

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



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

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

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

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: C-64243**

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

- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2023 End Year: 2027.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

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

**(For Staff Use Only)**

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

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

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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## Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

### Part 3 of 5 – Fee Worksheet

| FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |   |                 |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-----------------|
| 1                                                   | Base Fee (includes temporary change to one water right for up to 1 cfs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1 | \$950.00        |
| 2                                                   | Number of water rights included in transfer: <u>1 (2a)</u><br>Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i><br>Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                             | 2 | \$0             |
| 3                                                   | Do you propose to change the place of use for a non-irrigation use?<br><input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a)<br>Subtract 1.0 from the number in 3a above: _____ (3b)<br>If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » »<br>If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and<br>multiply 4c by \$210.00, then enter on line 3 | 3 | \$0             |
| 4                                                   | Do you propose to change the place of use for an irrigation use?<br><input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » »<br><input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the<br>portions of the rights to be transferred: <u>11.0 (4a)</u><br>Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »                                                                                                                       | 4 | \$29.70         |
| 5                                                   | Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 5 | \$979.70        |
| 6                                                   | Is this transfer:<br><input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed<br>Enhancement Board (OWEB) under ORS 541.932?<br><input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to<br>fish and wildlife habitat?<br>If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »                                                                                                                                                     | 6 |                 |
| 7                                                   | If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 7 |                 |
| 7                                                   | Subtract line 6 from line 5 » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 7 | <b>\$979.70</b> |

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

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

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

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

**Applicant Information**

|                                                                                                                                                                             |                    |                     |                                  |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|----------------------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>BEN SELZNICK / FLOWERREE HAY &amp; GRAIN, LLC</b>                                                                                             |                    |                     | PHONE NO.<br><b>406-570-6791</b> | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>PO BOX 7839</b>                                                                                                                                               |                    |                     | FAX NO.                          |                        |
| CITY<br><b>KETCHUM</b>                                                                                                                                                      | STATE<br><b>ID</b> | ZIP<br><b>83340</b> | E-MAIL                           |                        |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                     |                                  |                        |

|                                                                                                                                                                             |                    |                     |                                  |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|----------------------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>JOHN FLOWERREE / FLOWERREE FARMS INC.</b>                                                                                                     |                    |                     | PHONE NO.<br><b>406-570-6791</b> | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>PO BOX 1869</b>                                                                                                                                               |                    |                     | FAX NO.                          |                        |
| CITY<br><b>RENO</b>                                                                                                                                                         | STATE<br><b>NV</b> | ZIP<br><b>89505</b> | E-MAIL                           |                        |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                     |                                  |                        |

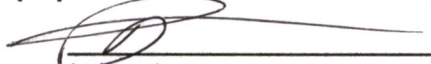
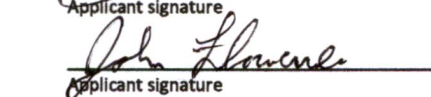
**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

|                                                                                                                                                                             |                    |                     |                                    |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|------------------------------------|------------------------|
| AGENT/BUSINESS NAME<br><b>JOHN A. SHORT / WATER RIGHT SERVICES, LLC</b>                                                                                                     |                    |                     | PHONE NO.<br><b>541-389-2837</b>   | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>PO BOX 1830</b>                                                                                                                                               |                    |                     | FAX NO.                            |                        |
| CITY<br><b>BEND</b>                                                                                                                                                         | STATE<br><b>OR</b> | ZIP<br><b>97709</b> | E-MAIL<br><b>JOHNSHORT@USA.COM</b> |                        |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                     |                                    |                        |

Explain in your own words what you propose to accomplish with this transfer application and why:  
**REARRANGE C-64243 ON SAME PROPERTY (PLACE OF USE CHANGE ONLY). PLEASE WITHDRAW T-13949 (AN APPROVED TEMPORARY TRANSFER IN PLACE THAT AFFECTS C-64243) UPON THE APPROVAL OF THIS TRANSFER.**

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

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

|                                                                                                            |                                                               |                        |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------|
| <br>Applicant signature | <u>Ben Selznick</u><br>Print Name (and Title if applicable)   | <u>4/16/23</u><br>Date |
| <br>Applicant signature | <u>John Flowerree</u><br>Print Name (and Title if applicable) | <u>4/18/23</u><br>Date |

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

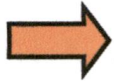
If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

|                             |         |     |
|-----------------------------|---------|-----|
| DISTRICT NAME<br><b>N/A</b> | 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<br><b>N/A</b> | ADDRESS |     |
| CITY                      | STATE   | ZIP |



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

|                                                       |                                 |                     |
|-------------------------------------------------------|---------------------------------|---------------------|
| ENTITY NAME<br><b>LAKE COUNTY PLANNING DEPARTMENT</b> | ADDRESS<br><b>513 CENTER ST</b> |                     |
| CITY<br><b>LAKEVIEW</b>                               | STATE<br><b>OR</b>              | ZIP<br><b>97630</b> |

|             |         |     |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS |     |
| CITY        | STATE   | ZIP |

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## Part 5 of 5 – Water Right Information

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

### Water Right Certificate # 64243

#### Description of Water Delivery System

System capacity: 1.25 cubic feet per second (cfs) OR

\_\_\_\_\_ gallons per minute (gpm)

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

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed?                    | If POA, OWRD Well Log ID# (or Well ID Tag # L-_____) | Twp |   | Rng |   | Sec |    | ¼ ¼ | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------|-----|---|-----|---|-----|----|-----|---------------------------|------------------------------------------------------|
| WELL                   | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | LAKE<br>3102/1123                                    | 27  | S | 18  | E | 12  | SE | NE  | 100                       | 1400' S, 1410' E OF N 1/4 COR SEC 12                 |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                      |     |   |     |   |     |    |     |                           |                                                      |

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

- |                                                               |                                                                   |
|---------------------------------------------------------------|-------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Place of Use (POU)        | <input type="checkbox"/> 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) |                                                                   |

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

- |                                                   |                                                                   |
|---------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Place of Use (POU)       | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Character of Use (USE)   | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD)     |

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

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

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

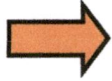
List only the part of the right that will be changed. For the acreage in each  $\frac{1}{4}$ , list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

**Additional remarks: THE FOOTPRINT OF THE PLACE OF USE BEING CHANGED IS 11.0 ACRES OF THE 120.6 ACRES.**

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

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

- ☐ Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

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

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

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

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

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# 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 DESCHUTES

I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

telephone number (541)389-2837, 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 # 64243 & 64249; **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<br>or DLC | Acres<br>(if applicable) |
|---------------|----------|-------|-----|-----|-----|---------------------|--------------------------|
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |

**OR**

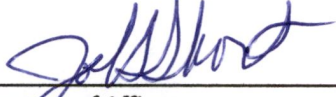
- ☐ Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; **OR**
- ☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional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

(continues on reverse side)

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

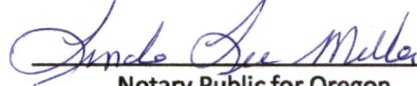
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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

March 22, 2023  
\_\_\_\_\_  
Date

Signed and sworn to (or affirmed) before me this 22 day of March, 2023.



  
\_\_\_\_\_  
Notary Public for Oregon

My Commission Expires: July 12, 2025

| Supporting Documents                                                                                                                                   | Examples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)        | Copy of <b>confirming</b> water right certificate that shows issue date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water                                  | <ul style="list-style-type: none"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>                                                                                                                                                                                                                                                                                                                                                                                 |
| <input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers | <ul style="list-style-type: none"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>                                                                                                                                                                                                                                                                         |
| <input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph                            | Multiple photos can be submitted to resolve different areas of a water right.<br>If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.<br><br>Sources for aerial photos:<br>OSU — <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br>OWRD — <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br>Google Earth — <a href="http://earth.google.com">earth.google.com</a><br>TerraServer — <a href="http://www.terraserver.com">www.terraserver.com</a> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years                                                            | Copy of instream lease or lease number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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T27S R18E

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Received by OWRD

APR 20 2023

Salem, OR

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# Land Use Information Form



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

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## NOTE TO LOCAL GOVERNMENTS

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

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WR / FS

APR 20 2023

OWRD  
SALEM, OREGON

# Land Use Information Form

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

Applicant(s): BEN SELZNICK / FLOWERREE HAY & GRAIN, LLC & JOHN FLOWERREE / FLOWERREE FARMS INC.

Mailing Address: PO BOX 7839

City: KETCHUM

State: ID

Zip Code: 83340

Daytime Phone: \_\_\_\_\_

## A. Land and Location

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

| Township   | Range      | Section   | ¼ ¼   | Tax Lot #  | Plan Designation (e.g., Rural Residential/RR-5) | Water to be:                                 |                                              |                                          | Proposed Land Use: |
|------------|------------|-----------|-------|------------|-------------------------------------------------|----------------------------------------------|----------------------------------------------|------------------------------------------|--------------------|
| <u>27S</u> | <u>19E</u> | <u>5</u>  | _____ | <u>201</u> | <u>FARM USE</u>                                 | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>IR</u>          |
| <u>27S</u> | <u>18E</u> | <u>12</u> | _____ | <u>100</u> | <u>FARM USE</u>                                 | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>IR</u>          |
| _____      | _____      | _____     | _____ | _____      | _____                                           | <input type="checkbox"/> Diverted            | <input type="checkbox"/> Conveyed            | <input type="checkbox"/> Used            | _____              |

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

LAKE COUNTY

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.25 / 0.08 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

REARRANGE PLACE OF USE FOR C-64243 (1.25 CFS) ON TAX LOT 100, MOVE C-64249 (0.08 CFS)  
FROM TAX LOT 100 TO TAX LOT 201.

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

See bottom of Page 3. →

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OWRD  
SALEM, OREGON

## For Local Government Use Only

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

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

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lake County Zoning Ordinance Article 3 A-2
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

27-19-5-201  
27-18-12-100

Name: Darwin Johnson Title: Planning Director

Signature: [Signature] Phone: 541-947-6036 Date: 24 March 2023

Government Entity: Lake County Planning Dept.

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

### Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

1967 SN

047301

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KNOW ALL MEN BY THESE PRESENTS, That Wayne D. Bailey, hereinafter called the grantor, for the consideration hereinafter stated,  
to grantor paid by Flowerree Farms Inc. an Oregon corporation, hereinafter called the grantee,  
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that  
certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, sit-  
uated in the County of Lake and State of Oregon, described as follows, to-wit:Township 27 South, Range 18 East of the Willamette Meridian,  
Section 12: NE $\frac{1}{4}$ .

SUBJECT TO:

- (1) Location of power and telephone lines and public roads as the same may now exist.
- (2) An outstanding interest in C. H. Langslet and Madge E. Langslet, husband and wife, for one half of the coal, oil, gas and minerals on, in or under the land described herein, reserved under that certain deed, including the terms and provisions thereof, recorded in Book 130 at page 634 of the Record of Deeds.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that  
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances excepting  
those set forth aboveand that grantor will warrant and forever defend the above  
granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomso-  
ever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$55,000.00

However, the actual consideration consists of or includes other property or value given or promised which is  
part of the consideration (indicate which)  $\odot$ 

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 27<sup>th</sup> day of May, 1980.Wayne D. BaileySTATE OF OREGON, County of Polk ) ss. May 27, 1980, the above named Wayne D. Bailey

acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: Chas. S. Vane

Notary Public for Oregon

My commission expires 7/1/80Between the symbols  $\odot$ , if not applicable, should be deleted. See Chapter 463, Oregon Laws 1967, as amended by the 1967 Special Session.Wayne D. Bailey

GRANTOR'S NAME AND ADDRESS

Flowerree Farms Inc.3180 S. W. 98thPortland, OR 97225

GRANTEE'S NAME AND ADDRESS

Flowerree Farms Inc.3180 S. W. 98thPortland, OR 97225

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:

Flowerree Farms Inc.3180 S. W. 98thPortland, OR 97225

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of \_\_\_\_\_

I certify that the within instru-

ment was received for record on the

25 day of August, 1981,at 2:23 o'clock P.M., and recordedin book/reel/volume No. 182 onpage 529 or as document/tee/file/

instrument/microfilm No. \_\_\_\_\_

Record of Deeds of said county.

Witness my hand and seal of

County affixed.

Ray W. Hammons, Co. Clerk

NAME TITLE

By Andrew D. Doster Deputy