



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 Swalley Irrigation District		PHONE NO. 541-388-0658	ADDITIONAL CONTACT NO.
ADDRESS 64672 Cook Ave, Ste 1		COUNTY Deschutes	
CITY Bend	STATE OR	ZIP 97703	E-MAIL mikayla@swalley.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.			

1B. AGENT INFORMATION

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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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.	74145	-2024-1	Swalley Irrigation District - Vol. 12 at pg 282 and Vol. 16 at pg 148 & 396. Priority date is September 1, 1899
2.		-	
3.		-	
4.		-	
5.		-	
6.		-	

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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.

Supplemental Form A – Description of Proposed Change(s) to a Water Right <input type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer. Map <input 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).	Fees: <input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,360.00</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900. Land Use Compatibility Statement <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.
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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

DER CAMARATA
name (print)

12/18/24
date

OR

Authorized District Representative signature

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.

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4. PROPOSED CHANGES TO THE WATER RIGHT

The district proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.

TABLE I – AUTHORIZED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	17	12	05	SW/NW			01800	.68	Jeffrey & Kathryn Gates Revocable Living Trust
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01202	.32	Justin & Angela Phillips
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01203	.28	Justin & Angela Phillips
74145	3&15	September 1, 1899	IRR	17	12	17	NW/SE			01100	.93	H&B Developers, LLC
74145	3&15	September 1, 1899	IRR	16	12	33	NW/NW			00800	.16	Ian Berg & Lisa Aartsen-Berg
74145	3&15	September 1, 1899	IRR	16	12	33	NE/NW			00800	.01	Ian Berg & Lisa Aartsen-Berg
74145	3&15	September 1, 1899	IRR	17	12	04	SE/NW			00212	.64	Dennis Saylor & Angelica Biernat
TOTAL:											3.02	

TABLE II – PROPOSED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	17	12	05	SW/NW			01800	.68	Jeffrey & Kathryn Gates Revocable Living Trust
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01202	.41	Justin & Angela Phillips
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01203	.19	Justin & Angela Phillips
74145	3&15	September 1, 1899	IRR	16	12	33	NW/NW			00800	.92	Ian Berg & Lisa Aartsen-Berg
74145	3&15	September 1, 1899	IRR	16	12	33	NE/NW			00800	.18	Ian Berg & Lisa Aartsen-Berg
74145	3&15	September 1, 1899	IRR	17	12	04	SW/NE			00212	.10	Dennis Saylor & Angelica Biernat
74145	3&15	September 1, 1899	IRR	17	12	04	NE/NW			00212	.06	Dennis Saylor & Angelica Biernat
74145	3&15	September 1, 1899	IRR	17	12	04	SE/NW			00212	.48	Dennis Saylor & Angelica Biernat
										TOTAL	3.02	



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Notice of District Permanent Water Right Transfer

Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.

1. APPLICANT INFORMATION

District: Swalley Irrigation District

Contact Person: Mikayla Schembari

Phone: 541-388-0658

Mailing Address: 64672 Cook Ave., Ste. 1

City: Bend

State: OR

Zip: 97703

*Fax: _____

*E-Mail address: mikayla@swalley.com

*Optional information

District Internal Notice Number (DINN): 2024-03

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

Pursuant to ORS 540.580 and OAR Chapter 690, Division 385, the district is providing the Water Resources Department this notice of a proposed change in place of use prior to making the change. The district proposes to change the place of use for the following water rights:

CERTIFICATE NUMBER	PERMIT or TRANSFER NUMBER	DECREE (name, volume, and page)
74145	2024-1	Swalley Irrigation District – Vol. 12, at page 282 and Vol. 16 at page 148 and 396. Priority date is September 1, 1899
	-	
	-	

3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

DECREE or CERTIFICATE	PERMIT or TRANSFER	POD / POA #	LOCATION – MEASURED DISTANCES
74145	2024-1	3 & 15	Swalley Main Canal – 985 ft. North & 617 ft West from the Ease SE Corner on Section 14
	-		
	-		

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4. PROPOSED CHANGES TO THE WATER RIGHT

The district proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.

TABLE I – AUTHORIZED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3 & 15	September 1, 1899	IRR	17	12	05	SW/NW			01800	.68	Jeffrey & Kathryn Gates Revocable Living Trust
TOTAL:											.68	

TABLE II – PROPOSED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3 & 15	September 1, 1899	IRR	17	12	05	SW/NW			01800	.68	Jeffrey & Kathryn Gates Revocable Living Trust
TOTAL:											.68	

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5. MAPS and AUTHORIZATIONS

- ☒ Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- ☒ The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- ☒ Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- ☒ The water rights affected by this change do not require a Land Use Compatibility Statement because ALL 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.
- ☒ The undersigned understand and acknowledge that the proposed change in place of use is subject to the approval of the Water Resources Department. The undersigned also understand and acknowledge that if the Water Resources Department finds the change in place of use allowed by the district under this notice results in injury to an existing water right, the Department may direct the district to cease delivery of water to the proposed place of use or direct the district to mitigate the injury.

6. SIGNATURES

I certify that to the best of my knowledge the information contained in this Notice of District Permanent Transfer is true and accurate.



Signature of District Manager
or Authorized Representative

11/13/24
Date

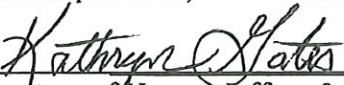
Jer Camarata

Type or Print Name of District Manager
or Authorized Representative



Signature of User - Jeffrey & Kathryn Gates Revocable Living Trust
(authorized place of use) Jeffrey Gates - Trustee

6-27-24
Date



Signature of User - Jeffrey & Kathryn Gates Revocable Living Trust
(authorized place of use) Kathryn Gates - Trustee

6-27-24
Date



Signature of User - Jeffrey & Kathryn Gates Revocable Living Trust
(proposed place of use) Jeffrey Gates - Trustee

6-27-24
Date



Signature of User - Jeffrey & Kathryn Gates Revocable Living Trust
(proposed place of use) Kathryn Gates - Trustee

6-27-24
Date

District Internal
Notice: 2024-03

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

Received
DEC 24 2024
OWRD

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANTS(OFF):**

NAME: **Jeffrey & Kathryn Gates Revocable Living Trust**
ADDRESS: **64227 Schibel Rd. Bend, OR 97703**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	05	SW/NW	01800	.68	IRR

5. **RECIPIENT (ON):**

NAME: **Jeffrey & Kathryn Gates Revocable Living Trust**
ADDRESS: **64227 Schibel Rd, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	05	SW/NW	01800	.68	IRR

7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.


NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT:

  6/27/24
Jeffrey Gates – Trustee Kathryn Gates – Trustee Date
Jeffrey & Kathryn Gates Revocable Living Trust

RECIPIENT/DISTRICT:

 11/13/24
Jer Camarata / Manager / Swalley Irrigation District Date

14582 -



Oregon Water Resources Department
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Notice of District Permanent Water Right Transfer

Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.

1. APPLICANT INFORMATION

District: Swalley Irrigation District

Contact Person: Kathy Ferguson

Phone: 541-388-0658

Mailing Address: 64672 Cook Ave., Ste. 1

City: Bend

State: OR

Zip: 97703

*Fax: _____

*E-Mail address: kathy@swalley.com

*Optional information

District Internal Notice Number (DINN): 2024-04

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

Pursuant to ORS 540.580 and OAR Chapter 690, Division 385, the district is providing the Water Resources Department this notice of a proposed change in place of use prior to making the change. The district proposes to change the place of use for the following water rights:

CERTIFICATE NUMBER	PERMIT or TRANSFER NUMBER	DECREE (name, volume, and page)
74145	2024-1	Swalley Irrigation District – Vol. 12, at page 282 and Vol. 16 at page 148 and 396. Priority date is September 1, 1899
	-	
	-	

3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

DECREE or CERTIFICATE	PERMIT or TRANSFER	POD / POA #	LOCATION – MEASURED DISTANCES
74145	2024-1	3 & 15	Swalley Main Canal – 985 ft. North & 617 ft West from the Ease SE Corner on Section 14
	-		
	-		

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4. PROPOSED CHANGES TO THE WATER RIGHT

The district proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.

TABLE I – AUTHORIZED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01202	.32	Justin & Angela Phillips
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01203	.28	Justin & Angela Phillips
TOTAL:											.60	


TABLE II – PROPOSED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01202	.41	Justin & Angela Phillips
74145	3&15	September 1, 1899	IRR	16	12	29	SE/SE			01203	.19	Justin & Angela Phillips
TOTAL											.60	

5. MAPS and AUTHORIZATIONS

- ☒ Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- ☒ The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- ☒ Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- ☒ The water rights affected by this change do not require a Land Use Compatibility Statement because ALL 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.
- ☒ The undersigned understand and acknowledge that the proposed change in place of use is subject to the approval of the Water Resources Department. The undersigned also understand and acknowledge that if the Water Resources Department finds the change in place of use allowed by the district under this notice results in injury to an existing water right, the Department may direct the district to cease delivery of water to the proposed place of use or direct the district to mitigate the injury.

6. SIGNATURES

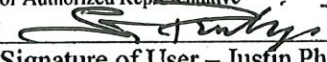
I certify that to the best of my knowledge the information contained in this Notice of District Permanent Transfer is true and accurate.



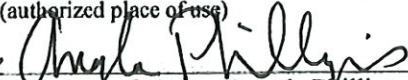
Signature of District Manager
or Authorized Representative

Jeremiah


Type or Print Name of District Manager
or Authorized Representative

* 


Signature of User – Justin Phillips
(authorized place of use)

* 

Signature of User – Angela Phillips
(authorized place of use)

* 

Signature of User – Justin Phillips
(proposed place of use)

* 

Signature of User – Angela Phillips
(proposed place of use)

10/31/24

Date

10/31/24

Date

10/21/24

Date

10/21/24

Date

10/21/24

Date

10/21/24

Date

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OWRD

District Internal
Notice: 2024-04

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

Received
DEC 24 2024
OWRD

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANTS(OFF):**

NAME: Justin & Angela Phillips
ADDRESS: 20355 Tumalo Rd, Bend OR 97703

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	29	SE/SE	01202	.32	IRR
S16	E12	29	SE/SE	01203	.28	IRR

5. **RECIPIENT (ON):**

NAME: Justin & Angela Phillips
ADDRESS: 20355 Tumalo Rd, Bend, OR 97703

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	29	SE/SE	01202	.41	IRR
S16	E12	29	SE/SE	01203	.19	IRR

7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

* APPLICANT: Justin Phillips Angela Phillips 10/21/24
Date
RECIPIENT/DISTRICT: Jer Camarata / Manager / Swalley Irrigation District 10/31/24
Date

14582



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
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Notice of District Permanent Water Right Transfer

Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.

1. APPLICANT INFORMATION

District: Swalley Irrigation District

Contact Person: Mikayla Schembari

Phone: 541-388-0658

Mailing Address: 64672 Cook Ave., Ste. 1

City: Bend

State: OR

Zip: 97703

*Fax: _____

*E-Mail address: mikayla@swalley.com

*Optional information

District Internal Notice Number (DINN): 2024-05

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

Pursuant to ORS 540.580 and OAR Chapter 690, Division 385, the district is providing the Water Resources Department this notice of a proposed change in place of use prior to making the change. The district proposes to change the place of use for the following water rights:

CERTIFICATE NUMBER	PERMIT or TRANSFER NUMBER	DECREE (name, volume, and page)
74145	2024-I	Swalley Irrigation District – Vol. 12, at page 282 and Vol. 16 at page 148 and 396. Priority date is September 1, 1899
	-	
	-	

3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

DECREE or CERTIFICATE	PERMIT or TRANSFER	POD / POA #	LOCATION – MEASURED DISTANCES
74145	2024-I	3 & 15	Swalley Main Canal – 985 ft. North & 617 ft West from the Ease SE Corner on Section 14
	-		
	-		

Received

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District Internal
Notice: 2024-05

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANTS(OFF):**

NAME: **H&B Developers, LLC**
ADDRESS: **20255 Hardy Rd. Bend, OR 97703**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	17	NWSE	01100	.93	IRR

APPLICANTS (OFF)

NAME: **Ian Berg & Lisa Aartsen-Berg**
ADDRESS: **20497 Pohaku Rd, Bend, OR 97703**

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	33	NWNW	00800	.16	IRR
S16	E12	33	NENW	00800	.01	IRR

5. **RECIPIENT (ON):**

NAME: **Ian Berg & Lisa Aartsen-Berg**
ADDRESS: **20497 Pohaku Rd, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	33	NWNW	00800	.92	IRR
S16	E12	33	NENW	00800	.18	IRR

7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

★ APPLICANT:

  11/5/24

Ian Berg Lisa Aartsen-Berg Date

RECIPIENT/DISTRICT:



Jer Camarata / Manager / Swalley Irrigation District

11/5/24

Date

14582

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DEC 24 2024
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4. PROPOSED CHANGES TO THE WATER RIGHT

The district proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.

TABLE I – AUTHORIZED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	17	12	17	NW/SE			01100	.93	H&B Developers, LLC
74145	3&15	September 1, 1899	IRR	16	12	33	NW/NW			00800	.16	Ian Berg & Lisa Aartsen-Berg
74145	3&15	September 1, 1899	IRR	16	12	33	NE/NW			00800	.01	Ian Berg & Lisa Aartsen-Berg
TOTAL:											1.10	

TABLE II – PROPOSED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	16	12	33	NW/NW			00800	.92	Ian Berg & Lisa Aartsen-Berg
74145	3&15	September 1, 1899	IRR	16	12	33	NE/NW			00800	.18	Ian Berg & Lisa Aartsen-Berg
TOTAL											1.10	

Received

DEC 24 2024

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14582 -

Mar. 2015

5. MAPS and AUTHORIZATIONS

- ☒ Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- ☒ The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- ☒ Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- ☒ The water rights affected by this change do not require a Land Use Compatibility Statement because ALL 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.
- ☒ The undersigned understand and acknowledge that the proposed change in place of use is subject to the approval of the Water Resources Department. The undersigned also understand and acknowledge that if the Water Resources Department finds the change in place of use allowed by the district under this notice results in injury to an existing water right, the Department may direct the district to cease delivery of water to the proposed place of use or direct the district to mitigate the injury.

6. SIGNATURES

I certify that to the best of my knowledge the information contained in this Notice of District Permanent Transfer is true and accurate.



Signature of District Manager
or Authorized Representative

11/5/24

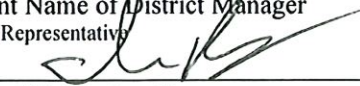
Date

DER CAMARITA

Type or Print Name of District Manager
or Authorized Representative

11/5/24


Date

* 

Signature of User – Ian Berg
(authorized place of use)

11/5/24


Date

* 

Signature of User – Lisa Aartsen-Berg
(authorized place of use)

11/5/24

Date

* 

Signature of User – Ian Berg
(proposed place of use)

11/5/24

Date

* 

Signature of User – Lisa Aartsen-Berg
(proposed place of use)

11/5/24

Date

Received
DEC 24 2024
OWRD

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

Deschutes County Official Records
Steve Dennison, County Clerk

2024-29342



01539188202400293420020022

D-D Cnt=1 Pgs=2 Stn=6
\$10.00 \$11.00 \$61.00 \$10.00 \$6.00

11/07/2024 01:38 PM
\$98.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantors, **H&B Developers, LLC**, releases and quitclaims to **Swalley Irrigation District (SID)** all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of **0.57 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **H&B Developers, LLC** shall no longer be liable for any District assessment or charges pertaining to the total of **1.50 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC17-NW/SE-01100 - 1.50 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.

Consideration for this Quitclaim is **0.00**

Grantors:

H&B Developers - Huffman Financial Inc

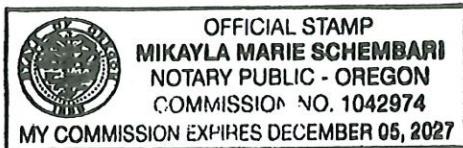
Date **11-5-24**

H&B Developers - Ian Berg

Date **11/5/24**

State of **Oregon** SS.
County of **Deschutes**

Personally appeared **Mark Huffman + Ian Berg** and acknowledged the forgoing instrument to be **his** voluntary act and deed.



Mikayla Marie Schembari

My commission expires **12-5-27**

Swalley Irrigation District:

Jer Camarata, General Manager

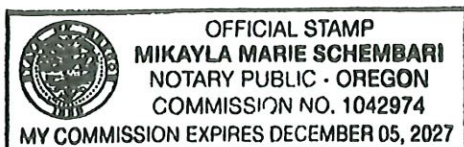
Date

11/5/24

Received
DEC 24 2024
OWRD

State of **Oregon** SS. County of **Deschutes**

Personally appeared, **Jer Camarata**, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be **his** voluntary act and deed.



Mikayla Marie Schembari
My commission expires **12-5-27**

14582 -

Tax statement: No change.

EXHIBIT A

Account # HB2916

Legal Description:
T17S-R12E-WM-SEC17-NW/SE-01100

Taxlot
171217DB01100

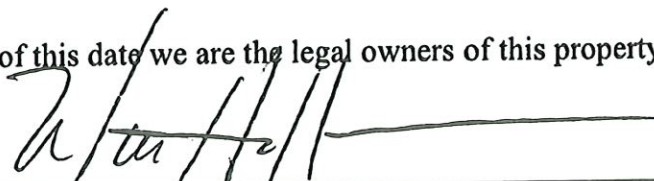



Serial#
118065

WR Acres:
1.50

Property located at 20255 Hardy Road in Deschutes County, Bend Oregon

We are requesting the water rights on our property at 20255 Hardy Rd,
Bend, OR 97703 be quitclaimed back to Swalley Irrigation District.

As of this date we are the legal owners of this property.

	
H&B Developers, LLC – Mark Huffman	Date
	
H&B Developers, LLC – Ian Berg	Date

Received
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Notice #: 2024-QC

District Internal
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541-388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**

NAME: **H&B Developers, LLC**
ADDRESS: **20255 Hardy Rd., Bend, OR 97703**

4. **LOCATION OF USE: AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E., W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S, R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T17S	E12	17	NW/SE	01100	1.50	IRR

5. **RECIPIENT (ON):**

NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands)**

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
T17S	E12	17	NW/SE	01100	1.50	IRR

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: _____

H&B Developers, LLC – Mark Huffman

Date: _____

APPLICANT: _____

H&B Developers, LLC – Ian Berg

Date: _____

DISTRICT: _____

Jer Camarata, Manager, Swalley Irrigation District

Date: _____

14582 ~



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

Saylor

Notice of District Permanent Water Right Transfer

Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.

1. APPLICANT INFORMATION

District: Swalley Irrigation District

Contact Person: Mikayla Schembari

Phone: 541-388-0658

Mailing Address: 64672 Cook Ave., Ste. 1

City: Bend

State: OR

Zip: 97703

*Fax: _____

*E-Mail address: mikayla@swalley.com

*Optional information

District Internal Notice Number (DINN): 2024-06

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

Pursuant to ORS 540.580 and OAR Chapter 690, Division 385, the district is providing the Water Resources Department this notice of a proposed change in place of use prior to making the change. The district proposes to change the place of use for the following water rights:

CERTIFICATE NUMBER	PERMIT or TRANSFER NUMBER	DECREE (name, volume, and page)
74145	2024-1	Swalley Irrigation District – Vol. 12, at page 282 and Vol. 16 at page 148 and 396. Priority date is September 1, 1899
	-	
	-	

3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

DECREE or CERTIFICATE	PERMIT or TRANSFER	POD / POA #	LOCATION – MEASURED DISTANCES
74145	2024-1	3 & 15	Swalley Main Canal – 985 ft. North & 617 ft West from the Ease SE Corner on Section 14
	-		
	-		

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14582 Mar 2015

4. PROPOSED CHANGES TO THE WATER RIGHT

The district proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.

TABLE I – AUTHORIZED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	17	12	04	SE/NW			00212	.64	Dennis Saylor & Angelica Biernat
TOTAL:											.64	

TABLE II – PROPOSED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
74145	3&15	September 1, 1899	IRR	17	12	04	SW/NE			00212	.10	Dennis Saylor & Angelica Biernat
74145	3&15	September 1, 1899	IRR	17	12	04	NE/NW			00212	.06	Dennis Saylor & Angelica Biernat
74145	3&15	September 1, 1899	IRR	17	12	04	SE/NW			00212	.48	Dennis Saylor & Angelica Biernat
TOTAL											.64	

5. MAPS and AUTHORIZATIONS

- ☒ Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- ☒ The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- ☒ Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- ☒ The water rights affected by this change do not require a Land Use Compatibility Statement because ALL 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.
- ☒ The undersigned understand and acknowledge that the proposed change in place of use is subject to the approval of the Water Resources Department. The undersigned also understand and acknowledge that if the Water Resources Department finds the change in place of use allowed by the district under this notice results in injury to an existing water right, the Department may direct the district to cease delivery of water to the proposed place of use or direct the district to mitigate the injury.

6. SIGNATURES

I certify that to the best of my knowledge the information contained in this Notice of District Permanent Transfer is true and accurate.



Signature of District Manager
or Authorized Representative

12/11/24


Date



Type or Print Name of District Manager
or Authorized Representative

12/11/24


Date



Signature of User - Dennis Saylor
(authorized place of use)

12/11/24


Date



Signature of User - Angelica Biernat
(authorized place of use)

12/11/24


Date



Signature of User - Dennis Saylor
(proposed place of use)

12/11/24

Date



Signature of User - Angelica Biernat
(proposed place of use)

12/11/24

Date

Received
DEC 24 2024
OWRD

District Internal
Notice: 2024-06

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANTS(OFF):**

NAME: **Dennis Saylor & Angelica Biernat**
ADDRESS: **20565 Lowe Ln Bend, OR 97701**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	04	SE/W	00212	.64	IRR

5. **RECIPIENT (ON):**

NAME: **Dennis Saylor & Angelica Biernat**
ADDRESS: **20565 Lowe Ln Bend, OR 97701**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	04	SW/NE	00212	.10	IRR
S17	E12	04	NE/NW	00212	.06	IRR
S17	E12	04	SE/NW	00212	.48	IRR

7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

★ APPLICANT:

 /  12/11/24
Dennis Saylor / Angelica Biernat Date

RECIPIENT/DISTRICT:

 12/11/24
Jer Camarata / Manager / Swalley Irrigation District Date

14582