	POA #1	1977	POU	3	N	29	E 21	SE SE	9300		1.8	POA #1	1977		
3	N	29	E 27	SE NW	9300		0.7	Irrigation	POA #1	1977	POU												
3	N	19	E 27	SW NE	9300		0.4	Irrigation	POA #1	1977	POU												
						TOTAL ACRES:	1.8											TOTAL ACRES:	1.8				

Additional remarks: _____.



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

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

Table 2. Description of Changes to Water Right Certificate # 89255

List the change proposed for the acreage in each 1/4 1/4. 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	1/4	1/4	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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
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
3	N	29	E	27	NW	SW	9300		0.7	Irrigation	POA #1	1977	POU	3	N	29	E	21	SE	SE	9300		1.8		POA #1	1977
3	N	29	E	27	NW	SE	9300		0.7	Irrigation	POA #1	1977	POU													
3	N	19	E	27	NE	SW	9300		0.4	Irrigation	POA #1	1977	POU													
TOTAL ACRES:							1.8							TOTAL ACRES:							1.8					

Additional remarks: _____

RECEIVED BY OWRD

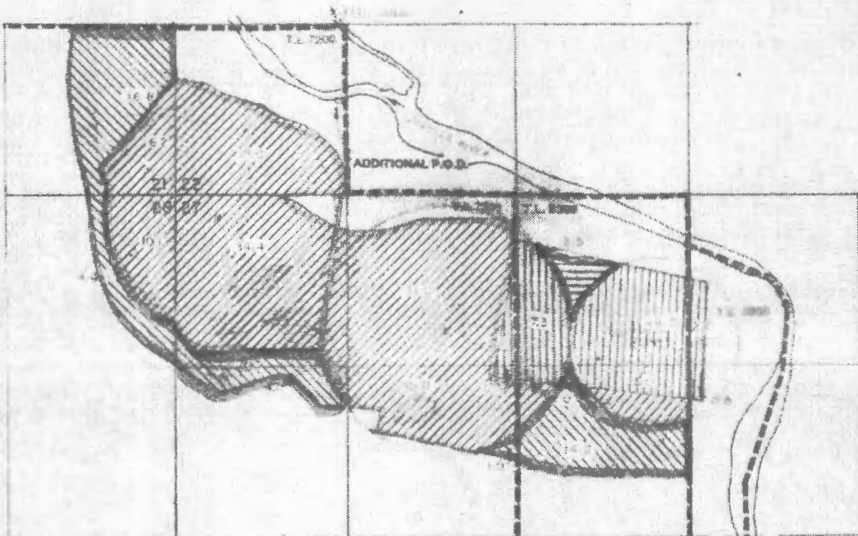
TACS

SEP 21 2016

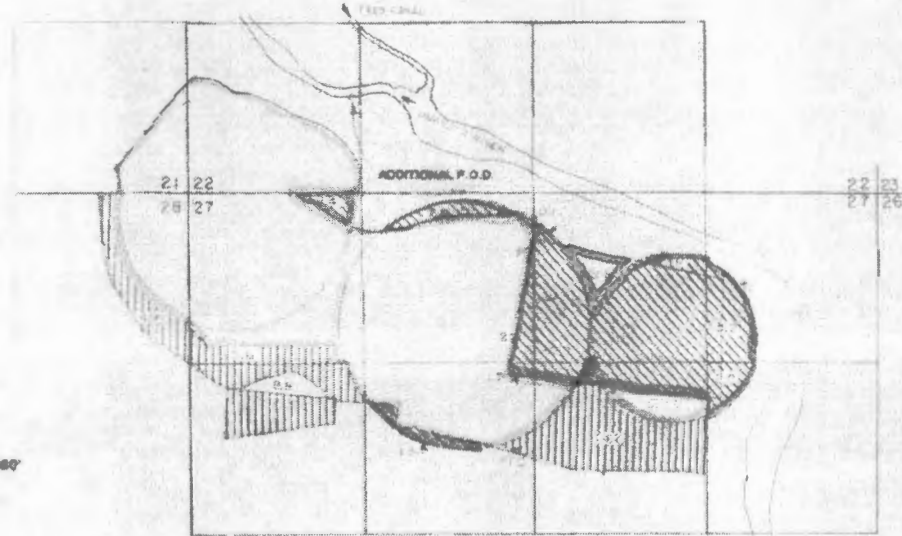
SALEM, OR

T 12488

T. 3 N., R. 29 E., W.M.



"FROM"



"TO"

N
SCALE 1" = 660'

(1) AUTHORIZED P.O.D. - APPROX. 125' S & 65' W FROM E 1/4 CORNER OF SECTION 21, T 3 N. R 29 E. W.M.
(2) WELL AUTHORIZED P.O.D.A. - 1670' S & 1460' E FROM SW CORNER OF SECTION 27, T 3 N. R 29 E. W.M.

(1) PROPOSED ADD'L. P.O.D. - 720' N & 1220' E FROM SW CORNER, SECTION 22, T 3 N. R 29 E. W.M.





TRANSFER APPLICATION
PLACE OF USE & POINT OF APPROPRIATION

UNDER

UMATILLA DECREE - V 3, PG. 2507 (1)
Application No. G-7728 Permit No. G-7367 (2)

IN NAME OF

RON HOLEMAN

-  WATER RIGHT UNDER CERTIFICATE NO. 2301 - NOT SUBJECT TO THIS TRANSFER.
-  WATER RIGHT UNDER CERTIFICATE NO. 2401 - SUBJECT TO THIS TRANSFER.
-  WATER RIGHT UNDER CERTIFICATE NO. 3300 - NOT SUBJECT TO THIS TRANSFER.
-  WATER RIGHT UNDER CERTIFICATE NO. 4000 - SUBJECT TO THIS TRANSFER.

SEE MAP SHEET FOR LOT BOUNDARY

The preparation of this map is for the purpose of identifying the location of water rights only, and has no intent to guarantee dimensions or locations of property boundaries shown.

John F. [Signature]

NOV 19 1998
REV. 10/300



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-12488

Review Due Date: _____

Applicant Name: Lloyd and Lois Piercy / Echo West Farms

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Paul Hendricks - Greg Silbernagel

Date of Review: 10/21/2016

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No
 Generally characterize the frequency of any regulation or explain why regulation has not occurred: Every year these shallow wells are regulated when surface water is regulated and mitigate water pumped by returning 60% of the total water pumped to the Umatilla River. Mitigation and regulation would not change as a result of this transfer.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
 Yes No Records not available.
4. In your estimation, after the proposed change would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?
 Yes No If "Yes", explain: Defer to groundwater review.
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____
6. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:
 _____. N/A
7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____. N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream: N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No
9. For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain: _____

10. For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No If "Yes", explain: _____
11. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?
 Yes No If "Yes", explain: See attachment of application regarding typographical errors.
12. What alternatives may be available for addressing any issues identified above: Make changes identified on attachment.
13. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No Yes, as checked below:
- A Headgate should be required prior to diverting water.
- Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of page 3)
- a. ***Before water use may begin under this order, the water user shall install a totalizing flow meter*, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) or at each new point of diversion/appropriation.***
- b. *The water user shall maintain the meters or measuring devices in good working order.*
- c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- Reservoir water use measurement: (if this condition is selected, also fill in the top sections of page 3)
- a. ***Before water use may begin under this order, the water user shall install staff gages*, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.***
- b. *Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- Weir Submerged Orifice
 Parshall Flume Flow Restrictor
 Other: _____

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-12488

In order to avoid enlargement of the right or injury to other rights, a Totalizing Flowmeter will be required to be installed **prior to diversion of water**, as a condition of this transfer:

- at each point of diversion/appropriation (new and existing) or
- at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Greg Silbernagel

District: 5

Address: 116 S.E. Dorion

City/State/Zip: Pendleton, Or 97801

Phone: 541-278-5456

Email: Greg.M.Silbernagel@ wrd.state.or.us

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

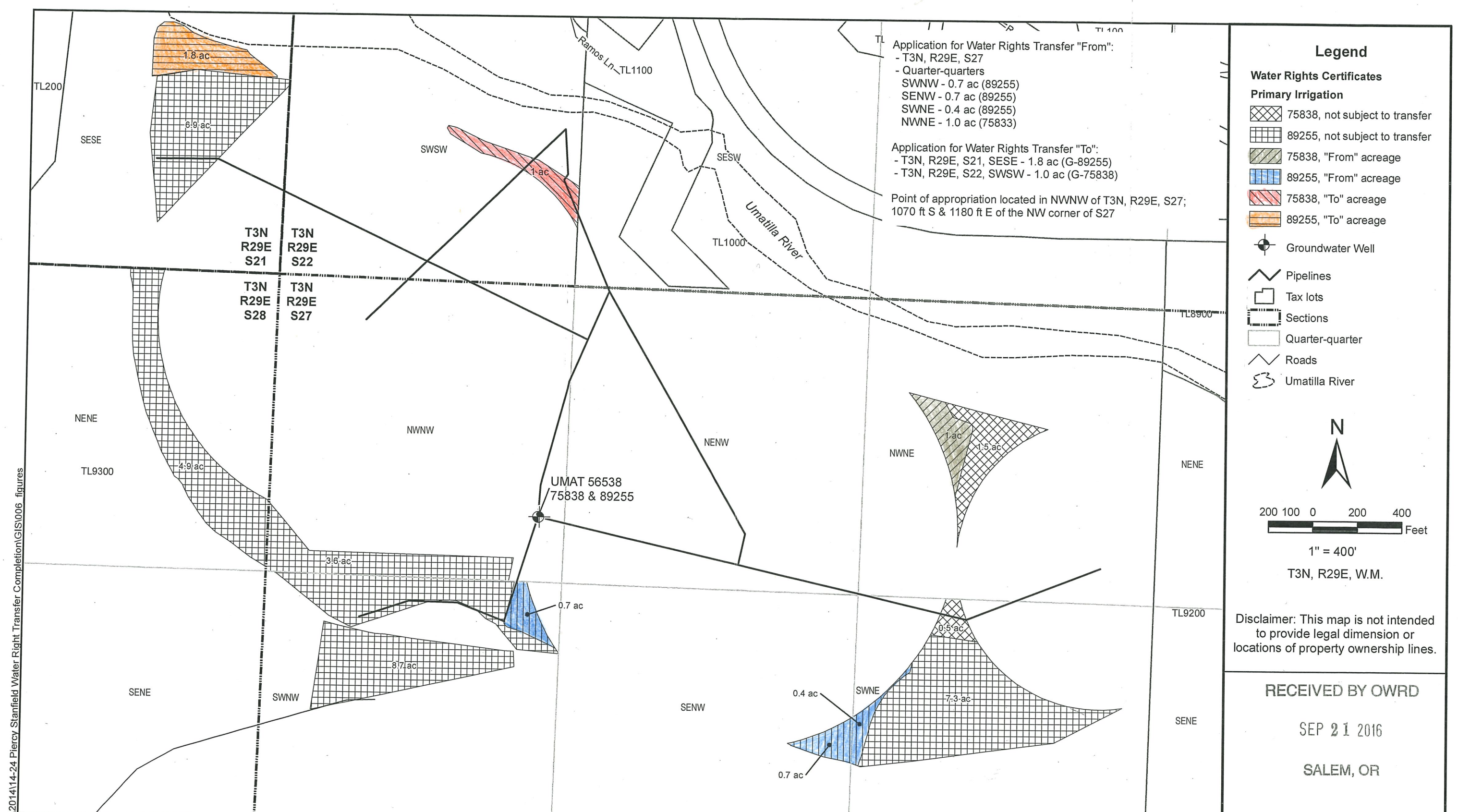
Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266



Application for Water Rights Transfer "From":
 - T3N, R29E, S27
 - Quarter-quarters
 SWNW - 0.7 ac (89255)
 SENW - 0.7 ac (89255)
 SWNE - 0.4 ac (89255)
 NWNE - 1.0 ac (75833)

Application for Water Rights Transfer "To":
 - T3N, R29E, S21, SESE - 1.8 ac (G-89255)
 - T3N, R29E, S22, SWSW - 1.0 ac (G-75838)

Point of appropriation located in NWNW of T3N, R29E, S27;
 1070 ft S & 1180 ft E of the NW corner of S27

Legend

Water Rights Certificates

- 75838, not subject to transfer
- 89255, not subject to transfer
- 75838, "From" acreage
- 89255, "From" acreage
- 75838, "To" acreage
- 89255, "To" acreage

Primary Irrigation

- Groundwater Well
- Pipelines
- Tax lots
- Sections
- Quarter-quarter
- Roads
- Umatilla River

N

200 100 0 200 400
Feet

1" = 400'

T3N, R29E, W.M.

Disclaimer: This map is not intended to provide legal dimension or locations of property ownership lines.

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

P:\PDX PROJECTS\2014\14-24 Piercy Stanfield Water Right Transfer Completion\GIS\006 figures

AKANA 6400 SE Lake Road, Ste 270
 Portland, Oregon 97222
 (503) 652-9090

Figure 1 - Transfer of Water Rights Map
 Lands Subject to Water Rights Transfer
 Certificate Nos.: 75838 & 89255

Lloyd and Lois Piercy
 Echo West Vineyards
 PO Box 249
 Echo, OR 97826

1	07/28/2016	RMS	DRAFT
No.	Date	By	Revisions

OSBORN Marcy J * WRD

From: Said Amali <Said.Amali@akana.us>
Sent: Thursday, June 29, 2017 2:01 PM
To: OSBORN Marcy J * WRD
Cc: Lloyd Piercy (goldencanyon@centurytel.net); Lloyd Piercy
Subject: RE: Transfer T-12488 (Lloyd and Lois Piercy)

Dear Marcy – We have read the DPD for T-12488 and agree to all the conditions therein. Please proceed with processing this application.
Thank you,

Said Amali, PhD, PE

*Portland Operations Manager
Water Resources Practice Lead*

Akana

O: (503) 652-9090 M: (503) 720-2116 D: (503) 205-9284
said.amali@akana.us

AKANA is derived from the Arikara Indian concepts of akana'u (to build) and akaana' (lodge)

From: OSBORN Marcy J * WRD [<mailto:Marcy.J.Osborn@oregon.gov>]
Sent: Thursday, June 29, 2017 1:36 PM
To: Said Amali
Subject: Transfer T-12488 (Lloyd and Lois Piercy)

Good afternoon Said

I know you are working with Greg on the soil moisture monitoring for transfer (T-12487) for the Piercy's. I was wondering if you have had a chance to look over transfer, T-12488 also in the name of Lloyd and Lois Percy. There are no special conditions for this transfer and I would like to get it sent off to Salem for final processing. I received the ownership report for this transfer. All I need now is a written response to the Draft Preliminary Determination (DPD). A quick email saying you have read the DPD, agree to all the conditions and that you wish to proceed is sufficient to meet our criteria.

Let me know if we can proceed with next step of the transfer process.

Thanks and have a great rest of the week.

Marcy Osborn
Field Water Rights Technician

marcy.j.osborn@oregon.gov

541-523-8224 Ext.228

Fax: 1-541-550-3898

Water Resources Dept.

Eastern Region

1995 3rd St. Suite 180

Baker City, OR 97814

www.wrd.state.or.us

18/1

Copy



2002-4050500 1 of 7

WARRANTY DEED

WASILLA COUNTY RECORDS

500

ROLLAND L. HOLEMAN and TONI K. HOLEMAN, husband and wife, Grantors, convey and warrant to LLOYD PIERCY and LOIS PIERCY, husband and wife, Grantees, the following real property, more particularly described in Exhibit A, attached hereto and by this reference incorporated herein, free of encumbrances except as specifically set forth herein:

1. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest.
2. A portion of the premises herein described are within the boundaries of the Teel Irrigation District and is therefore subject to all easements, levies and assessments thereof.
3. Water charges of the Teel Irrigation District, if any. Inquiry being made in regard to this matter.
4. Easement for canal, including the terms and provisions thereof
Grantee: United States of America
Recorded: June 10, 1911 in Book 73, Page 181, Deed Records.
5. Easement for canal, including the terms and provisions thereof
Grantee: United States of America
Recorded: June 10, 1911 in Book 73, Page 184, Deed Records.
6. Easement, including the terms and provisions thereof
Grantee: The Pacific Telephone and Telegraph Company
Recorded: May 16, 1942 in Book 160, Page 430, Deed Records.

The true consideration for this conveyance is \$1,995,000.00, paid to an accommodator, pursuant to an IRC §1031 exchange.

Until a change is requested, all tax statements shall be sent to the following address: Lloyd and Lois Piercy, 33927 Riverview Drive, Hermiston, OR 97838.

1 - Warranty Deed

PIONEER TITLE CO. 126 SE Court, Pend. OR, 97801





2002-4050500 2 of 7

7. Easement, including the terms and provisions thereof
Grantee: The Pacific Telephone and Telegraph Company
Recorded: October 19, 1948 in Book 185, Page 573, Deed Records.
8. Reservations, including the terms and provisions thereof contained in deed
Grantor: Northern Pacific Railway Company
Recorded: June 3, 1901 in Book 36, Page 264, Deed Records.
9. Reservations, including the terms and provisions thereof contained in deed
Grantor: Northern Pacific Railway Company
Recorded: July 17, 1905 in Book 48, Page 115, Deed Records.
10. Reservations, including the terms and provisions thereof contained in deed
Grantor: Northern Pacific Railway Company
Recorded: March 17, 1923 in Book 121, Page 183, Deed Records.
11. Reservations, including the terms and provisions thereof contained in deed
Grantor: Northern Pacific Railway Company
Recorded: March 11, 1926 in Book 127, Page 495, Deed Records.
12. Easement, including the terms and provisions thereof
Grantee: Umatilla Electric Cooperative Association
Recorded: May 3, 1962 in Book 267, Page 594, Deed Records.
13. Easement, including the terms and provisions thereof
Grantee: Umatilla River Water Control District
Recorded: September 6, 1984 in Microfilm R-117, Page 429, Office of County Records.

Assignment of Easement

Assignee: Hermiston Irrigation District
Recorded: August 25, 1986 in Microfilm R-141, Page 1764, Office of County Records.

2 - Warranty Deed





2002-4050500 3 of 7

14. Contract and Grant of Easement, including the terms and provisions thereof
Grantee: United States, Dept. of Interior, Bureau of Reclamation
Recorded: November 29, 1989 in Microfilm R-186, Page 1456, Office of County Records.
15. Terms and provisions contained under easement of roadway
Grantee: Rolland L. Holeman, etux
Recorded: January 25, 1993 in Microfilm R-230, Page 1543, Office of County Records.
16. Agreement, including the terms and provisions thereof, between
First Party: Rolland L. Holeman and Toni K. Holeman
Second Party: United States, Dept. of Interior, Bureau of Reclamation
Recorded: July 28, 1993 in Microfilm R-239, Page 117, Office of County Records.
17. Right of ways for ditches or canals constructed by the authority of the United States of America.
18. The property described herein consists of portions that are contiguous. Access to such parcels may be through these adjoining tracts. Rights of access to the property are limited to those county roads which abut or pass through the property described herein, and no representation is made that all parcels and/or parts thereof have physical access.
19. Any uncertainty as to the location of the property lines due to the use of the "top of the bluff" in the legal description.
20. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of the Umatilla River and any adverse claim based upon the assertion that some portion of said lands have been removed from or brought within the boundaries thereof by an avulsive movement of the Umatilla River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE

3 - Warranty Deed





2002-4050500 4 of 7

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 28 day of January, 2002.

Rolland L. Holeman
Rolland L. Holeman

Toni K. Holeman
Toni K. Holeman

STATE OF OREGON)
)ss.
County of Umatilla)

January 29, 2002. Personally appeared the above named **Rolland L. Holeman** and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me.



Peggy Mc Call
Notary Public for Oregon

STATE OF OREGON)
)ss.
County of Umatilla)

January 29, 2002. Personally appeared the above named **Toni K. Holeman** and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me.



Peggy Mc Call
Notary Public for Oregon

4 - Warranty Deed



TRACT I:

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

- Section 21: East Half of the Southwest Quarter.
West Half of the Southeast Quarter.
Southeast Quarter of the Southeast Quarter.
Excepting therefrom that tract of land conveyed to Alois Anthony Amstad, etux, by deed recorded in Microfilm R-230, Page 1533, Office of County Records.
- Section 22: Southwest Quarter of the Southwest Quarter.
- Section 26: All that portion of the South Half of the Southwest Quarter lying Southerly of the top of the bluff on the Southerly-side of the Umatilla River.
- Section 27: West Half.
West Half of the East Half.
Southeast Quarter of the Southeast Quarter.
- Section 27: All that portion of the Northeast Quarter of the Southeast Quarter which lies West of the edge of the top of the bluff on the West side of the Umatilla River.
- Section 27: Beginning at the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 27; thence East along the center section line, 5.50 chains (363 feet); thence North 04° 30' East, 14.15 chains (933.9 feet); thence North 13° 30' East, 8.35 chains (551.1 feet); thence North 15° West, 5.95 chains 392.7 feet) to a cottonwood tree 1 foot in diameter; thence North 39° West, 13.55 chains (894.3 feet) to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 27; thence South along a line running North and South through the center of the Northeast Quarter of said Section 27, a distance of 40 chains (2,640 feet), more or less to the point of beginning. Being all that portion of the West Half of the East Half of the Northeast Quarter of said Section 27, lying West of the present channel of the Umatilla River, excepting only a narrow strip of land along and on the West Bank of said River in its present channel.
- Section 28: East Half.
East Half of the West Half.
Excepting therefrom that tract of land conveyed to Alois Anthony Amstad, etux, by deed recorded in Microfilm R-230, Page 1533, Office of County Records.
- Section 33: East Half.
East Half of the West Half.
- Section 34: All.
- Section 35: Southwest Quarter of the Northeast Quarter.
West Half.
Southeast Quarter.



All being East of the Willamette Meridian, Umatilla County, Oregon.

TRACT II:

TOWNSHIP 2 NORTH, RANGE 29, E.W.M.



2002-4050500 6 of 7

Section 4: All.

All being East of the Willamette Meridian, Umatilla County, Oregon.

TRACT III:

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

All that portion of the Northwest Quarter of Section 28 and the Northeast Quarter of Section 29, described as beginning at the Quarter corner common to said Sections 28 and 29; thence South 88° 44' 46" West, along the South line of said Northeast Quarter of Section 29, a distance of 648.29 feet to a fence line; thence along said fence line the following bearing and distances:

- North 00° 43' 52" West, 36.70 feet;
- North 57° 22' 22" East, 372.56 feet;
- North 52° 02' 49" East, 215.62 feet;
- North 38° 20' 55" East, 246.97 feet

to a point on the East line of said Northeast Quarter of said Section 29, which lies North 01° 12' 26" West, 549.80 feet from the Southeast corner of said Northeast Quarter; thence continuing along said fence line the following bearings and distances:

- North 38° 20' 55" East, 112.02 feet;
- North 25° 04' 27" East, 414.49 feet;
- North 06° 59' 33" East, 503.94 feet;
- North 02° 14' 44" East, 470.99 feet;
- South 74° 47' 52" East, 266.44 feet;
- South 85° 29' 55" East, 115.56 feet;
- North 76° 03' 36" East, 194.06 feet;
- North 70° 58' 38" East, 249.76 feet;
- North 56° 04' 49" East, 196.21 feet



to a point on the East line of the West Half of the Northwest Quarter of said Section 28, which lies South 01° 09' 44" East, 564.35 feet from the Northeast corner of the West Half of the Northwest Quarter of said Section 28; thence South 01° 09' 44" East, along the East line of said West Half, 2,084.36 to the Southeast corner thereof; thence South 87° 27' 02" West, along the South line of said West Half, 1,316.57 feet to the point of beginning.

All being East of the Willamette Meridian, Umatilla County, Oregon.

TRACT IV:

TOWNSHIP 3 NORTH, RANGE 29, E.W.M.

Section 29: A perpetual nonexclusive easement for roadway for ingress and egress created by Document recorded in Microfilm R-230, Page 1543, Office of County Records.

EXHIBIT A

All being East of the Willamette Meridian, Umatilla County, Oregon. **Page 2 of 2**



2002-4050500 7 of 7

State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

01-31-02 at 11:00

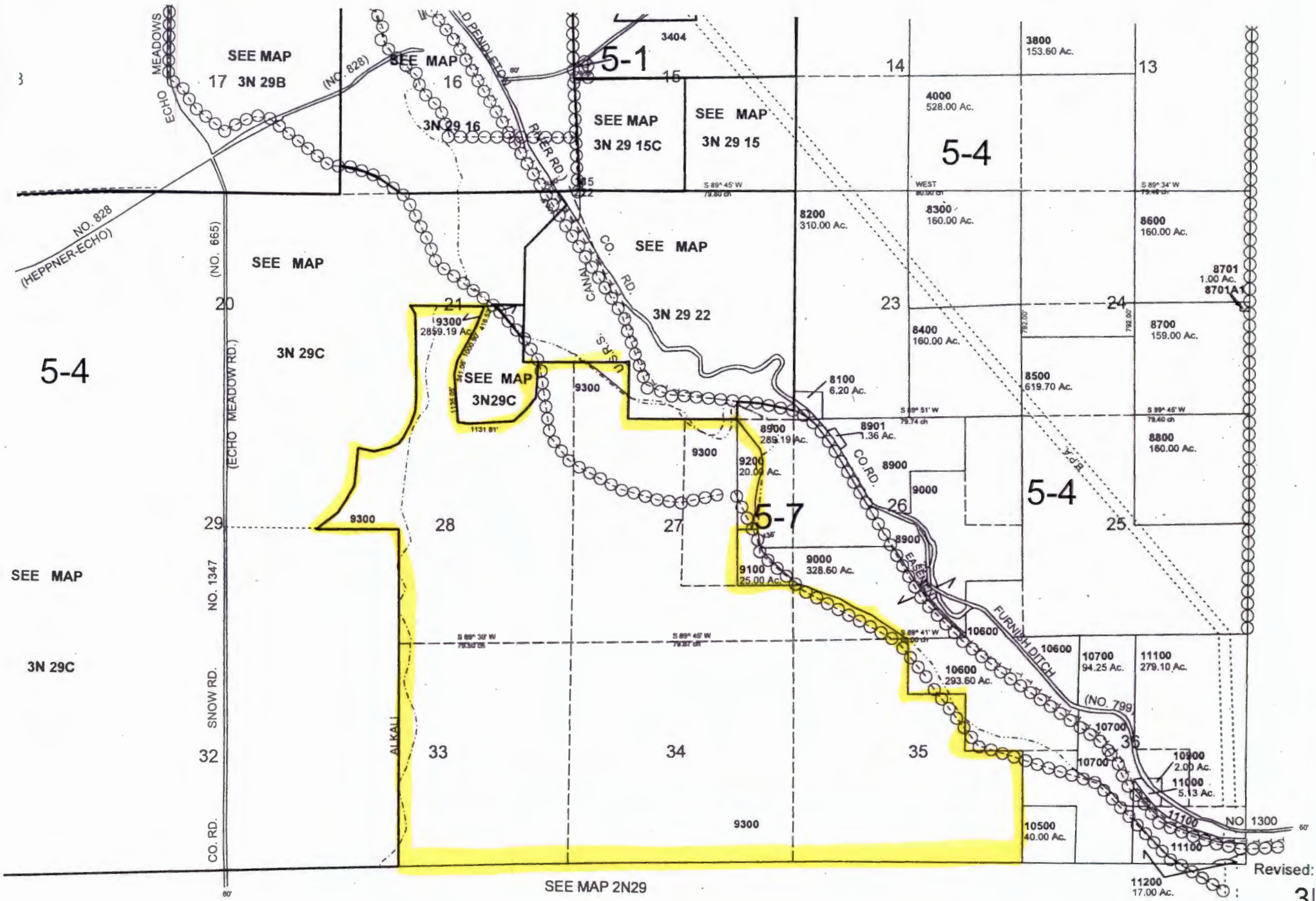
in the record of document
code type DE-WD

Location	R405-0500
Document number	2002-4050500
Fee	56.00

Office of County Records


Records Officer





5-4

5-1

5-4

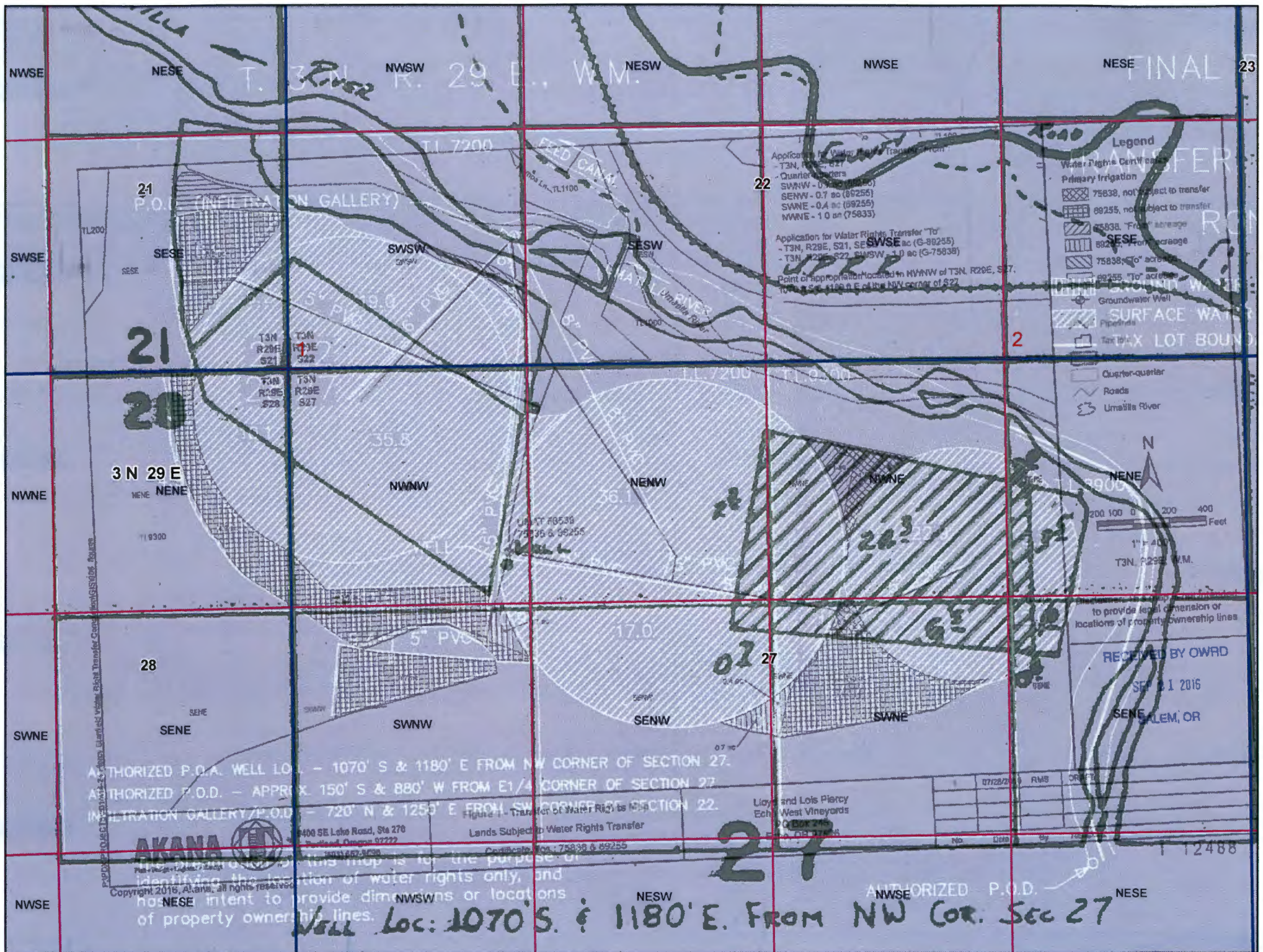
5-7

5-4

SEE MAP 2N29

Revised:

SEE MAP 2N29



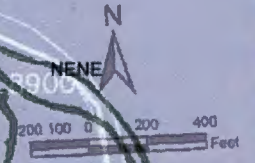
Application for Water Rights Transfer From:
 - T3N, R29E, S21
 - Quarter Quarters
 SWNW - 0.7 ac (89255)
 SENW - 0.7 ac (89255)
 SWNE - 0.4 ac (89255)
 NANE - 1.0 ac (75833)

Application for Water Rights Transfer "To"
 - T3N, R29E, S21, SE SWSE ac (G-89255)
 - T3N, R29E, S22, SWSW - 1.0 ac (G-75833)

Point of Appropriation located in NW1/4 of T3N, R29E, S27.
 100' S & 1180' E of the NW corner of S27.

Legend

- Water Rights Certificate
- Primary Irrigation
- 75838, not subject to transfer
- 89255, not subject to transfer
- 75838, "From" acreage
- 89255, "From" acreage
- 75838, "To" acreage
- 89255, "To" acreage
- Groundwater Well
- SURFACE WATER
- PIPELINE
- TAX LOT BOUNDARY
- Quarter-quarter
- Roads
- Umatilla River



to provide legal dimension or locations of property ownership lines

RECEIVED BY OWRD
 SEP 1 2016
 SENE SALEM, OR

AUTHORIZED P.O.A. WELL LOC. - 1070' S & 1180' E FROM NW CORNER OF SECTION 27.
 AUTHORIZED P.O.D. - APPROX. 150' S & 880' W FROM E1/4 CORNER OF SECTION 27
 INFILTRATION GALLERY/P.O.D. - 720' N & 1250' E FROM SW CORNER OF SECTION 22.

AKANA
 400 SE Lake Road, Ste 270
 Portland, Oregon 97227
 Copyright 2016, Akana, all rights reserved.

Lands Subject to Water Rights Transfer
 Coordinates for 75838 & 89255

Lloyd and Lois Piercy
 Echo West Vineyards
 PO Box 246
 T3N, R29E, S27

NO.	DATE	BY	REVISIONS
07/28/16		RMS	OR

27
 AUTHORIZED P.O.D.
 Well Loc: 1070' S. & 1180' E. FROM NW COR. SEC 27

ORIGINALS

Transfer Application

Transfer Map

Evidence of Use Affidavit

Documentation of Use

Land Use Information Form

Report of Ownership

Miscellaneous

Superseded Pages

Receipt



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 89255 and 75838**
 Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

RECEIVED BY OWRD
 SEP 21 2016
 SALEM, OR

T 12488

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Lloyd and Lois Piercy/Echo West Farms		PHONE NO. 541-561-4642	ADDITIONAL CONTACT NO. 541-376-0421
ADDRESS PO Box 249			FAX NO.
CITY Echo	STATE OR	ZIP 97826	E-MAIL goldencanyon@centurytel.net
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 SAID AMALI/AKANA		PHONE NO. 503-205-3848	ADDITIONAL CONTACT NO. 503-720-2116
ADDRESS 6400 SE Lake Rd, Suite 270			FAX NO.
CITY Portland	STATE OR	ZIP 97222	E-MAIL SAID.AMALI@AKANA.US
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: Portions of two groundwater rights are being transferred out of an area currently irrigated with a center pivot system so that the area can be used for blueberry rows. Portions of other surface water rights are being transferred via a separate transfer application to irrigate the blueberry field.

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

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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 BY OWRD

SEP 21 2016

SALEM, OR

I understand that 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: _____

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



Applicant signature

Lloyd Piercy
Print Name (and Title if applicable)

9/20/16
Date

Applicant signature

Lois Piercy
Print Name (and Title if applicable)

9/20/16
Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all 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.

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

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: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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

Describe any special ownership circumstances here: _____

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	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 Umatilla County	ADDRESS 216 SE Fourth Street	
CITY Pendleton	STATE OR	ZIP 97801

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the “**Allow only this type of editing in the document: Filling in forms**” in the “Editing restrictions” section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

TACS

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 89255

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**
800 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 consists of a submersible pumps installed in the 4-ft diameter dug well (POA #1 - UMAT 56538) with corrugated metal casing. The pump is capable of delivering up to 800 gpm of water and is connected to a 4-inch PVC pipeline which delivers water to the current system of center pivot or wheel line sprinklers.**

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)
POA #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 56538	3	N	29	E	27	NW	NW	9300	1070' S, 1180' E from NW Corner of S27
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

RECEIVED BY OWR

SEP 21 2016

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.

SALEM, OR

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

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

Table 2. Description of Changes to Water Right Certificate # 89255

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	
EXAMPLE																					
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	
3	N	29	E 27 NW SW	9300		0.7	Irrigation	POA #1	1977	POU	3	N	29	E 21 SE SE	9300		1.8		POA #1	1977	
3	N	29	E 27 NW SE	9300		0.7	Irrigation	POA #1	1977	POU											
3	N	19	E 27 NE SW	9300		0.4	Irrigation	POA #1	1977	POU											
TOTAL ACRES:						1.8					TOTAL ACRES:						1.8				

Additional remarks: _____

RECEIVED BY OWRD

TACS

SEP 21 2016

SALEM, OR

1 12488

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

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

Table 2. Description of Changes to Water Right Certificate # 89255

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	
EXAMPLE																					
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		
3	N	29	E 27 SW NW	9300		0.7	Irrigation	POA #1	1977	POU	3	N	29	E 21 SE SE	9300		1.8	POA #1	1977		
3	N	29	E 27 SE NW	9300		0.7	Irrigation	POA #1	1977	POU											
3	N	19	E 27 SW NE	9300		0.4	Irrigation	POA #1	1977	POU											
TOTAL ACRES:						1.8					TOTAL ACRES:						1.8				


Additional remarks: _____.



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: **89254 & 89256.**

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

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

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

RECEIVED BY OWRD

SEP 21 2016

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.

SALEM, OR

Table 3. Construction of Point(s) of Appropriation

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

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

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 75838

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**
800 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 consists of a submersible pumps installed in the 4-ft diameter dug well (POA #1 - UMAT 56538) with corrugated metal casing. The pump is capable of delivering up to 800 gpm of water and is connected to a 4-inch PVC pipeline which delivers water to the current system of center pivot or wheel line sprinklers.**

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)
POA #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 56538	3	N	29	E	27	NW	NW	9300	1070' S, 1180' E from NW Corner of S27
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

RECEIVED BY OWRD

SEP 21 2016

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

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

Table 2. Description of Changes to Water Right Certificate # 75838

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							
EXAMPLE																													
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			
3	N	29	E	27	NE	NW	9300		1.0	Irrigation	POA #1	1977	POU	3	N	29	E	22	SW	SW	9300		1.0		POA #1	1977			
TOTAL ACRES:							1.0							TOTAL ACRES:							1.0								

T 12488

Additional remarks: Only portions of the "from" Place of Use areas per quarter-quarter are subject to this transfer (see Figure 1). ~~None~~ All of the areas per quarter-quarter of the certificate are subject to this transfer.

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

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

Table 2. Description of Changes to Water Right Certificate # 75838

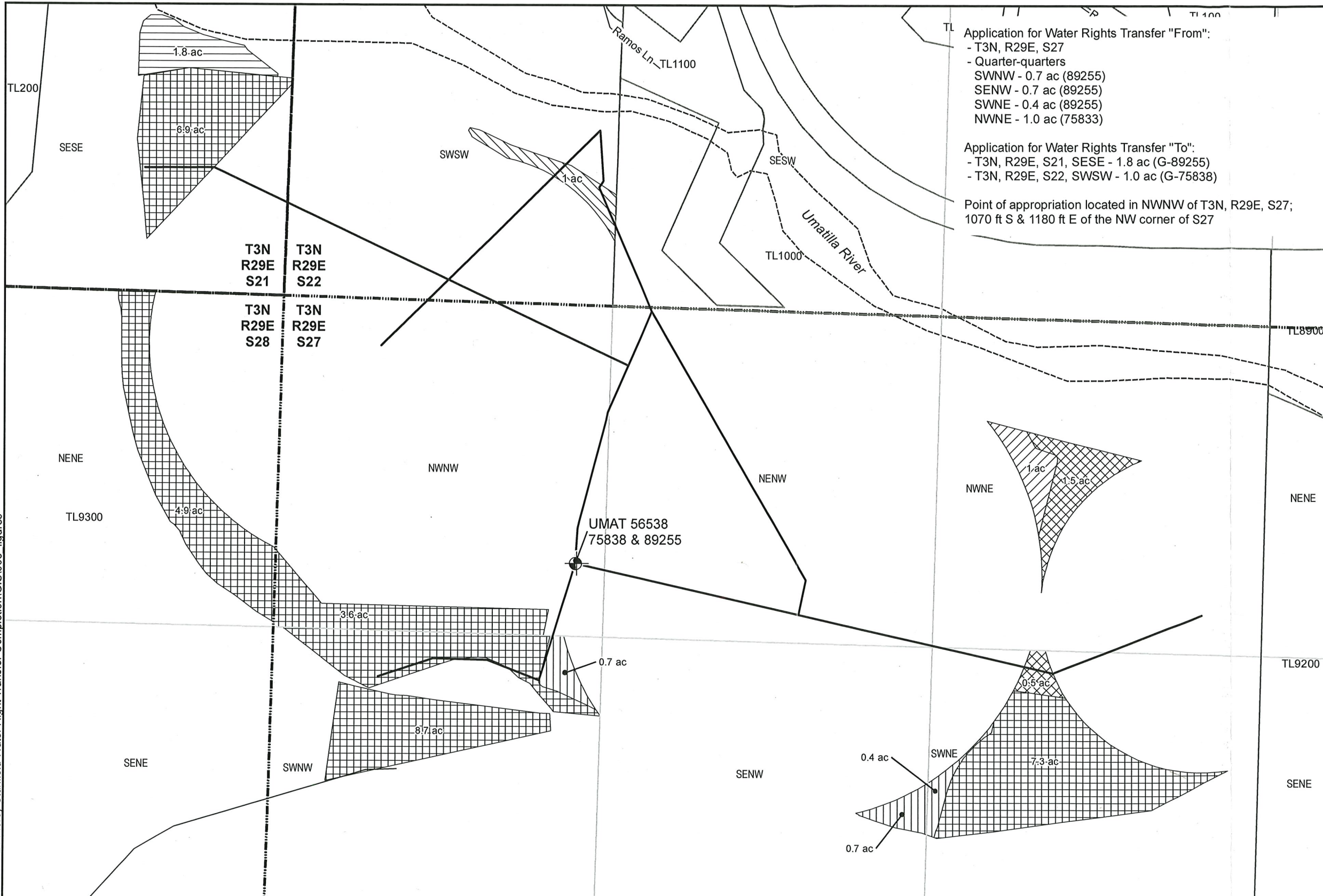
List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

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	
EXAMPLE																					
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	
3	N	29	E 27 NW NE	9300		1.0	Irrigation	POA #1	1977	POU	3	N	29	E 22 SW SW	9300		1.0		POA #1	1977	
TOTAL ACRES:						1.0					TOTAL ACRES:						1.0				



Additional remarks: **Only portions of the "from" Place of Use areas per quarter-quarter are subject to this transfer (see Figure 1). Not all of the areas per quarter-quarter of the certificate are subject to this transfer.**

P:\PDX PROJECTS\2014\114-24 Piercy Stanfield Water Right Transfer Completion\GIS\006_figures



Application for Water Rights Transfer "From":
 - T3N, R29E, S27
 - Quarter-quarters
 SWNW - 0.7 ac (89255)
 SENW - 0.7 ac (89255)
 SWNE - 0.4 ac (89255)
 NWNE - 1.0 ac (75833)

Application for Water Rights Transfer "To":
 - T3N, R29E, S21, SESE - 1.8 ac (G-89255)
 - T3N, R29E, S22, SWSW - 1.0 ac (G-75838)

Point of appropriation located in NWNW of T3N, R29E, S27;
 1070 ft S & 1180 ft E of the NW corner of S27

Legend

Water Rights Certificates

Primary Irrigation

- 75838, not subject to transfer
- 89255, not subject to transfer
- 75838, "From" acreage
- 89255, "From" acreage
- 75838, "To" acreage
- 89255, "To" acreage

- Groundwater Well
- Pipelines
- Tax lots
- Sections
- Quarter-quarter
- Roads
- Umatilla River

N

200 100 0 200 400
Feet

1" = 400'

T3N, R29E, W.M.

Disclaimer: This map is not intended to provide legal dimension or locations of property ownership lines.

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

AKANA 6400 SE Lake Road, Ste 270
 Portland, Oregon 97222
 (503) 652-9090

Figure 1 - Transfer of Water Rights Map
 Lands Subject to Water Rights Transfer
 Certificate Nos.: 75838 & 89255

Lloyd and Lois Piercy
 Echo West Vineyards
 PO Box 249
 Echo, OR 97826

1	07/28/2016	RMS	DRAFT
No.	Date	By	Revisions

Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of UMATILLA)

I, LLOYD AND LOIS PIERCY, in my capacity as OWNERS,
 mailing address PO Box 249, ECHO OR 97826
 telephone number (541)561-0421, 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 # 75838; **OR**

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

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

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

(continues on reverse side)

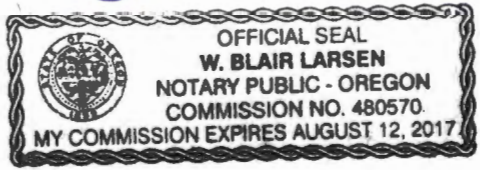
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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.

[Signature]
Signature of Affiant

9/20/16
Date

Signed and sworn to (or affirmed) before me this 20th day of September, 20 16.



[Signature]
Notary Public for Oregon

My Commission Expires: 8/12/2017

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 confirming 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"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<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"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. 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 – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

T 12488

FS

Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of UMATILLA)

I, LLOYD AND LOIS PIERCY, in my capacity as OWNERS,
 mailing address PO BOX 249, ECHO OR 97826
 telephone number (541)561-0421, 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 # 89255; **OR**

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

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

(continues on reverse side)

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

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

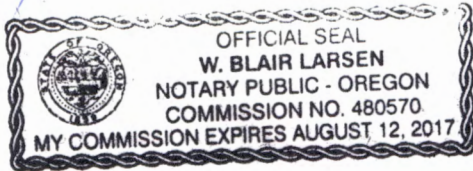
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Signature of Affiant

Date

9/29/16

Signed and sworn to (or affirmed) before me this 20th day of September, 2016.



W. Blair Larsen

Notary Public for Oregon

My Commission Expires: 8/12/2017

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 confirming 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"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<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"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. 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 – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED BY OWRD

SEP 21 2016


SALEM, OR

FS

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 # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

RECEIVED BY OWRD

SEP 21 2016

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.

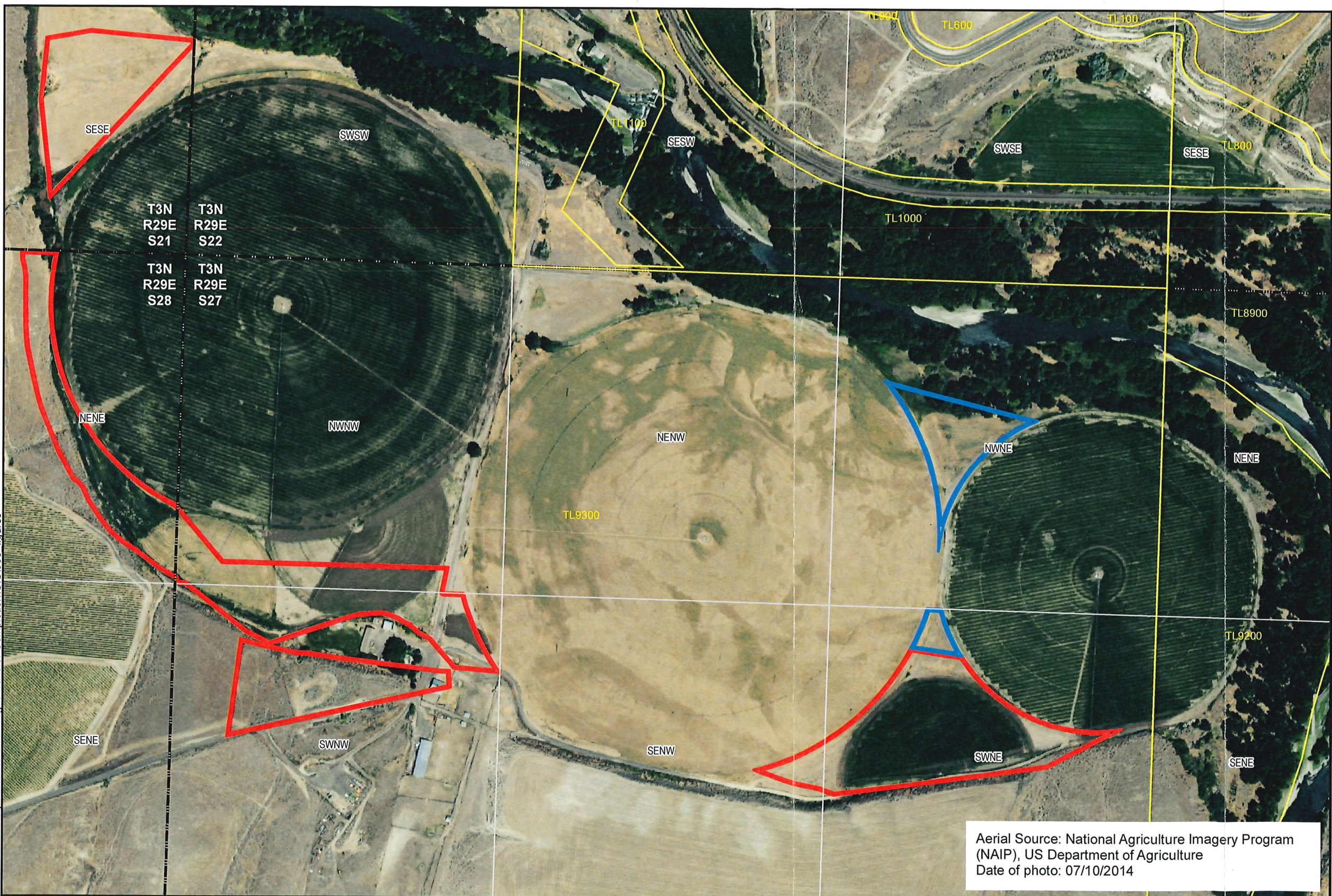
SALEM, OR

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

P:\PDX PROJECTS\2014\14-24 Piercy Stanfield Water Right Transfer Completion\GIS\006 figures



Legend

- Tax lots
- Sections
- Quarter-quarter
- Place of Use for 89255
- Place of Use for 75838

N

15075 0 150 300
Feet

1" = 400'
T3N, R29E, W.M.

Disclaimer: This map is not intended to provide legal dimension or locations of property ownership lines.

RECEIVED BY OWRD

SEP 21 2016

SALEM, OR

Aerial Source: National Agriculture Imagery Program (NAIP), US Department of Agriculture
Date of photo: 07/10/2014

AKANA
Plan + Design + Engineer + Manage

6400 SE Lake Road, Ste 270
Portland, Oregon 97222
(503) 652-9090

Evidence of Use Map - Aerial Photography

Project No.: 14-24 - Piercy Water Rights Transfer
Lloyd and Lois Piercy
Echo West Vineyards
PO Box 249
Echo, OR 97826

1	09/15/16	RMS	DRAFT
No.	Date	By	Revisions

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **121382**

INVOICE # _____

RECEIVED FROM: Lloyd Piercy;

APPLICATION _____

BY: [Redacted] Piercy

PERMIT _____

TRANSFER T-12488

CASH: CHECK: # 12108 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1450.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ 1450.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____
OTHER (IDENTIFY) _____

EXAM FEE
\$ _____
\$ _____
\$ <u>1450.00</u>
EXAM FEE
\$ _____

RECORD FEE
\$ _____
\$ _____

LICENSE FEE
\$ _____
\$ _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **121382**

DATED: 9-21-14 BY: Felicia Brown

Regular Permanent Water Right Transfer Application Checklist

Checked by Sarah Date 9/22/16

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____

(If OK, check box to left; if not, fill in the blank)

1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

2. Are fees included and correct? Fee paid: 1450
If not, the correct fee would be: _____, so the amount missing is: _____

► If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells = _____	x \$350.00 =	
Total =		

► If a Government Action POD change (see: Page 5): NO CHARGE

► If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) = <u>1</u>	x \$450.00 =	<u>450</u>
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00
1 or 2 additional TYPEs of change* (see Page 5 of application) = _____	x \$800.00 =	
If <i>Place of Use</i> or <i>Character of Use</i> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs = _____	x \$300.00 =	
HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer		
Sub-total =		<u>1450</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		<u>1450</u>

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE *or* (Supplemental to Primary)] are counted as one type

3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
 N/A Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application 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.



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

September 27, 2016

LLOYD AND LOIS PIERCY
PO BOX 249
ECHO, OR 97826-0249

Reference: Application T- 12488

On September 21, 2016, we received your water right Transfer application. The application was accompanied by \$1450.00. Our receipt number 121382 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #5 (*via email*)
Said Amali/Akana, Agent

Enclosure



Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before [30DAYDEADLINE]. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<u>T 12488</u>
Water Right	Cert:89255 , Cert:75838
County/Basin	Umatilla / Umatilla(7)
Applicant Name	PIERCY, LLOYD PO BOX 249 ECHO, OR 97826-0249
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > UMATILLA RIVER / 3.00N 29.00E 27 NWNW A WELL > UMATILLA RIVER / 3.00N 29.00E 27 NWNW
Use/Quantity	IRRIGATION / 0.420 CFS IRRIGATION / 0.040 CFS
Priority Date	02/14/1977, 02/14/1977