

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

Application for District Permanent Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review.

Change in Place of Use Only

1A. APPLICANT INFORMATION

IRRIGATION DISTRICT Jordan Valley Irrigation District			PHONE NO. 541-586-2378	ADDITIONAL CONTACT NO.
ADDRESS PO Box 205				COUNTY Malheur
CITY Arock	STATE OR	ZIP 97902	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.				

1B. AGENT INFORMATION

AGENT/BUSINESS NAME Paul Garvin/Garvin HydroGeo LLC			PHONE NO. 503-347-7188	ADDITIONAL CONTACT NO.
ADDRESS 1705 Main St. Ste. 101				FAX NO.
CITY Baker City	STATE OR	ZIP 97814	E-MAIL GARVIN.HYDROGEO@GMAIL.COM	
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.				

2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Certificate	Permit / Previous Transfer	Decree
1.	75583	S -10843	-

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3. ATTACHMENTS

Check each of the following **attachments** included with this application. The application will be returned if all required attachments are not included.

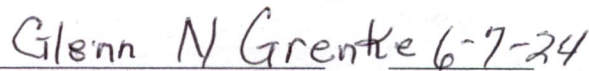
<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.</p> <p>Map</p> <p><input checked="" type="checkbox"/> Permanent Transfer A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).</p>	<p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,360</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p>Land Use Compatibility Statement (not required since a,b,c and d apply)</p> <p><input type="checkbox"/> The Land Use Information Form is <u>not</u> required if water is to be diverted, conveyed and/or used only on federal lands or if <u>ALL</u> of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, 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.</p>
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4. SIGNATURES

The district certifies the following:

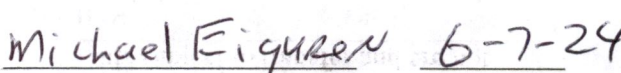
- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district;
- (3) For lands which are no longer irrigated or susceptible of irrigation that are included in this transfer under the authority of ORS 540.572 and OAR 690-385-5000, notices as required under ORS.572 and OAR 690-385-5100 have been given to the user and any security interest holder of record of intent to transfer the right and the user was provided an opportunity to resolve the matter in the manner described by ORS 540.572 and OAR 690-385-5400 and 690-385-5600.
- (4) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.


District Manager signature

 6-7-24
name (print) date

OR


Authorized District Representative signature

 6-7-24
name (print) date

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



District Permanent Water Right Transfer Application

Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. **A separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	75583	
	Certificate Number	
<input type="checkbox"/> Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	-	
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	-	
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for Supplemental Irrigation	-	
	Permit Number	

- Name on Permit, Certificate, or Decree: Jordan Valley Irrigation District
- Priority Date(s): 11/16/1909

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Jordan Creek and Antelope Reservoir

Tributary to: Owyhee River

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?
 YES NO

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

▪ Certificate Number or other identifying number: 75583

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP (N or S)	RNG (E or W)	SEC	Q-Q	DLC	GOV'T LOT	MEASURED DISTANCES
POD 1 (Arock Diversion Dam)	30S	43E	36	NWNW			560' S and 1,060' E from NW Corner of Section 36

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- Certificate Number or other identifying number 75583

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

TABLE I. – AUTHORIZED PLACE OF USE "From"												
POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP (N or S)	RNG (E or W)	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
1	9/16/1909	IR	31S	42E	2	SENE			600	4.1	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SENW			600	10.7	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	NESW			600	5.0	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SWSW			800	9.9	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SESW			600	7.9	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	NESE			600	0.5	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	NWSE			600	0.4	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SWSE			300	0.2	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SESE			300	4.3	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	11	NENE			300	3.6	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	11	NWNE			300	1.7	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	11	NENW			600	1.3	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	12	NWNW			300	3.5	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	12	SWNW			300	6.4	Fretwell, Robert C. and Terry	
TOTAL:										59.5		

Revised by Paul Garvin 7/23/2024

▪ Certificate Number or other identifying number: 75583

TABLE II. – PROPOSED PLACE OF USE “To”												
POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP (N or S)	RNG (E or W)	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
1	9/16/1909	IR	31S	42E	2	SWNE			500	19.6	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SENE			600	17.5	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SENW			600	2.4	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	NESW			600	1.0	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SWSW			800	3.3	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	NWSW			800	0.4	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	NESE			600	0.9	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	NWSE			600	5.0	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	2	SESE			300	1.7	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	11	NENE			300	0.3	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	11	NWNW			1500	1.1	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	11	SENE			1401	3.1	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	12	NWNW			300	2.1	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	12	NENW			300	1.1	Fretwell, Robert C. and Terry	
TOTAL:										59.5		

Revised by Paul Garvin 7/23/2024

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

In the Matter of Transfer Application) FINAL ORDER
T-10472, Malheur County) APPROVING A DISTRICT
) PERMANENT TRANSFER

Authority

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

JORDAN VALLEY IRRIGATION DISTRICT
PO BOX 205
AROCK, OR 97902

Findings of Fact

Background

1. On October 17, 2007, Jordan Valley Irrigation District filed a district transfer application to permanently change the place of use under Certificate 75583. The Department assigned the application number T-10472.
2. Notice of the application for transfer was published on October 23, 2007, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:
Certificate: 75583 in the name of JORDAN VALLEY IRRIGATION DISTRICT (perfected under Permit S-10843)
Use: IRRIGATION of 40.8 ACRES
Priority Date: SEPTEMBER 16, 1909
Limit/Duty: ONE-SIXTIETH of one cubic foot per second (CFS), or its equivalent, and 2.0 ACRE FEET per acre irrigated prior to JUNE 1 of each year and thereafter 0.5 ACRE-FOOT per acre irrigated per month during the irrigation season of each year, WITH THE EXCEPTION OF THE 258.5 ACRES FOR WHICH W.S. SKINNER (NOW SKINNER RANCHES, INC.) WAS DECREED A RIGHT IN SKINNER-VS-JORDAN VALLEY

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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.

IRRIGATION CO. (137 OR.480) WHICH SHALL BE LIMITED TO THE DUTY OF WATER AS SET OUT IN SAID DECREE. IN NO EVENT SHALL THE QUANTITY OF WATER DIVERTED FROM JORDAN CREEK FOR THE NORTHSIDE AND SOUTHSIDE UNITS AT THE NORTHSIDE AND SOUTHSIDE DIVERSION DAM FROM DIRECT FLOW AND/OR STORAGE FROM ANTELOPE RESERVOIR AND FOR USE ON THE ANTELOPE UNIT FROM DIRECT FLOW THROUGH THE FEEDER CANAL AND/OR STORAGE FROM ANTELOPE RESERVOIR EXCEED ONE ACRE-FOOT PER ACRE PER MONTH DURING THE IRRIGATION SEASON MEASURED AT THE FARM HEADGATE OR ITS EQUIVALENT FOR EACH ACRE IRRIGATED.

Source: JORDAN CREEK and ANTELOPE RESERVOIR CONSTRUCTED under PERMIT R-664, tributaries to OWYHEE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
30 S	43 E	WM	36	NW NW	AROCK DIVERSION DAM: 560 FEET SOUTH AND 1060 FEET EAST FROM THE NW CORNER OF SECTION 36
30 S	45 E	WM	32	NW SE	ANTELOPE DAM: 2260 FEET NORTH AND 690 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 32
30 S	46 E	WM	18	NE NE	DIVERSION DAM: 330 FEET SOUTH AND 660 FEET WEST FROM THE NE CORNER OF SECTION 18

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	42 E	WM	1	SE SW	28.5
31 S	42 E	WM	1	SW SE	12.3
TOTAL:					40.8

4. Application T-10472 proposes to permanently change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
31 S	42 E	WM	12	NE SE	2.0
31 S	42 E	WM	12	NW SE	30.0
31 S	42 E	WM	12	SW SE	7.8
31 S	42 E	WM	12	SE SE	1.0
TOTAL:					40.8

Transfer Review Criteria [OAR 690-385-4000]

5. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
6. The water right is subject to transfer as defined in OAR 690-385-0100(17).
7. The proposed change in place of use would not result in enlargement of the right.

8. The proposed change in place of use would not result in injury to other water rights.
9. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10472.

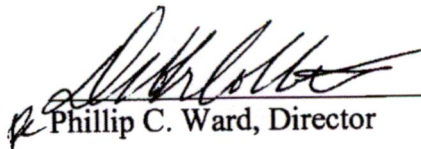
Conclusions of Law

The permanent change in place of use proposed in application T-10472 satisfies the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The permanent change in place of use proposed in application T-10472 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 75583 and any related decree.
3. The former place of use of the transferred right shall no longer receive water under the right.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.
6. The approved change shall be completed on or before **October 1, 2009**.
7. A Claim of Beneficial Use and Final Proof Map shall be submitted by Jordan Valley Irrigation District to the Department by October 1, 2010.
8. Water right Certificate 75583 is modified. The Department will issue a superseding certificate describing the right when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 3 day of January 2008.


Phillip C. Ward, Director

Mailing date: JAN 07 2008

SUPERSEDED

- Certificate Number or other identifying number 75583

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

**TABLE I. – AUTHORIZED PLACE OF USE
"From"**

POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
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1	9/16/1909	IR	31S	42E	2	SENE			600	4.1	Fretwell, Robert C. and Terry	
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1	9/16/1909	IR	31S	42E	2	NWSE			600	0.4	Fretwell, Robert C. and Terry	
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1	9/16/1909	IR	31S	42E	11	NWNE			300	1.7	Fretwell, Robert C. and Terry	
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1	9/16/1909	IR	31S	42E	12	NWNW			1500	3.5	Fretwell, Robert C. and Terry	
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TOTAL:										59.4		

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SUPERSEDED

▪ Certificate Number or other identifying number: 75583

**TABLE II. – PROPOSED PLACE OF USE
"To"**

POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
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1	9/16/1909	IR	31S	42E	11	SENE			1401	3.1	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	12	NWNW			300	2.1	Fretwell, Robert C. and Terry	
1	9/16/1909	IR	31S	42E	12	NENW			300	1.1	Fretwell, Robert C. and Terry	
TOTAL:										59.4		

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